

Immigration

HIGHLIGHTS

Labour will:

- Ensure that businesses are able to get genuinely skilled migrants when they need them. This will include introducing an Exceptional Skills Visa for highly skilled or talented people and introducing a KiwiBuild Visa for residential construction firms who train a local when they hire a worker from overseas
- Strengthen the Labour Market Test for work visas so they are not being used for jobs Kiwis can do, and make our skills shortage lists more regional so migrants coming in under them can only live and work in areas where there is a genuine skills shortage
- Require courses for international students to be high-quality, remove the ability to work for international students in low-level courses except where the work is approved as part of their study, and remove the ability to get a work visa without a job for those who have completed study below university level.

Introduction

Labour introduced the skills-based immigration system that has served New Zealand well for 30 years and has made us a more vibrant, multi-cultural nation. We remain committed to a system that is focused on welcoming people with the skills we need to make New Zealand a more prosperous nation that can deliver a good standard of living for everyone who lives here.

The National Government has relied on population growth to drive economic growth. But in per capita terms we are little better off as a result. Economic growth must be driven by productivity improvements and diversification towards higher-value industries that create wealth in New Zealand. An immigration system that attracts highly skilled people is vital to that transformation.

Under National, the immigration system has lost its focus. We are running an open immigration system. The rate at which our population is growing is placing unsustainable pressure on infrastructure, especially in Auckland. Higher numbers of migrants are heading into low-wage work where they are vulnerable to exploitation. The system has become cumbersome and bureaucratic which makes it harder for us to attract the people we need. It is time to take a breather.

Labour will take back control of our immigration system. Our approach will be to focus on the skills and people we need to make New Zealand more prosperous. We will make it easier for regions that have room to grow to attract the people they need while reducing pressure on Auckland and other regions that are feeling the strain of population growth. Under Labour, our immigration system will deliver for everyone who lives in New Zealand regardless of whether you were born here or have chosen to make New Zealand your home. In total our changes are estimated to reduce net migration by 20,000-30,000.

These changes won't affect the Refugee Quota, the Pacific Quotas, Working Holiday Schemes, or the Recognised Seasonal Employer scheme, although monitoring will be increased to prevent exploitation. There will be no direct changes to family visas, although there will likely be a flow-on decrease from the other changes. No person currently in New Zealand will have their visa status changed by these decisions but new visa applications will be under the new rules. Existing students who came in good faith on the basis of the post study work visa being available will be able to access this visa but subsequent visas will be under the new rules.

Once we have implemented our below changes we will review them regularly to ensure that our immigration system continues to meet our needs.

Permanent and Long Term Migration

Net migration is at record levels and half of these migrants stated that they were moving to Auckland, with the eventual number likely to be higher. Long term migrants provide real benefit to New Zealand. They help to grow our economy and fill skills gaps. However our infrastructure is unable to cope with the level of population growth we are currently experiencing. We need to take a breather and focus on migration that brings the maximum benefit to New Zealand.

Labour will:

- Introduce an Exceptional Skills Visa. This visa will enable people with exceptional skills and talents that will enrich New Zealand society — not just its economy — to gain residency here
- Remove the Skilled Migrant Category bonus points currently gained by studying or working in New Zealand and standardise the age points to 30 for everyone under 45.

The Exceptional Skills Visa will be available to people who can show they are in an occupation on the long-terms skills list and have significant experience or qualifications beyond that required (for example, experienced paediatric oncologist) or are internationally renowned for their skills or talents. Successful applicants will avoid the usual points system requirements for a Skilled Migrant Category visa and would be able to bring their partner and children within the visa. This visa will help grow high-tech new industries, meet the increasingly complex needs of the 21st

Century and enrich our society. Exceptional Skills Visas for up to 1,000 people, including partners and children, will be offered every year.

International Students

The rise in the number of international students is positive for the revenue it brings to our economy in student fees, and the opportunities it gives domestic students to connect with people from around the world. However most of the recent growth in export education has been in low-value courses that are specifically designed to attract student migrants looking for a pathway to residency. This has led to international students coming here to work rather than to study and leaves many of those students vulnerable to exploitation. Labour will return our export education system to one that is focussed on providing quality education, not on being a back door to residency.

Labour will:

- Continue to issue student visas and associated work rights to international students studying at Level 7 or higher - usually university levels and higher
- Stop issuing student visas for courses below a bachelor's degree which are not independently assessed by the TEC and NZQA to be of high quality
- Limit the ability to work while studying to international students studying at Bachelor-level or higher. For those below that level, their course will have to have the ability to work approved as part of the course
- Limit the "Post Study Work Visa - Open" after graduating from a course of study in New Zealand to those who have studied at Bachelor-level or higher.

These changes will not affect providers who are providing high quality courses for international students. We do not expect them to adversely impact universities, polytechnics, or schools.

Temporary Workers

Temporary workers bring essential skills and innovations that help drive the New Zealand economy. However many migrants also use their temporary worker visa as a 'first step' to a more permanent form of visa later.

Current immigration settings do not support the growth of the highly skilled and highly paid workforce that we want to see in New Zealand. Instead, the system supports growth in a number of low productivity sectors - leading directly to the current crisis in labour productivity. The system needs to be reformed so that it better alleviates skills shortages, particularly outside of Auckland.

