

## Overview

- 1.1 This chapter provides some background on the delegation program and a brief comparative overview of migration arrangements in Australia and New Zealand.

### **Official program**

- 1.2 The program assembled for the visit provided the delegation with an opportunity to examine New Zealand's skilled migration program, as well as its overseas skills recognition process.
- 1.3 The delegation met with New Zealand parliamentarians, government and non-government officials, and peak ethnic groups. (The official program is set out in Appendix A.)

### **Parliamentarians**

- 1.4 Delegation members were honoured to meet with the Speaker of the House of Representatives of New Zealand, the Hon Margaret Wilson MP. The delegation was interested to learn more from the Speaker about New Zealand's unicameral parliamentary system (New Zealand abolished its upper house in 1950) and mixed member proportional electoral system, which has increased the parliamentary representation of minor parties. Under this electoral system it is unlikely that any one party would gain a majority of seats in the House.

- 1.5 The delegation also valued the briefings it received from New Zealand's senior ministers with immigration portfolio responsibilities – the Hon David Benson-Pope MP, Minister of Social Development and Employment,<sup>1</sup> and the Hon David Cunliffe MP, Minister of Immigration. Issues discussed included New Zealand's skilled migration program, skills shortages across the professions and trades, migrant and refugee settlement, and the current review of the New Zealand *Immigration Act 1987*.

Figure 1.1 Delegation members with the Speaker of the House of Representatives of New Zealand, the Hon Margaret Wilson MP



- 1.6 The delegation also met opposition members with responsibilities for immigration matters – the Hon Dr Lockwood Smith MP, National Party Spokesperson on Immigration, and Mr Keith Locke MP, Green Party Spokesperson on Immigration, Ethnic Affairs and Pacific Island Affairs. Delegation members were interested to hear their different perspectives on New Zealand's immigration and settlement policies.

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1 Immigration New Zealand falls within the broader social development and employment portfolio and is administratively part of the Department of Labour.

## Parliamentary committees

- 1.7 The delegation enjoyed wide-ranging discussions with its counterpart committees in New Zealand – the Foreign Affairs, Defence and Trade Committee, chaired by Ms Dianne Yates MP, and the Transport and Industrial Relations Committee, chaired by the Hon Mark Gosche MP.
- 1.8 New Zealand’s select committees are made up of members from government and opposition parties, represented in proportion to party membership in the House. The committees consider bills, petitions and other matters referred by the House or related to their subject areas, as specified under standing orders.

Figure 1.2 Delegation members with the Chair and members of the Foreign Affairs, Defence and Trade Committee



- 1.9 The scope of the Foreign Affairs, Defence and Trade Committee includes immigration related issues, while the scope of the Transport and Industrial Relations Committee includes labour related issues. Labour market issues and migration are closely intertwined in New Zealand, and the Department of Labour plays a lead role in coordinating New Zealand’s migrant and refugee settlement support program.

- 1.10 Discussions with the two committees touched on issues relating to the review of the Immigration Act, border security, regional migration, and migrant and refugee settlement. Committee members also had several questions for delegation members about Australia's immigration policy.

## Immigration New Zealand

- 1.11 The delegation held lengthy discussions with senior officials from Immigration New Zealand (INZ). INZ, which has 750 staff based in offices overseas and within New Zealand, is part of the Department of Labour.<sup>2</sup> Its role includes:
- providing advice on New Zealand's immigration policies and obligations to employer and community groups;
  - facilitating the entry of visitors, students, investors, workers and permanent migrants;
  - supplying prospective migrants with the information they require to make an informed decision;
  - offering settlement assistance and support in conjunction with other government and community agencies; and
  - managing the legal entry of people into New Zealand.<sup>3</sup>
- 1.12 Departmental officials spoke of being at a major 'crossroads' with the current review of the Immigration Act and associated review of New Zealand's immigration policy and changes to program delivery. (These issues are discussed in Chapter 2.)
- 1.13 Other issues discussed included changes to New Zealand's skilled migration program, English language requirements for migration, New Zealand's refugee program and temporary business migration. Pacific islander migration was also raised as a particular challenge, in terms of ensuring that these communities retain skilled workers and maintain viable economies and cultures.
- 1.14 The delegation was pleased to note the high level of information sharing and cooperation between Australia's and New Zealand's immigration departments.
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2 INZ website, <http://www.immigration.govt.nz/migrant/general/aboutnzis/newzealandworldwide.htm>.

3 INZ website, <http://www.immigration.govt.nz/migrant/general/aboutnzis/makingadifference.htm>.

- 1.15 Delegation members also gained insight into New Zealand's border control operations at Auckland International Airport, following a briefing by senior officers from INZ's border operations unit. One of the issues discussed was immigration document and identity fraud.

