



COVERSHEET

Minister	Hon Michael Wood	Portfolio	Immigration
Title of paper	<i>Border Exception Proposals – transition to the Accredited Employer Work Visa</i>	Date to be published	19 September 2022

List of documents that have been proactively released

Date	Title	Author
4 April 2022	<i>2122-3185 Border Exception Proposals – transition to the Accredited Employer Work Visa</i>	MBIE
6 April 2022	<i>Minute of decisions – meeting of Border Exception Ministers, 6 April 2022</i>	MBIE

Information redacted

YES / NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reasons of international relations, privacy of natural persons, constitutional conventions, commercial information, and free and frank opinions



BRIEFING

Border Exception Proposals – transition to the Accredited Employer Work Visa

Date:	4 April 2022	Priority:	High
Security classification:	In Confidence	Tracking number:	2122-3185

Action sought		
	Action sought	Deadline
Hon Kris Faafoi Minister of Immigration	Approve the proposed package of class exceptions and amendments to government-approved lists	6 April 2022
Hon Dr Megan Woods Minister of Research, Science and Innovation		
Hon Chris Hipkins Minister for COVID-19 Response		
Hon Carmel Sepuloni Minister for Social Development and Employment		
Hon Stuart Nash Minister for Economic and Regional Development		
Hon Willie Jackson Minister for Māori Development		

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Kirsty Hutchison	Manager, Immigration (Border and Funding) Policy	Privacy of natural persons	✓
Alice Sowry	Senior Policy Advisor, Immigration (Border and Funding) Policy	Privacy of natural persons	

The following departments/agencies have been consulted
MPI, MFAT, MBIE (INZ, Tourism Policy, BRM), Tourism NZ

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Border Exception Proposals – transition to the Accredited Employer Work Visa

Date:	4 April 2022	Priority:	High
Security classification:	In Confidence	Tracking number:	2122-3185

Purpose

This briefing provides advice on a package of class exceptions and changes to border settings ahead of the next meeting of Border Exception Ministers, scheduled for 3:30-4:00 pm, 6 April 2022. These proposals will address critical workforce shortages in the lead-up to implementation of the Accredited Employer Work Visa (AEWV).

Executive summary

This paper outlines an omnibus package of class exceptions to address the most acute workforce shortages expected over the next three to four months before the AEWV is implemented in July. These exceptions cover the primary sector, seasonal ski tourism roles, foreign dignitaries, and infrastructure projects.

Officials recommend that any additions or expansions to class exceptions continue to limit the number of migrants coming to work in low paid roles, thereby incentivising employers to continue to improve pay and conditions, consistent with the goals of the immigration rebalance.

The AEWV will be the main pathway for employers to access migrant labour from July, and this will enable us to phase out border exceptions. Constitutional conventions

Recommended action

The Ministry of Business, Innovation and Employment (MBIE) recommends that you:

- a **Note** that officials have developed an omnibus package of class exceptions to meet acute workforce shortages over the next three to four months in the lead-up to the implementation of the Accredited Employer Work Visa (AEWV) on 4 July 2022

Noted

- b **Agree** that any additions or expansions to class exceptions are consistent with the aims of the immigration rebalance, limiting the number of migrants coming to work in low paid roles and incentivising employers to improve pay and conditions for workers

Agree / Disagree / Discuss

Class exceptions for approval

Meat processing workers

- c **Note** that Cabinet recently approved implementation of a border class exception for up to 150 meat processors from 27 February 2022, to meet peak seasonal processing demand until May 2022 [CAB-22-MIN-0043]

Noted

d **Note** that the existing class exception is fully subscribed, with all 150 workers nominated to MPI and, as at 18 March 2022, 104 workers invited to apply for visas

Noted

e **Note** that MPI proposes expanding the cap by 500 to meet ongoing workforce shortages over peak processing season (December-May), and to address animal welfare and health and safety concerns

Noted

f **Agree** to expand the cap for the existing meat processors border class exception: from 150 to 650, maintaining existing pay requirements of at least \$27 per hour across a pay period

Agree / Disagree

Forestry workers

g **Note** that MPI proposes a border class exception for up to 300 silviculture forestry workers and a border class exception for up to 280 wood processors and manufacturers

Noted

h **Note** that the sector estimates 500 silviculture forest workers are needed immediately in time for the 2022 planting season, (May to September), and a shortfall in workers could reduce planting volumes and plant survival rates, with implications for future carbon reduction targets and supply of timber

Noted

i **Note** that skilled wood processors and manufacturers are needed to meet rapidly growing demand for wood products, critical to the building and construction industry's supply chains

Noted

j **Agree** to a border class exception for up to 300 silviculture forestry workers earning at least the median wage (currently \$27 per hour)

Agree / Disagree / Discuss

k **Agree** to a border class exception for up to 280 wood processors and manufacturers (plus partners and dependent children) earning at least median wage (currently \$27 per hour), for up to 12 months

Agree / Disagree / Discuss

Dairy workers

l **Note** that on 8 June 2020, Cabinet agreed to a class exception for up to 200 dairy farm managers, 2ICs, dairy herd managers and dairy farm assistants with different minimum pay requirements depending on the role, which is due to expire 30 April 2022 [CAB-21-MIN-0212]

Noted

m **Note** that on 16 February 2022, Border Exception Ministers agreed to a second dairy farm worker class exception for up to 300 dairy farm assistants earning at least median wage plus \$1 (currently \$28 per hour), which does not have an expiry date [MBIE briefing 2122-2992 refers]

Noted

n **Note** that as at early April 2022, the full quota of 200 workers referred to in recommendation I had been nominated to INZ

Noted

o **Note** that the dairy sector is concerned that the remaining places may not be sufficient to support the 2022 calving season, which starts in June/July

Noted

p **Agree** to expand the existing, second dairy worker class exception by:

- adding an extra 500 workers to the cap
- reintroducing eligibility for assistant dairy farm managers, 2ICs and dairy herd managers
- amending the minimum pay requirement to at least median wage plus \$1 for all roles

Agree / Disagree / Discuss

Seasonal ski workers

q **Note** the ski sector has forecast operations to be at 100% of their pre-COVID business levels, as bookings for the upcoming 2022 ski season (May to October) are set to increase with the border opening up to Australian and visa-waiver visitors