Labour will make changes that preserve and enhance the ability of businesses to get skilled workers to fill real skills gaps but which prevent the abuses of the system that currently happen.

Labour will ensure that, where there are real skills shortages, businesses will be able to get the workers they need by regionalising and rationalising skills shortage lists.

Labour will:

- Actively manage the essential skills in demand lists with a view to reducing the number of occupations included on those lists
- Develop regional skill shortage lists in consultation with regional councils and issue visas that require the visa holder to live and work within a region that is relevant to their identified skill
- For jobs outside of skills shortages lists, Labour will ensure visas are only issued when a genuine effort has been made to find Kiwi workers
- Strengthen the labour market test for Essential Skills Work Visas to require employers to have offered rates of pay and working conditions that are at least the market rate
- Require industries with occupations on the Essential Skills in Demand lists to have a plan for training people to have the skills they require developed together with Industry Training Organisations
- Review the accredited employers system to make sure it is operating properly.

We expect these changes to substantially reduce the number of migrants coming into underpaid low skill jobs. However they will also make sure that industries with a genuine skill shortage and in particular the construction industry are able to unblock skill shortages in their areas.

Investor Class Visas

Investor class visas are designed to attract high-worth individuals who are prepared to invest in New Zealand and wish to settle here. Investment that creates jobs and makes New Zealand more prosperous is good for everyone. However most of the investments made by investor migrants are low-risk, low-productivity and do little to grow businesses and create jobs.

Labour understands that new investors want to start with low-risk options and get to know New Zealand before they move into higher-yield investments that carry more risk. However, we believe that there still needs to be a tangible benefit to New Zealand from the initial investment.

New Zealand urgently needs investment in infrastructure. Our population growth has exceeded our ability to build houses, public transport and other basic infrastructure. Migrant investors can assist by investing in infrastructure bonds. This is exactly the type of low-risk investment that migrants investors find desirable and it has a direct positive impact on New Zealand.

However, we also need investors to help us grow businesses, create jobs and make everyone in New Zealand better off. We need to incentivise productive investment so that investor class visas help to make New Zealand more prosperous.

Labour will:

- Increase the minimum investment required to \$5 million for the Investor Visa and \$15 million for the Investor Plus Visa
- Require at least the minimum investment amount to be invested in Government-issued infrastructure bonds
- Double the minimum investment period to 8 years for the Investor Visa and 6 years for the Investor Plus visa with residency only available after that period if investment criteria are met
- Offer faster pathways to residency for investors who make additional productive investments that help to grow businesses and create jobs.

Refugees

In 1987, the Government established an annual quota for the resettlement of refugees. Originally set at 800, it was cut back to 750 in 1997. National recently announced that it would be increasing the number by 250 to 1000, but not until 2018 at the earliest. Labour will double New Zealand's refugee quota when in Government because it's the right thing to do. As an open and big-hearted nation we must do our bit to help some of the world's most vulnerable people.

Labour will:

- Increase the refugee quota to 1500 over three years, and provide the funding to manage the resettlement of refugees.

Pacific Migration

New Zealand has long-standing ties and a unique set of relationships with the Pacific Island nations including: the three realm countries of Niue, Tokelau and the Cook Islands; the Samoan Quota, the Pacific Access Quota, the Treaty of Friendship with Samoa, the Recognised Seasonal Employer Scheme, and its sizeable Pacific population who have made Aotearoa their permanent home. Due to these strong and deep relationship, New Zealand is expected to take a leadership role and to be seen to be doing so in the promotion, fostering and strengthening of these unique set of relationships.

Labour also recognizes that Pacific Island nations are at the frontlines of rising sea levels as a result of climate change and global warming. People from the island nations of Tuvalu and Kiribati

face real threats of being displaced from their home island and becoming climate change refugees through no fault of their own and will need to find new homes in future years.

Labour will:

- Work with regional partners and organisations, and review migration policy to establish an Immigration Pacific Plan that recognises Pacific Climate Change refugees who have been displaced by climate change and global warming to ensure they have real and timely options for mobility across the region
- Establish a Ministerial Advisory Group to examine the outstanding immigration issues with Pacific countries with a view of recommending lasting solutions reflective of our special relationship with Pacific Island states
- Review the family reunification categories and Pacific quota to ensure they are accessible for Pacific people, are working effectively, and are consistent with wider Pacific development commitments
- Retain the Recognised Seasonal Employer scheme, monitor its effectiveness and contribution in New Zealand and the wider Pacific, and ensure that people working under the RSE scheme are free from exploitation
- Establish a modern fit-for-purpose settlement programme based on international best practice and which is designed with local communities and government agencies and which will be required to address the adjustment needs of migrant as well as local communities.

Migrant Exploitation

Too many migrants in New Zealand are being underpaid or not receiving what their employer promised them. The huge lifts in migration means rising levels of migrant exploitation but the Government has made minimum effort to tackle it. Migrant exploitation is not only bad for the migrants, it also means the wages and conditions of New Zealand workers are undercut. A society dependent on exploitation is not the kind country New Zealand should be.

Labour will:

- Increase the number of, and resourcing for, Labour Inspectors who are responsible for enforcing employment law and prosecuting breaches
- Ensure that Labour Inspectors are located in areas with high levels of migrant labour.
- Review the system of cost deductions from migrants' wages and ensure that the rules are rigorously enforced.