## Appeals tribunals

- 1.16 Delegation members met with:
- the Refugee Status Appeals Authority;
  - the Removal Review Authority; and
  - the Residence Review Board.
- 1.17 The Refugee Status Appeals Authority determines appeals relating to decisions of the Refugee Status Branch of INZ, declining refugee status. The Removal Review Authority decides appeals under section 47 of the Immigration Act against the requirement for a person who is unlawfully in New Zealand to leave the country. The Residence Review Board decides appeals under section 18C of the Immigration Act by unsuccessful applicants for New Zealand residence visas or permits.
- 1.18 The delegation noted from its discussions with senior officials from the appeals tribunals that, under the current review of the Immigration Act, it is proposed that the appeals system in New Zealand be streamlined through combined tribunals. (This issue is discussed in Chapter 2.)

## Mangere Refugee Reception Centre

- 1.19 Under the government's refugee quota program, New Zealand currently accepts up to 750 refugees each year. All refugees accepted under the program complete a six-week orientation program at the Department of Labour's Refugee Reception Centre (Mangere) in Auckland. Asylum seekers are also housed at Mangere.
- 1.20 The delegation visited Mangere and members were taken on a tour of the facility. Officials also gave a detailed presentation on New Zealand's refugee program, as is discussed further in Chapter 2. Delegation members were interested in the structured orientation program provided to refugees on entry to New Zealand.

## Refugee resettlement services

- 1.21 The delegation met with senior officials from Refugee and Migrant Service (RMS) Refugee Resettlement, New Zealand's primary refugee resettlement agency. RMS, a non-government organisation, provides practical support to the quota refugees accepted by New Zealand each year for resettlement.
- 1.22 The RMS national office in Wellington coordinates the agency's work around the country. In total, RMS employs a paid staff of over 50 people in nine offices, many of whom come from former refugee backgrounds. RMS is also assisted annually by several hundred trained volunteers.<sup>4</sup>
- 1.23 The delegation was interested to hear of the volunteer training program coordinated by RMS. New Zealand's refugee settlement services and volunteers program are further discussed in Chapter 2.

## Peak ethnic councils

- 1.24 The delegation very much welcomed meeting with New Zealand's peak ethnic councils. The delegation was impressed by the forward vision of these groups and their commitment to improving settlement outcomes for migrant communities, under the leadership of Mr Pancha Narayanan, National President, New Zealand Federation of Ethnic Councils; Dr Nagalingam Rasalingam, President, Refugee Council of New Zealand; and Mr Dinesh Tailor, President, Auckland Regional Ethnic Council.
- 1.25 The New Zealand Federation of Ethnic Councils, established in July 1989, acts as an umbrella organisation for the regional ethnic councils and ethnic communities of New Zealand. The delegation noted the Federation's work in improving migrant workforce outcomes and its projects concerning women, youth and volunteers. (The contribution of New Zealand's peak ethnic councils is further discussed in Chapter 2.)

## New Zealand Qualifications Authority

- 1.26 The New Zealand Qualifications Authority (NZQA), established in 1991, has legislated responsibility for the assessment of overseas qualifications held by people seeking residence, employment,

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4 RMS website, <http://www.rms.org.nz/how-we-work.html>.

professional registration or opportunities for further study within New Zealand.

- 1.27 The delegation received a very informative briefing from NZQA. Delegation members were particularly interested in New Zealand's overseas skills recognition framework given that, at the time of the delegation to New Zealand, the Committee was finalising its inquiry into overseas skills recognition, upgrading and licensing. As discussed earlier, the terms of reference for the inquiry required the Committee to compare Australia's arrangements with those of other major immigration countries, and New Zealand was one of the countries under examination. (This area is discussed further in Chapter 2.)

## Comparative summary

- 1.28 Over the course of discussions held with New Zealand officials, numerous statistics were referred to relating to New Zealand's migration and refugee programs. The delegation was interested in comparing aspects of Australia's and New Zealand's immigration arrangements. This information provides context to the delegation's discussions.

## Migration program and statistics

- 1.29 Commentators have noted common policy trends in immigration occurring across Australia and New Zealand, with both countries having:
- prioritised skilled migration in the recent period;
  - diversified immigrant source countries and skill levels;
  - utilised points systems designed to improve selection objectivity while maximising employment outcomes;
  - increased scope for 'two-step' migration (transition from temporary to permanent status);
  - strengthened regional initiatives to encourage more geographically dispersed settlement patterns, in relation to both policy input and settlement options; and
  - attempted to minimise abuse, through the introduction of more coherent and transparent systems.<sup>5</sup>

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5 B. Birrell, L. Hawthorne and S. Richardson, *Evaluation of the General Skilled Migration Categories*, Commonwealth of Australia, March 2006, p. 128.