Noted

r **Note** there is an immediate shortfall of skilled ski seasonal workers needed by the ski sector to safely operate with the increase of visitors on the ski fields

Noted

s **Note** that Tourism New Zealand supports a request to bring 275 skilled ski workers, across various roles

Noted

t **Note** that Tourism New Zealand proposes a class exception for up to 275 ski seasonal workers needed for the roles outlined below, earning at least the median wage (currently \$27 per hour):

- i. Snow Sports Instructors: 190
- ii. Snow Safety/Patrol: 20
- iii. Groomer operators: 20
- iv. Lift Technicians: 5
- v. Ski Workshop technicians: 30
- vi. Snowmaking: 10

Noted

u **Agree** to a class exception for up to 275 ski seasonal workers, subject to the sector's agreement to pay at least the median wage (currently \$27 per hour)

Agree / Disagree / Discuss

Official visits from visa-required countries

v **Note** that New Zealand has interests in the resumption of official visits from foreign governments, to be able to transact business that cannot otherwise be done virtually

Noted

- w **Note** that a class exception for official visits will help to facilitate travel to support bilateral relationships
Noted
- x **Agree** to a class exception for up to 200 foreign officials (Ministers and other Government representatives plus their official delegations) to New Zealand, to be nominated by MFAT (or the responsible counterpart agency), for up to 6 months
Agree / Disagree / Discuss
- y **Note** that commencing from 12 April will align with when officials from Australia can enter, and will ensure there is a pathway for any priority visits that may be sought at short notice
Noted

Diplomatic reunions (immediate adult family members)

- z **Note** that MFAT supports a class exception for up to 100 immediate adult family members from visa-required countries of diplomats resident in New Zealand, who would not otherwise be able to enter until Step 5 of RCNZ, currently set for October 2022
Noted
- aa **Note** that Cabinet will shortly be considering options to bring forward Step 5 of RCNZ, which, if agreed, would enable family reunification for all foreign nationals currently in New Zealand significantly earlier than previously announced
Noted
- bb **Agree** to a class exception for up to 100 immediate adult family members from non-visa-waiver countries of diplomats resident in New Zealand, to be nominated by MFAT, and commencing from 1 May, to align with immediate family members from visa-waiver countries, for up to 12 months
Agree / Disagree / Discuss

Diplomats: private domestic staff (PDS)

- cc **Note** that MFAT supports a class exception for up to 25 diplomatic private domestic staff (PDS) that provide niche support to diplomatic principals in their assigned diplomatic duties and responsibilities through their posting in New Zealand
Noted
- dd **Agree** to a class exception for up to 25 diplomatic private domestic staff, to be nominated by MFAT, for up to 12 months
Agree / Disagree / Discuss

Additions to government-approved lists

- ee **Note** that Cabinet authorised the Border Exception Ministers' Group to approve additions to lists [CAB-20-MIN-0453]
Noted

FIBA Basketball World Cup Qualifier 2023

- ff **Note** that Sport NZ proposes adding the FIBA Basketball World Cup Qualifier 2023 to the Government-approved events list, which comprises both the Philippines and India national men's basketball teams for matches to be played in July 2022

Noted

- gg **Agree** to add the FIBA Basketball World Cup Qualifier 2023 to the Government-approved events list

Agree / Disagree / Discuss

Major infrastructure projects list

- hh **Note** that work on delivery of an approved major infrastructure project, which are those projects with a cost of \$100 million or more, allows 'other critical workers' to enter New Zealand for:

- i. up to six months if their role is time-critical
- ii. up to twelve months if their role is essential for delivery or execution of the project

Noted

- ii **Note** that MBIE (Building, Resources and Markets) previously advised that no changes be made to the threshold of \$100 million, as the expanded critical worker requirement at 1.5 times to median wage was expected to address the construction sector's needs, but ongoing engagement with the sector has highlighted that lowering the threshold would complement other changes to ease workforce shortages [MBIE Briefing 2122-2302 refers]

Noted

- jj **Agree** to reduce the threshold for the major infrastructure projects list from \$100 million to \$50 million, which will double the number of qualifying projects while managing impacts on visa processing capacity

Agree / Disagree / Discuss

- kk **Agree** to replace the requirement that the worker has an essential role in the delivery or execution of an approved major infrastructure project with a bright line test of a median wage requirement, to ensure changes to settings are aligned with the Immigration Rebalance

Agree / Disagree / Discuss

- ll **Note** that most critical workers coming to New Zealand for roles over six months were included in eligibility for the 2021 Resident Visa provided they were in New Zealand by 31 July 2022, including those workers coming in via the major infrastructure projects list

Noted

- mm **Note** that in December 2021, Cabinet decided that workers entering under expanded border settings ahead of the AEWV would not be considered to be critical workers eligible for the 2021 Resident Visa [CAB-21-MIN-0554]

Noted

- nn **Note** that if Ministers agree to expand the pathway for workers entering under the major infrastructure projects list, officials will prepare immigration instructions for certification that ensure consistency with Cabinet decision noted in recommendation mm

Noted

Adding the Marsden Point decommissioning project as a major infrastructure project

- oo **Note** that MBIE (Energy and Resources Markets) proposes adding the Marsden Point decommissioning project to the approved major infrastructure projects list
Noted
- pp **Note** that the sector is seeking to fill around 161 roles in the short-term [REDACTED]
Free and frank opinions [REDACTED]
Noted
- qq **Note** that Marsden Point is a priority project, given its critical role in shoring up New Zealand's fuel security
Noted
- rr **Agree** to add the Marsden Point decommissioning project to the Government-approved major infrastructure projects list (with a minimum pay threshold of median wage)
Agree / Disagree / Discuss

Implementation

- ss **Note** that any new class exceptions require implementation by the Minister of Immigration through certifying changes to Immigration Instructions, which may require further work on detailed eligibility requirements for applying the exception and changes to online forms, ICT systems and business processes.
Noted
- tt **Note** that the class exceptions agreed in recommendations f, j, k, p, u, x, bb, dd, and gg will be implemented with effect from 12 April and the changes proposed in recommendations kk, jj, and rr will be implemented as soon as possible from 12 April, at date to be determined by the Minister of Immigration
Noted

