

TO: Education and Workforce Select Committee

SUBMISSION ON: Immigration (Covid-19 Response) Amendment Bill

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1. The kiwifruit industry in New Zealand

The kiwifruit industry is a major contributor to regional New Zealand returning \$2 billion directly to rural communities in 2019/20. There are ~3000 growers, 14,000ha of orchards, 10,000 permanent employees and up to 25,000 jobs during the peak season. Approximately 80% of New Zealand's kiwifruit crop is grown in the Bay of Plenty and the industry is expected to grow its global sales to \$4.5 billion by 2025 which is an increase from \$3.1 billion in 2018/19.

2. General comments

NZKGI thanks the Education and Workforce Select Committee for the opportunity to submit on the Immigration (COVID-19 Response) Amendment Act 2020 (Act). NZKGI also supports the Horticulture NZ submission.

3. Amendment of the Act

The Act came into force on 16 May 2020 and was intended to support the government's response of the COVID-19 outbreak on the immigration system. The Act's powers will expire on 15 May 2021, when the amendments to the Act will be repealed. Recognising that there will continue to be a need for those powers under the Act to be exercised, the government is proposing to increase the amendment provision of the Act until 23 May 2023.

NZKGI does not support this timeframe. The Act was necessary at the time, as the existing Immigration Act was insufficient to respond to the impacts of the border closure. It provided rapid decision making which was required to provide a level of flexibility for those within New Zealand on temporary visas and the recent entry of 2000 Recognised Seasonal Employees (RSE) into New Zealand.

While the intent of the Act is supported, NZKGI submits that this should be for a 12-month period only. While it is recognised that a global pandemic is still in effect, the country is in a much better position than it was when the Act was first enacted. For instance:

- On April 19, 2021, New Zealand's borders will open to allow two-way quarantine free travel with Australia

- Vaccines have been developed and vaccine programmes have been rolled out around the world, including New Zealand
- Pacific island two-way quarantine free travel is in planning.

In one year's time, it would be reasonable to expect that further advancements would be made in the recovery from the pandemic and a return to normal processing could be appropriate. If extending flexible powers is required, a further amendment could be made to the Act at that time.

While it is noted in the [supporting cabinet paper](#) that the powers are still required in order to allow the government to respond to suddenly-changing situations - eg - a further lock down in Auckland, this would result in the temporary closure of offices and have a corresponding impact on Immigration NZ (INZ) processing capacity. NZKGI submits that INZ needs to develop an effective business continuity plan that allows operations to continue in the event of any business disruption including lockdowns.

4. Recognised Seasonal Employees

The supporting cabinet paper (S 20) states that the ongoing special direction settings (such as the current waiving of immigration application fees for RSE applications) will be revoked on 16 May 2021. This means that employers who are planning to bring staff into New Zealand and renew visas for staff already here (and the RSE workers themselves) will face costs. The Minister has stated in the cabinet paper that he considers costs should be waived for the full RSE season which NZKGI supports.

5. Conclusion

As we continue to navigate through the pandemic, there will be an ongoing requirement for immigration policy to be flexible. Immigration has been a driver of economic activity by allowing skilled workers into the country - eg - RSE. NZKGI therefore supports the flexibility that the Act provides but supports a one-year amendment.

In addition, we support the Horticulture NZ view that:

- a) The opportunity be taken to develop a cohesive, integrated, clearly and consistently explained programme where our economic recovery is integrated into border operations, immigration policy settings and the health issues and requirements.
- b) The processes that were streamlined for Covid over the last year remain in place to enable a more efficient immigration system.
- c) A review of the Immigration Act and immigration settings be undertaken to enable the growth of the New Zealand economy.
- d) The suspension of visa categories be lifted as we now need to return to as close as possible business as usual as we manage our way out of Covid.