- 1.30 One issue for New Zealand, as the delegation heard from a number of parliamentarians and officials over the course of the visit, concerned the steady outflow of New Zealanders to Australia. In 2004, for example, 400,000 of New Zealand's 4.2 million population were resident in Australia.<sup>6</sup> However, the net outflow of New Zealand citizens tends to be more than replaced by the net inflow of non-New Zealand citizens, with the net gain over the past decade averaging 10,300 per annum.<sup>7</sup>
- 1.31 Under various arrangements since the 1920s, there has been a free flow of people between Australia and New Zealand. The 1973 Trans-Tasman Travel Arrangement has enabled New Zealanders to travel to, live and work in Australia without restriction and Australians to do the same in New Zealand. The Special Category Visa that enables New Zealanders to travel to and work in Australia is not considered a permanent residence visa.
- 1.32 The New Zealand Government has launched a drive to encourage the return of expatriates in Australia and elsewhere through a campaign called New Zealand Now. The New Zealand Now website provides current information on New Zealand lifestyle and its business environment.<sup>8</sup>
- 1.33 The delegation also heard about the New Zealand Government's recent announcement to encourage skilled New Zealanders to remain resident in the country by providing interest-free student loans. New Zealanders returning home have interest charged on their loan reversed.<sup>9</sup>
- 1.34 Like Australia, New Zealand has an active immigration research program, which is an important part of immigration policy development. Several recent reports, commissioned by the Department of Labour, were drawn to the attention of the delegation, including:
- *Migration Trends 2004-05*, December 2005;
  - *Skilled Migrants in New Zealand: Employers' Perspectives*, January 2006;

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6 Birrell et al, *Evaluation of the General Skilled Migration Categories*, p. 131.

7 Department of Labour, 'Quarterly Migration Update – June 2006', <http://www.dol.govt.nz/PDFs/lmr-external-migration-june-06.pdf>.

8 New Zealand Now website, <http://newzealandnow.info>.

9 Hon Dr Michael Cullen MP, 'Labour delivers on key election pledges', 8 November 2005, <http://www.beehive.govt.nz/ViewDocument.aspx?DocumentID=24326>.

- R. Wallis, *Skilled Migrants in New Zealand: A Study of Settlement Outcomes*, February 2006; and
- P. Shorland, *People on the Move: A Study of Migrant Movement Patterns to and from New Zealand*, March 2006.

### Skilled migration program

- 1.35 As set out in Table 1.1, New Zealand's skilled migrant intake for 2004-05 was 29,826. Almost 10,000 more migrants were approved for residence in 2004-05 than in the previous year and the majority of these were approved through the skilled stream.<sup>10</sup> As the delegation heard from INZ, in 2005-06 New Zealand will raise its overall skilled migration target to 32,000.
- 1.36 Similarly, in Australia, some 97,500 places were allocated for skilled migration in 2005-06, an increase of almost 20,000 places on the numbers approved in 2004-05.<sup>11</sup> Table 1.2 compares the major countries of origin for permanent skilled migrants for the two countries.

Table 1.1 Overall migrant/refugee intake, 2004-05

<b>Australia</b>		<b>New Zealand</b>	
Skills	77 880	Skills	29 826
Family	41 740	Family	13 500
Refugee/ Humanitarian	13 200	Refugee	1 050
		Samoan quota	1 482
		Pacific access category	1 491
<b>Total</b>	<b>132 820</b>		<b>47 349</b>

Source Birrell et al, *Evaluation of the General Skilled Migration Categories*, pp. 156-157

Table 1.2 Major countries of origin for permanent skilled migrants, 2004-05

<b>Australia</b>	<b>%</b>	<b>New Zealand</b>	<b>%</b>
UK	25	UK	49
India	13	South Africa	12
China	11	China	6
South Africa	5	India	5
Malaysia	5	USA	4

Source Birrell et al, *Evaluation of the General Skilled Migration Categories*, pp. 156-157