Phasing out of border class exceptions

- uu **Note** that the border exceptions regime has enabled employers to access a limited number of critical workers while the border restrictions have been in place
Noted
- vv **Note** that the AEWV goes live from 4 July and will become the main pathway for employers to access migrant labour and that this will enable border and class exceptions to be phased out
Noted
- ww Constitutional conventions [REDACTED]
Agree / Disagree / Discuss

Forwarding and proactive release

- xx **Agree** to forward this briefing to the Minister of Foreign Affairs, Minister for Building and Construction, Minister of Agriculture and Minister of Transport
Agree / Disagree / Discuss

yy **Note** that MBIE intends to proactively release this briefing once decisions have been confirmed and publicly communicated

Noted

Privacy of natural persons

Kirsty Hutchison
Manager, Immigration (Border and Funding) Policy
Labour, Science and Enterprise, MBIE
04/04/2022

Hon Kris Faafoi
Minister of Immigration
..... / /

Hon Chris Hipkins
Minister for COVID-19 Response
..... / /

Hon Dr Megan Woods
Minister of Research, Science and Innovation
..... / /

Hon Carmel Sepuloni
Minister for Social Development and Employment
..... / /

Hon Stuart Nash
Minister for Economic and Regional Development
..... / /

Hon Willie Jackson
Minister for Māori Development
..... / /

Context and background

1. Cabinet has prioritised workers in the early steps of *Reconnecting New Zealanders* (RCNZ). This includes:
 - a. Expanding and simplifying the other critical worker pathway through the implementation of a 1.5 times median wage bright line test (as at 23 March there have been 408 EOIs and 147 visas granted)
 - b. reopening Working Holiday Scheme visas from 14 March 2022 (as at 23 March there have been 3,183 applications and 1,647 visas granted)
 - c. implementing urgent class exceptions for priority workers in advanced manufacturing, primary sector, and transport industries, entering from late February and early March.
2. As part of decisions on RCNZ, Cabinet agreed that Step 3 include expanded border exceptions and additions to Government-approved lists as needed, and delegated authority to Border Exception Ministers to approve these.
3. Officials have developed a package of class exceptions to meet acute workforce shortages over the next three to four months in the transition to the Accredited Employer Work Visa (AEWV) on 4 July 2022. The introduction of the AEWV will be a critical step in both the reopening of New Zealand's border to more temporary migrant workers, as well as the implementation of the Immigration Rebalance.

The threshold for border exceptions should remain high to support the goals of the immigration rebalance

4. The labour market has performed strongly over the past two years, as the domestic labour market has expanded to meet increased demand for labour given the border closure. This means that unemployment has dropped to a low of 3.2% in the quarter ending December 2021.
5. However, considerable spare capacity remains in the labour market, with almost 550,000 domestic workers reporting in the December 2021 Household Labour Force Survey that they were either willing to work or were already working but seeking more hours. Wage growth has also been subdued over the last few quarters. Pressure remains on firms to make further increases, as wage growth has not kept pace with the cost of living.
6. Although the Omicron outbreak has negatively impacted economic activity by reducing both available workers (as well as demand from consumers), we expect its effects on the labour market to be temporary as case numbers ease.
7. The purpose of the border exceptions regime is to facilitate access to offshore workers to meet the most critical skills gaps that cannot be met by the onshore workforce. Although there are no longer any MIQ constraints that require Ministers to restrict numbers, we recommend that any additional class exceptions are limited in size, scope and time period in order to ensure consistency with the goals of the Immigration Rebalance and minimise visa processing impacts.

Proposals for consideration

8. The Senior Officials Group met on 30 March 2022 and considered the proposals for class exceptions for:
 - Meat processing workers
 - Forestry – silviculture workers

- Forestry – wood processors and manufacturers
- Dairy workers
- Seasonal ski workers
- Official visits from non-visa-waiver countries
- Diplomatic reunions
- Diplomats: private domestic staff
- Amendments and additions to Government-approved lists:
 - Marsden Point decommissioning project
 - Major infrastructure projects (lowering the cost threshold)
 - FIBA Basketball World Cup Qualifier 2023

Workforce class exceptions

9. New workforce class exception proposals have been assessed against the criteria established by Cabinet in September 2020:
 - a critical workforce gap is identified that cannot be filled in total domestically
 - labour market risks for New Zealanders are minimal or conditions can be put in place as part of a class exception that will support improvements to the industry's working conditions and employment of New Zealanders over the short-medium term
 - the proposal does not undermine the longer-term immigration system objective of reducing reliance on low skilled migrants and improving quality of jobs in a sector [CAB-20-MIN-0453].

Meat processing workers

10. A previous class exception for up to 150 meat processing workers, earning at least the median wage (currently \$27 per hour), has now been fully subscribed [CAB-22-MIN-0043 refers].
11. MPI supports a further class border exception for up to 500 migrant meat processing workers to supplement the domestic workforce and enable maximum processing capacity for the 2022/23 meat processing peak season, which runs until May 2022.
12. There are persistent workforce shortages in the sector that are typically filled through temporary migrant workers. Prior to the border closure, a number of meat sector employers would ordinarily have access to overseas workers under the Approval in Principle (AIP) scheme. Relevant employers have retained only a small portion of this workforce since the borders were closed (those who remained in New Zealand) and the shortfall against previous worker numbers is significant.
13. This class exception is intended to target experienced meat processing workers in order to alleviate the most acute workforce challenges and preserve supply chains. As a condition of the class exception, MPI proposes a minimum pay rate of the median wage across the shift (currently at least \$27 per hour across each shift). A class border exception requirement for meat processing workers to be guaranteed an average hourly pay rate of at least the median wage for every shift worked may also assist to lift wages across the sector.
14. We recommend you agree to increase the cap to a class border exception of up to 500 additional workers as an addition to the previously subscribed 150 workers in this sector to accommodate for the total workforce shortfall. This will alleviate current critical labour shortage and prevent the breakdown of supply chains.

Table 1 Assessment of meat processing workers proposal

Proposal: Meat processing workers		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 500 workers	Prior to May 2022, or as soon as can be arranged	Intended to target experienced meat processing workers, proposal includes a minimum pay requirement of \$27/hour.
<i>Assessment</i>		
Mandatory criteria	Critical workforce gap	The industry estimates it needs the additional support of 500 experienced meat processing workers on top of the previously granted 150 workers to enable suitable processing capacity. The industry is still facing a long-term shortage of over 2,000 workers in a total processing workforce of over 20,000. This is even more challenging with increased COVID-19 transmission.
	Minimal labour market displacement	Yes. The supply of available New Zealanders is limited due to very low unemployment and issues with attracting people. For example, while full training is available, the requirement to undertake physical work in remote, regional locations (e.g., Fineland in South Otago) is a barrier for many New Zealand workers.
	Doesn't undermine workforce improvement	There is work underway in the sector to improve work conditions, with room to do more. Action to date has been focused on improvements to workplace health and safety, as well as some investment in attraction and training initiatives. Pay rates depend on individual employers, with some employers now committed to a base pay rate of the living wage. The Meat Industry Association is drafting a meat processing workforce development plan, due to be finalised very soon. This plan aims to provide a comprehensive understanding of the existing workforce, and focusses on initiatives to attract, train and retain New Zealanders into meat processing roles. To address retention, flexibility of employment, overcoming seasonality, additional pastoral care (such as drug rehabilitation, childcare, transport and accommodation provision), and health and safety are the key themes.
Further strength of case	State which factors: - <i>Support significant jobs</i> - <i>Supply industry critical services</i>	The red meat industry's annual exports for 2021 totalled approximately \$10 billion, with 24,000 jobs supported across the sector. Workforce challenges have significant down-stream impacts. The industry considers that the overall loss of productivity due to labour shortages in 2022 could amount to at least \$200 million. Labour shortages result in sub-optimal flows of work but also the non-capture of secondary products and less higher value processing.

Forestry workers

15. MPI has sponsored a border class exception proposal for up to 300 silviculture forestry workers and a border class exception for up to 280 wood processors and manufacturers.
16. The forestry sector estimates 500 silviculture forest workers are needed immediately in time for the 2022 planting season, which begins in May and runs through to September, and a

shortfall in workers could reduce planting volumes (which typically increase 20 percent year on year) and plant survival rates, with implications for future carbon reduction targets and supply of timber.

17. Skilled wood processors and manufacturers are needed to meet rapidly growing demand for wood products, which has significant implications for the building and construction industry's supply chains.
18. With the launch of the government's One Billion Trees programme in 2018, the number of forestry-related visas (Forest Worker and Bush Regenerator roles) has almost doubled, reaching over 450 in 2018/19.

Table 2 Assessment of silviculture workers proposal

Proposal: class exception for silviculture forestry workers		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 300 workers	By May 2022, in time to support the 2022 planting season	300 silviculture "forestry workers".
<i>Assessment</i>		
Mandatory criteria	Critical workforce gap	The industry estimates it needs 2,000 silviculture workers to enable maximum forest establishment. There are an estimated 1,500 silviculture workers currently in New Zealand, leaving an estimated shortage of 500.
	Minimal labour market displacement	The highest ever number of temporary migrants working as "forestry workers" was 300 (in October 2021). A significant increase in migrant workers risks displacing New Zealanders, though based on previous seasons the sector estimates it could recruit around 200 onshore workers. MSD has noted that permitting entry of 300 migrant silviculturists is unlikely to result in New Zealanders missing out on opportunities to take up jobs as silviculturists.
	Doesn't undermine workforce improvement	The sector has collaborated on the Forestry and Wood Processing Workforce Action Plan 2020-2024 (the Action Plan), which identifies actions and priorities that will help to strengthen the workforce. An industry workforce council has been established to work on the Action Plan and achieve outcomes for the betterment of the whole industry. A workforce transition plan is also being developed to consider how to attract more New Zealanders into the forestry sector, with a focus on seasonal activity. This will be available around mid-2022, with initiatives likely to have a two-to-three-year lead time before the impact will be visible. While the implementation of the Action Plan may bring some progress in improving conditions to attract New Zealanders, MBIE has concerns about the physically and mentally demanding conditions in silviculture.
Further strength of case	State which factors: - <i>Support significant jobs</i> - <i>Supply industry critical services</i>	The forestry sector overall employs 35,000 people. Silviculturists enable the wider harvesting and wood processing sector, aiding the majority of the sector to stay in work. Silviculture also has a direct impact on the forest nursery industry, which employs 3,600 people. Harvesting and manufacturing roles further down the chain, the majority of which are filled by New Zealanders, rely on the presence of skilled silviculturists. Fewer trees mean less export potential, less local potential and higher costs for domestic consumers.

		These services are also critical to ensuring the ongoing supply of wood products (logs, packaging, heating framing for construction), although the full effect of these impacts may not be seen until 23 to 25 years out.
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Table 3 Assessment of wood processors and manufacturers proposal

Proposal: class exception for silviculture forestry workers		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 280	Immediately	<p>The class exception would comprise the following roles:</p> <ul style="list-style-type: none"> • Timber treatment plant operators • Saw-doctors • Timber machinists • Maintenance fitters • Carpenters • Other Wood Processing Machine Operators • Kiln operators • Sawmill Workers • Electricians • Boiler attendants
<i>Assessment</i>		
Mandatory criteria	Critical workforce gap	<p>While it is not quantified, there is a reported shortage of domestic labour available to fill skilled wood processor and manufacturer roles. Despite the sector's effort to recruit New Zealanders, there is a difficulty in finding suitable candidates with the right qualifications or experience.</p> <p>There is high demand for wood by-products in markets abroad and domestically and the sector is requesting a fraction of reported vacancies to be filled by international workers.</p>
	Minimal labour market displacement	<p>There is low risk of labour market displacement. While forestry and wood processing traditionally had a very high proportion of New Zealanders working in the sector (96 percent in 2019), it is difficult to recruit skilled and unskilled staff in the current labour market. These roles can also be physically demanding and are often in remote, regional locations. The sector is committed to seeing remaining shortages filled by New Zealanders.</p>
	Doesn't undermine workforce improvement	<p>The Forestry and Wood Processing Workforce Action Plan 2020-2024 is currently being rolled out which will focus on bringing awareness or knowledge, attraction, education and training and employment condition improvements to bolster interest domestically. The sector's Education and Training Opportunities report is currently in development to identify training and development gaps in the sector.</p> <p>Workforce improvements will take time to take hold in the domestic labour market, meaning that a class exception won't significantly impact the sector's ability to deliver workforce improvements in the long-term.</p>
Further strength of case	<p>State which factors:</p> <ul style="list-style-type: none"> - Support significant jobs - Supply industry critical services 	<p>The forestry sector overall employs 35,000 people. Given the highly integrated nature of wood processing and manufacturing facilities, skill shortages in one area have a potential flow-on effect, directly impacting the business' operations (and employee workflow) and other suppliers to that business such as log buyers, transport operators and product suppliers. An example of this would be the building and construction sector, which employs around 275,600</p>

		people, which would be directly impacted by the wood processing and manufacturing sector operations. With significant global supply chain issues currently being experienced, the alternative to import would be problematic and costly.
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Dairy workers