10 Department of Labour, *Migration Trends 2004-05*, Wellington, December 2005, p. 2.

11 Australian Government, Budget speech 2005-06, <http://www.budget.gov.au/2005-06/speech/html/speech.htm>.

Table 1.3 Points test for skilled migrants

Category <sup>12</sup>	Australia (July 2005)	Points	New Zealand (2004-05)	Points
<b>Points required</b>		120 <sup>13</sup>		100 <sup>14</sup>
<b>Skill</b>	Occupation specific training	60	Masters or PhD	55
	General professional occupations	50	Trade/tertiary	50
	Other general skilled occupations	40		
<b>Age</b>	18-44 years		20-55 years	
	(18-29 years)	30	(20-29 years)	30
	(30-34 years)	25	(30-39 years)	25
	(35-39 years)	20	(40-44 years)	20
	(40-44 years)	15	(45-49 years)	10
			(50-55 years)	5
<b>English language ability</b>	Competent English (IELTS 6)	20	Since November 2002, IELTS 6.5 average a pre-requisite for skills stream principal applicants	
	Vocational English (IELTS 5)—(IELTS 5 is generally the minimum requirement for skills stream principal applicants)	15		
<b>Recent work experience</b>	<u>Offshore applicants</u>		<u>Skilled work experience</u>	
	Experience related to nominated 60 point occupation	10	Greater than 12 months	60
	If experience is in any 40, 50 or 60 point occupation	5	Less than 12 months	50
	12-24 months experience essential, depending on specific skill category		Current job offer plus	50
	<u>Onshore applicants</u>		<u>Relevant work experience</u>	
	Work experience waived for applicants with recent Australian qualifications		10 years	30
			8 years	25
			6 years	20
			4 years	15
			2 years	10
<b>Occupational demand</b>	Nominated occupation on Migration Occupation in Demand List, with job offer	20	(See bonus points)	
	Nominated occupation on Migration Occupation in Demand List, with no job offer	15		
<b>Bonus points</b>	Capital investment, Australian work experience, fluency in a community language	5	Qualification in growth area	10
			Qualification in skills shortage area	10
			Job, job offer or spouse job offer in skills shortage area or select region	5-10
			Extended work experience in skills shortage area or select region	5-15
			2-6 years NZ work experience	5-15

Source Birrell et al, *Evaluation of the General Skilled Migration Categories*, pp. 158-160

12 Not all categories listed.

13 Fewer points required for regional migration.

14 Applicants are then selected by ranking. There is automatic acceptance of applicants with 140 points or more.

- 1.37 Australia and New Zealand both use a points test to determine eligibility under their skilled migration programs. Table 1.3 sets out the points test arrangements for the two countries.
- 1.38 Both countries have mandatory pre-migration qualifications screening as a condition of eligibility for skilled migration and award bonus points for completion of qualifications onshore. Similarly, both Australia and New Zealand have pre-migration English language screening, based on the International English Language Testing System (IELTS). Notably, as will be discussed in Chapter 2, New Zealand has a higher minimum English language requirement than Australia.
- 1.39 The Department of Labour maintains two occupational shortages lists, the Immediate Skill Shortage List (ISSL) and the Long Term Skill Shortage List (LTSSL),<sup>15</sup> which can be compared to Australia's Migration Occupations in Demand List.<sup>16</sup> Potential migrants use these lists to understand where the opportunities for work lie in New Zealand. The ISSL and the LTSSL are reviewed twice yearly by the department, in consultation with industry groups.

### Refugee program

- 1.40 As discussed earlier, New Zealand's annual refugee resettlement quota is 750 places. In 2004-05, 715 people were approved for residence through the refugee quota and residence was granted to a further 335 successful refugee status claimants.<sup>17</sup> Table 1.1 sets out the total number of refugees settled.
- 1.41 Since 1980, some 16,500 people have been accepted into New Zealand as refugees, the majority being Vietnamese, Cambodian, Laotian, Iraqi, Somali and Ethiopian.<sup>18</sup> Chapter 2 looks at New Zealand's refugee program in more detail.

### Temporary visa program

- 1.42 As in Australia, the number of temporary visas granted in New Zealand over recent years has increased. There is also a similar trend

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15 INZ website, <http://www.immigration.govt.nz/migrant/general/generalinformation/news/Skill+shortage+lists+amended.htm>.

16 DIMA website, <http://www.immi.gov.au/skilled/general-skilled-migration/skilled-occupations/occupations-in-demand.htm>.

17 Department of Labour, *Migration Trends 2004-05*, p. 3.

18 Office of Ethnic Affairs, *Ethnic Perspectives in Policy: A Resource*, Wellington, 2002, p. 22.

evident in the two countries where increasing numbers of temporary visa holders later apply for permanent residency. Like Australia, New Zealand has a successful working holiday scheme and international student program. Table 1.4 sets out the main categories of temporary visas issued over 2004-05.

Table 1.4 Temporary visas issued (main categories), 2004-05

<b>Australia</b>		<b>New Zealand</b>	
Short-term business entrants	339 424	Labour market tested work permits	28 317
Working holiday makers	104 353	Working holiday makers	21 025
International students	174 787	International students with graduate qualifications	77 563

Source Birrell et al, *Evaluation of the General Skilled Migration Categories*, pp. 156-157