19. There are currently two class exceptions for dairy workers:
 - a. A class exception for up to 200 dairy farm managers, 2ICs, dairy herd managers and dairy farm assistants with different minimum pay requirements depending on the role, which expires on 30 April 2022. All approved workers are eligible for the 2021 Resident Visa.
 - b. A class exception for up to 300 dairy farm assistants earning at least median wage plus \$1 (currently \$28 per hour), which has no end date. These workers are not eligible for the 2021 Resident Visa.
20. So far, uptake of the class exceptions has been slow, but Officials understand that the low uptake is partly due to timing. Demand for these workers is expected to increase for the 2022 calving season.
21. MPI has sponsored a proposal to expand the existing dairy worker class exception by:
 - Adding an extra 500 workers to the cap
 - Reintroducing eligibility for assistant dairy farm managers, 2ICs and dairy herd managers
 - Amending the minimum pay requirement to at least median wage plus \$1 for all roles.
22. Combined, these changes would mean in practice that there would continue to be two dairy worker class exceptions:
 - a. A class exception for up to 200 dairy farm managers, 2ICs, dairy herd managers and dairy farm assistants with different minimum pay requirements depending on the role, which expires on 30 April 2022. All approved workers are eligible for the 2021 Resident Visa.
 - b. A class exception for up to 800 dairy farm managers, 2ICs, dairy herd managers and dairy farm assistants earning at least median wage plus \$1 (currently \$28 per hour), which has no end date. These workers are not eligible for the 2021 Resident Visa.
23. The Senior Officials Group supports this proposal, as it provides a buffer for the sector to bolster its workforce in time for calving season, which runs from around July to October. Officials expect that uptake will improve under revised settings for the class exception, as the sector will source more workers closer to calving season.

Table 4 Assessment of dairy workers proposal

Proposal: additional class exception for dairy farm workers		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 1,000 (an increase of 500) dairy assistant managers, 2ICs, dairy herd managers and dairy farm assistants, plus partners and dependent children	By May 2022, in time to support the 2022 calving season	500 dairy workers in addition to the current class exception for dairy farm assistants, including the reinstruction of dairy assistant managers, 2ICs and dairy herd managers.
Assessment		
Mandatory criteria	Critical workforce gap	This is an area where there is a recognised labour shortage.
	Minimal labour market displacement	An additional class exception is unlikely to displace New Zealanders. There are ongoing issues filling these roles with New Zealand workers due to a variety of factors, including supply of labour, but also issues related to working conditions.
	Doesn't undermine workforce improvement	Since the 2020 COVID-19 lockdown, the dairy sector has initiated a variety of measures to retain staff and attract New Zealanders into roles on-farm. All willing graduates and participants from training and upskilling programmes have been placed into jobs. DairyNZ is finalising a Workforce Transition Plan, which was a condition of the class exception agreed in 2021. DairyNZ has also started work on a longer-term, farmer-led Workforce Resilience Plan that aims to address systemic labour issues in the dairy workforce (such as why younger people increasingly do not want to work in the sector).
Further strength of case	State which factors: - <i>Support significant jobs</i> - <i>Supply industry critical services</i>	Dairy farm workers manage a range of risks, including those relating to animal welfare and food safety, and play a key role in safeguarding New Zealand's international reputation as a producer of safe and sustainable food. The dairy sector employs over 49,000 staff (total) on and off-farm. This includes 33,000 people working on-farm and around 16,000 processing and commercialisation roles downstream of dairy farms.

Seasonal ski workers

24. Tourism New Zealand has sponsored a class exception for up to 275 ski seasonal workers in specified experienced snow sports positions, including instructors and coaches, patrol safety, technicians, groom drivers, lift technicians and snowmakers.
25. The ski sector has had a surge in bookings coinciding with the announcement that Australians and visa-waiver visitors can enter, in April and May respectively, without any isolation requirements. This means the sector is expecting a greater volume of ski tourists for the 2022 ski season (June – October), forecasting to be close to, if not more than 100% of their pre COVID-19 business levels.
26. With the increased number of ski visitors and the ramping up of operations, the sector is concerned that they will not have a sufficient number of skilled safety technicians and experts to meet health and safety requirements. Failure to secure these workers will force some of the ski resorts to operate at very limited capacity resulting in loss of potential earnings.

27. While skilled ski seasonal workers have been able to enter New Zealand under current border restrictions through the Other Critical Worker pathway, the sector reports that there have been varied outcomes for individual workers in comparable roles. Given the immediate need and high volume of workers required, a class exception would provide a more consistent and responsive approach to address the sector's workforce requirements.
28. While New Zealanders comprise a majority of the ski seasonal roles, there is still a shortfall in the roles particularly at the skilled and experienced level. Traditionally these roles have been supplemented by international workers. Efforts are being made by the sector to train New Zealanders into these skilled roles through initiatives that offer learning and training on the job opportunities as well as the attraction of quality employment with staff benefits such as accommodation and transport.
29. There have been discussions with the ski sector on the possibility of a sector agreement as part of the Immigration Rebalance policy which would allow the sector to employ workers below the median wage [2122-3087 refers]. This is currently under consideration. In the meantime, this proposal addressed the imminent demand for workers for the 2022 winter ski season.
30. Tourism New Zealand have confirmed the ski sector's agreement to pay the median rate of \$27 as a minimum rate for the roles requested. They also noted that workers need to come in by the end of May at the latest.

Table 5 Assessment of seasonal ski workers proposal

Proposal: Seasonal ski workers		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 275 workers	Ski season will be from June to mid-October, but workers needed no later than by the end of May. Activation of a class exception is recommended at the earliest opportunity in April.	Intended to target skilled workers in these roles: <ul style="list-style-type: none"> • Ski and snowboard (Snowsports) instructors & coaches • Patrol • Snow Sports Technicians • Groomer drivers • Snowmakers • Lift Technicians
<i>Assessment</i>		
Mandatory criteria	Critical workforce gap	<p>Ski Areas Association NZ (SAANZ) report there are up to 750–1000 roles to be filled in the 2022 ski season, with approximately 300 in highly skilled critical roles. These roles are needed to ensure the operational safety of ski resorts forecast to be operating at 100% of their pre-COVID demand.</p> <p>Prior to COVID-19, NZ's ski workforce traditionally comprised an equal split of New Zealanders and international workers. Approximately 38% of global staff were on Working Holiday visas or other work visas, and 12% were on employer-assisted work visas. Working Holiday visa holders mainly occupied lower skilled roles (excluded from this request).</p>
	Minimal labour market displacement	<p>All roles except snow sports instructors are predominantly held by New Zealanders. However, there are insufficient New Zealanders with the required skills, certification or experience to fill these needs in the immediate short-term.</p> <p>Despite the seasonality of the workforce, the industry on average in the past has been able to retain approximately 50% of employees year on year, [redacted]</p> <p>Commercial Information [redacted]</p>

	Doesn't undermine workforce improvement	SAANZ has a sustainable workforce strategy that will target measures to grow domestic talent.
Further strength of case	State which factors: - Support significant jobs - Supply industry critical services	The snow sports industry in New Zealand has a large economic impact on the tourism & hospitality industries. Considered as a 'Special Interest Sector' by Tourism New Zealand, it is classified as a sector that: <ul style="list-style-type: none"> • Has visitors who generally have higher average spend than other visitors, • Has activities that encourage regional dispersal and product development, and • Help drive non-peak travel. <p>In 2019, the snow sports industry in New Zealand recorded more than 1.7 million skier visits. According to the October 2020 Monthly Regional Tourism estimates, Destination Queenstown and Lake Wanaka Tourism (combined) estimated approximately \$2.3 billion expenditure for the year ending October 2020. Visit Ruapehu indicated 60% of all visitor spend in the region occurred during the ski season in 2019. Lake Wanaka Tourism noted that the ski sector is critical to the region's recovery from the impacts of COVID-19, as it drives tourist visits to the area.</p>

Official visits from non-visa-waiver countries

31. New Zealand will open to Australian travellers from 12 April 2022, and to visa-waiver visitors from 1 May 2022, which will enable visa-waiver countries to organise official visits to New Zealand from that date.
32. MFAT has submitted a class border exception request for 200 foreign Government representatives including officials from countries that we do not have visa-waiver agreements with to ensure that official business can be conducted, and to maintain parity and avoid negative bilateral relationship consequences.
33. Heads of State/Government and Government Ministers may be covered by the current border exemption for Guests of Government, which is administered by the Department of Internal Affairs. This covers high-level visits and includes wrap around support and security arrangements; therefore it has a high bar. MFAT is interested in facilitating visits for other representatives and officials who do not meet this high bar and will not be covered by visa-waiver reopening on 1 May.
34. MFAT proposes a start date from 12 April, to align with opening to travellers (including government officials) from Australia. This early date is important, as we know visits can arise at short notice **International relations** time for visa processing is still required, and we want to be in a position to accept priority visits. The 200-person cap seeks to balance processing capacity, with inclusiveness of a range of visits from visa-required countries (visa-waiver is unlimited), and delegation size for high-level visits, until the border opens to visitor-visa (proposed for August, but possibly as late as October). There is already interest in visits from a range of countries, **International relations**

Table 6 Assessment of official visits from non-visa-waiver countries proposal

Proposal: Official visits from non-visa-waiver countries		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 200 (plus partners and dependent children)	Opening 12 April in line with reopening to Australia	This is a priority group for MFAT. It will support bilateral interests, and trade recovery, to ensure equity of access for all Governments.

		Current exemption for Guests of Government covers higher level visits
<i>Assessment</i>		
Mandatory criteria	Provide net benefits	Significant foreign policy benefits with visa-required countries International relations
	Minimal labour market displacement	None
	Reasonable request compared to others	Yes, given small numbers
	Strategic alignment	Yes; close alignment with foreign policy objectives in terms of relationship with visa-required countries
Further strength of case	State which factors: - <i>Support significant jobs</i> - <i>Support sector</i>	Resumption of official travel will support our international and trade connections with the world, supporting economic growth. It will also support our trade recovery strategy. There will also be specific trade interests that this proposal will support, for example halal certification visits by foreign MPI equivalent counterparts.

Diplomatic reunions (immediate adult family members)

35. On 1 May 2022 New Zealand will open its borders to visa-waiver visitors, which will allow for family reunification for immediate family members from visa waiver countries of diplomats resident in New Zealand [CAB-22-MIN-0072 refers]. Children of diplomats who are aged 20 or under can already enter New Zealand under current border settings, regardless of nationality.
36. MFAT has sponsored a class exception request for up to 100 immediate adult family members from non-visa waiver countries of diplomats resident in New Zealand, who would not be able to enter from 1 May under Step 3 of RCNZ. This proposal seeks to ensure equity of access for this group within the foreign diplomatic community, while also avoiding negative consequences for bilateral relationships. It is intended to capture both parents, and parents-in-law, of the diplomat.
37. MFAT notes that this proposal would support New Zealand to remain consistent with our international obligations under the Vienna Conventions on Diplomatic and Consular Relations and support our bilateral relationships. This proposal would maintain parity for family reunification amongst the foreign diplomatic community, providing for entry by immediate adult family members from both visa waiver and non-visa-waiver countries.
38. MBIE notes that this proposal would have the unintended consequence of creating an anomaly between foreign nationals from visa-required countries.
39. Cabinet will shortly be considering options to bring forward Step 5 of RCNZ, which, if agreed, would enable family reunification for all foreign nationals currently in New Zealand significantly earlier than previously announced. Ministers may wish to defer consideration of this proposal until the outcome of RCNZ decisions.

Table 7 Assessment of diplomatic reunions (immediate adult family members) proposal

Proposal: Diplomatic reunions (immediate adult family members)		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information
Up to 100 individuals (including family if relevant)	Individuals to enter from 1 May 2020 in line with visa-waiver reopening.	This is a priority group for MFAT. Intended to target the entry of immediate adult family members from non-visa-waiver countries of foreign diplomats

		resident in New Zealand (who under RCNZ would only be permitted to enter New Zealand from October 2022).
Assessment		
Mandatory criteria	Provide net benefits	Significant benefits to upholding New Zealand's diplomatic and consular relations. Prioritisation also ensures equity of access for this group within the foreign diplomatic community.
	Minimal labour market displacement	None. These immediate family members are provided entry under a type of visitor visa that does not permit work in New Zealand.
	Reasonable request compared to others	Yes, given the small numbers. Diplomatic reunions are an important and integral part of public service offshore. Postings are typically for several years, and it is usually not possible for foreign diplomatic staff and their families to visit their families outside of New Zealand as often as they would like or in some cases at all.
	Strategic alignment	Close alignment with NZ's international obligations under the Vienna Conventions on Diplomatic and Consular Relations, as this will demonstrate New Zealand's commitment to facilitating the full functionality of diplomatic missions within the spirit of the Vienna Conventions. Supports New Zealand's bilateral relationships, as we seek to reconnect New Zealand to the world, and better position us to seek reciprocity for New Zealand's offshore diplomatic post network where this is challenged.
Further strength of case	State which factors: - Support significant jobs - Support sector	N/A

Diplomats: private domestic staff (PDS)

40. On 1 May 2022 New Zealand will open its borders to visa-waiver visitors, which will enable private domestic staff (PDS) from visa waiver countries to enter from that date.
41. MFAT has submitted a class border exception request for 25 diplomatic private domestic staff (PDS) to enable diplomatic missions to employ private domestic staff before the border fully reopens to this category. This responds to sustained representations by the Diplomatic Corps over the last few years, who often rely on this category of worker to carry out important functions and is consistent with related international obligations. [REDACTED]

International relations

42. PDS provide important niche support to diplomatic principals in their assigned diplomatic duties and discharge of their responsibilities throughout their posting in New Zealand. MBIE supports this proposal as consistent with New Zealand's international obligations under the Vienna Conventions on Diplomatic and Consular Relations and in support of our bilateral relationships.

Table 8 Assessment of diplomats: private domestic staff (PDS) proposal

Proposal: Diplomats: private domestic staff (PDS)		SOG recommendation: approve
Numbers	Timing considerations	Any other relevant information

Up to 25 individuals (including family if relevant)	Individuals to enter from 1 May 2020 in line with visa-waiver reopening.	This is a priority group for MFAT. Intended to target private domestic staff (PDS) that provide an important niche function in a diplomatic household, such as chef, driver, caregiver, or management of a Head of Mission's household. PDS have been unable to enter New Zealand as they are in a different visa category (work visa) from their principal who can enter under a diplomatic, consular or official visa under the current border exceptions.
<i>Assessment</i>		
Mandatory criteria	Provide net benefits	Significant benefits to upholding New Zealand's diplomatic and consular relations. Prioritisation also supports significant foreign policy and trade benefits and economic interests.
	Minimal labour market displacement	None. They are issued on temporary work visas which are linked to their principal's diplomatic, consular or official visa so will be located wherever their principal is commissioned.
	Reasonable request compared to others	Yes, given the small numbers. PDS provide a niche function in a diplomatic household that often cannot be filled locally. They may share the same nationality, language, and culture of their principal or may have been with the family for years. This makes their skillset distinct and highly valued by the diplomatic mission concerned and are often regarded as critical workers in diplomatic missions.
	Strategic alignment	Close alignment with New Zealand's international obligations and bilateral relationships under the Vienna Conventions: <ul style="list-style-type: none"> • Supports MFAT's goal to deliver on broad commitments under the Vienna Conventions to facilitate the performance of a mission's functions. • Supports New Zealand's bilateral relationships to advance our foreign policy and trade and economic interests. • Allows New Zealand to seek reciprocity for New Zealand's offshore diplomatic post network where similar border access is needed from time to time.
Further strength of case	State which factors: <ul style="list-style-type: none"> - <i>Support significant jobs</i> - <i>Support sector</i> 	Supports diplomatic principals in pursuing their assigned diplomatic duties and responsibilities throughout their posting in New Zealand. This will support the expansion of connectivity with our diplomatic countries in a way that is highly targeted while delivering on our international commitments and bilateral relationships.

Additions to Government-approved lists

43. For non-workforce class exceptions such as additions to Government-approved lists, proposals must:
- provide net economic, social, cultural or academic benefits that have national significance for New Zealand (including for defence, national security and foreign policy including benefit for our relationships in the Pacific)
 - not create more than minimal labour market displacement risks

- c. be reasonable in light of the tightly restricted border settings
- d. focus on whether proposed group exceptions deliver a high level of benefits and are aligned to strategic objectives for the sector and the government [CAB-20-MIN-0453].

FIBA Basketball World Cup Qualifier 2023

- 44. Sport New Zealand has identified a one further sporting event that will be bringing teams and individuals to New Zealand in the coming months that is critical to New Zealand’s national sporting interests. This event is the FIBA Basketball World Cup Qualifier 2023, where both the Philippines and India national men’s basketball teams would travel to New Zealand for matches to be played in early July.
- 45. We recommend you add the FIBA Basketball World Cup Qualifier 2023 to the Government-approved events list

Major infrastructure projects list

- 46. The major infrastructure projects list provides a targeted entry pathway for construction workers employed in essential or time-critical roles in a project on the Infrastructure Commission’s Infrastructure Pipeline with costs over \$100 million. These projects include transport and water infrastructure projects, school and hospital builds, and other significant infrastructure projects.
- 47. Following consultation with the sector, we previously advised that simplifying and widening the ‘other critical worker’ pathway would go a long way towards addressing the sector’s workforce challenges [MBIE Briefing 2122-2302 refers]. The sector also recommended lowering the cost threshold for the major infrastructure projects list to \$20 million. This was on the basis that most of the major infrastructure projects with costs over \$100 million are in the largest urban areas and exclude the majority of local government projects. The sector also noted that the current highest cost threshold restricts a “pipeline” view of labour requirements (e.g., key workers to work on several projects of smaller value).
- 48. At the last Border Exception Ministers’ meeting, Ministers asked officials to reconsider whether the ‘other critical worker’ change would be sufficient, and whether other changes to settings were required. Further feedback from the sector has indicated that lowering the cost threshold would complement this change to ease workforce shortages.
- 49. We have reviewed the mix and scale of projects at various cost thresholds. There are currently just over 100 projects on the Infrastructure Commission’s Pipeline with costs over \$100 million. Lowering the cost threshold to \$50 million would double this to around 200 projects, while lowering it even further to projects with costs over \$25 million would increase the total number of projects to around 400.
- 50. The mix of local government and regional projects is set out below:

Table 9 Projects by cost threshold, location, and whether directly procured by local government

Cost threshold	Total number of projects	Number outside of Auckland	Procured directly by local government
\$100 million	111	59 (53%)	9 (8%)
\$50-100 million	106	57 (54%)	23 (21%)
\$25-50 million	175	105 (60%)	32 (18%)

- 51. As at early March 2022, around 230 EOIs, representing around 620 workers, had been submitted to INZ for workers on major infrastructure projects since the list was implemented in late 2020. Around 150 of these EOIs had been approved, representing around 420 workers.

52. Officials expect that expanding the list of qualifying projects significantly could result in considerable extra pressure on INZ's processing resource and would likely result in some slowing of processing of other border exception categories.
53. If Ministers wish to expand the major infrastructure projects list, officials recommend two key changes to widen settings while also offsetting some of the subsequent processing pressure:
 - a. lower the cost threshold to \$50 million and above – this would double the size of the list and is the same amount as the requirement for agencies to work with Te Waihanganga on project guidance
 - b. replace the requirements in immigration instructions that workers have a time critical or essential role for the delivery or execution of these projects, with a bright line test that workers be earning at least the median wage.
54. These changes would mean that more workers will be eligible via both an expanded list of projects and a bright line salary test. For example, workers that have previously been declined due to not having an "essential" role in the delivery of a project would become eligible provided they are paid at least the median wage. While this will increase volumes, a shift to a bright line test will streamline the work involved in processing EOIs. A bright line test of at least the median wage will also ensure that settings are aligned with settings under the Immigration Rebalance, where most workers will need to earn at least the median wage.
55. Expanding the list of qualifying projects would also go some way to addressing the sector's concerns around project location and procuring agency. A cost threshold of \$50 million continues to target the most significant infrastructure projects, while widening access to critical migrant workers, including through a shift to a bright line test. On balance, officials consider that this change would support firms to bring more workers to New Zealand, adding to the broader pipeline of construction sector workers, while minimising processing capacity risks.
56. There is a rapidly shrinking runway to take full advantage of changes to border exception settings ahead of the AEWV going live. Officials note that this change would need to be well-communicated to the sector, given the wide range of firms and roles that would likely fall within scope of the change. This will require concerted effort across agencies.
57. Most critical workers coming to New Zealand for roles over six months were included in eligibility for the 2021 Resident Visa provided they were in New Zealand by 31 July 2022. This includes those workers coming in via the major infrastructure projects list. In December 2021, Cabinet decided that workers entering under expanded border settings ahead of the AEWV would not be considered to be critical workers eligible for the 2021 Resident Visa [CAB-21-MIN-0554]. If Ministers agree to expand the pathway for workers entering under the major infrastructure projects list, officials will prepare immigration instructions for certification that ensure consistency with this decision.

Adding the Marsden Point decommissioning project as a major infrastructure project

58. MBIE (Energy and Resources Markets) proposes adding the Marsden Point decommissioning project as a major infrastructure project. Shoring up the workforce needed to carry out the project is important for New Zealand's fuel security given current tensions in the geopolitical environment. The project is not on the Infrastructure Commission's pipeline.
59. The sector is seeking to fill around 161 roles in the short-term that pay between median wage and \$37 per hour, falling short of the 1.5 times the median wage threshold in the 'other critical worker' pathway. Roles will include (but are not limited to):
 - Mechanical foremen and supervisors
 - Fabricator welders

- Industrial grit blasters and painters
- Scaffolders
- Riggers
- Machine operators

60. Marsden Point is a priority project, given its critical role in shoring up fuel security. Having a delay in being able to store volumes of petrol in New Zealand will lead to a need for more frequent international tanker deliveries, with increased costs of fuel for consumers due to operational inefficiency. Jet fuel will also be affected, as long-haul jet travel will require fuel to be supplied through the refinery-Auckland pipeline.
61. We therefore recommend that the Marsden Point decommissioning project is added to the list of Government-approved major infrastructure projects, with a requirement that employers pay the median wage.
62. As this would be an expansion to the major infrastructure projects list, these workers would not be eligible for the 2021 Resident Visa as noted in paragraph 57.

We recommend phasing out class exceptions to support the transition to the Accredited Employer Work Visa

63. We recommend that the class exceptions outlined in this paper is the last package of class exceptions to be progressed ahead of the AEWV, to address the most acute workforce shortages over the next three to four months.
64. New temporary work visa settings under the Immigration Rebalance will apply a median wage threshold **Constitutional conventions** in order to shift towards a higher skilled migrant workforce. The median wage threshold will apply to the Accredited Employer Work Visa (AEWV) when it opens in July, set at the 2021 median wage of \$27.76 per hour.
65. The key risk of granting further class exceptions (beyond the package proposed in this paper) in the run up to the AEWV and beyond is that it could delay some employers from seeking accreditation (as required under the AEWV). The exception to this is a small number of sectors where class exceptions will provide a transitional measure until proposed sector agreements are in place under the Immigration Rebalance.
66. Free and frank opinions
67. Constitutional conventions
69. As the detail of sector agreements is currently being worked through, we will provide further advice on whether any extensions to class exceptions are required to support the transition to the immigration rebalance.

Next steps

70. On 1 February 2022, Cabinet delegated Border Exception Ministers authority to take decisions on class exceptions and additions to lists [CAB-22-MIN-0008].
71. Any agreed changes or additions to class exceptions and government-approved lists require implementation through an amendment to immigration instructions. Following decisions by Border Exception Ministers, we will draft amendments to immigration instructions for the Minister of Immigration's certification.
72. To support implementation, announcements will need to be made shortly after decisions are taken.

Annexes

Constitutional conventions

Constitutional conventions