

Regulatory Impact Statement: Amending the Visa Regulations to enable benefits of New Zealand Traveller Declaration (NZTD)

Purpose of Document

Decision sought:	This analysis has been produced to inform Cabinet decisions on amending the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (Visa Regulations) to enable the NZTD to be used for immigration purposes, including allowing applications for visas and entry permission to be made electronically
Advising agencies:	<i>Ministry of Business, Innovation and Employment (MBIE)</i>
Proposing Ministers:	<i>Minister of Immigration</i>
Date finalised:	<i>8 February 2023</i>

Problem Definition

Applications for visas and entry permission on arrival in New Zealand are currently made via the New Zealand Passenger Arrival Card (Arrival Card). The Arrival Card is paper-based, which is administratively burdensome, not efficient, and does not allow for effective collection of information or immigration risk management because data is collected manually rather than electronically.

A joint government project is underway to digitise the paper Arrival Card by end of June 2023. The Visa Regulations currently do not permit applications for entry permission or visas on arrival to be made electronically. This means without amending the Visa Regulations, the immigration border system would not benefit from the digitised version of the Arrival Card.

Executive Summary

The paper Arrival Card is used to make applications for visas and entry permission on arrival, however, it is not efficient and is increasingly out-of-step with other visa products and a more modern and joined-up New Zealand border that uses digital solutions.

Under the Visa Regulations it is not possible to make an electronic application for entry permission, or to apply for a visa on arrival electronically. Nor do the Visa Regulations provide the Chief Executive with the ability to require applications for entry permission be made online (s23AA) or allow applications for visas or entry permission on arrival to be completed in languages other than English.

Tranche three of the New Zealand Traveller Declaration (NZTD) is currently underway and involves developing a digital declaration (of the Arrival Card) to be introduced at the New Zealand border in June 2023. The NZTD is being led by New Zealand Customs Service (Customs) in consultation with other border agencies¹. As part of its future work

¹ New Zealand border agencies include Customs, MBIE, the Ministry of Health, the Ministry for Primary Industries (MPI) and the Ministry of Foreign Affairs and Trade

programme, the NZTD Programme plans to translate the digital declaration and allow travellers to complete it in languages other than English.

The NZTD provides an impetus for enabling electronic applications for entry permission and visas on arrival. There is an opportunity to make other minor amendments to the Visa Regulations to future-proof the immigration system at the same time.

Two options have been considered and are discussed in this RIS.

- **Option one: status quo:** continue to require applications for visas and entry permission on arrival to be made via the paper Arrival Card/declaration and in English only
- **Option Two: use the digital declaration for immigration purposes** by amending the Visa Regulations to allow applications for visas and entry permission on arrival to be made electronically and in languages other than English. Alongside this, amend the regulations to provide the Chief Executive with the ability to require applications for entry permission be made online, to future proof the immigration system. This is MBIE's preferred option.

The status quo includes a higher cost to Government of administering and processing paper Arrival Cards. Travellers would be required to make paper-based applications for visas on arrival and entry permission, which is likely to create confusion for travellers to New Zealand once the NZTD is implemented (and the digital declaration is used for Customs and biosecurity purposes).

Under the status quo, the Government would not benefit from digital data, which can be more easily used to gain insights about border and immigration risk and inform risk management approaches. The status quo would also make it more challenging for border agencies to be joined-up as information sharing would be more difficult and there would be different approaches to ensuring travellers meet their border requirements.

The preferred option is Option Two, to amend the Visa Regulations to allow:

- Applications for entry permission and visas on arrival to be made electronically and to be completed in languages other than English
- The Chief Executive to require applications for entry permission to be made online (noting at this stage it will not be mandatory to apply for entry permission or visas on arrival electronically).

There are numerous benefits to this option, including: more efficient use of resources; a more positive traveller experience; a joined up and modern border system, and better information sharing.

MBIE considers that the benefits of using the digital declaration for immigration purposes outweigh the barriers/costs such as potential constraints on or lack of access to internet or devices. The NZTD Programme is mitigating these barriers by ensuring the digital declaration is accessible, easy to use and inclusive of its diverse traveller abilities – this includes providing alternate options to travellers to complete their NZTD (such as a paper version of the declaration).

Consultation on the proposal to allow applications for visas and entry permission on arrival to be made electronically has been limited to government agencies including Customs, Department of Internal Affairs, Ministry for Primary Industries, Ministries Health/Public Health Agency, Justice, Pacific Peoples, Transport, Te Arawhiti. The following agencies

were informed: Parliamentary Counsel Office, StatsNZ, Ministry of Social Development, Inland Revenue, The Treasury, Department of Prime Minister and Cabinet.

All agencies consulted supported using the digital declaration for immigration purposes by amending the Visa Regulations to enable applications for entry permission and visas on arrival to be made electronically.

Limitations and Constraints on Analysis

This policy issue is part of the wider NZTD policy work programme, and decisions made in relation to the Visa Regulations will have an impact on how the NZTD is implemented and meets its objectives. This context impacts the range of options under consideration and the objectives sought on this policy issue.

Consultation

There has been no external (non-government) consultation on the proposal to use the digital declaration for immigration purposes. It should be noted, however, that this is not a new regulatory requirement as people must already provide immigration information via the paper Arrival Card, the proposal is about providing an additional and user-friendly way of doing it (i.e. electronically). The NZTD Programme has advised that a paper version of the digital declaration will be available for those that cannot or do not want to complete the digital version.

Customs is leading the broader NZTD Programme, which is doing targeted consultation on elements of the NZTD and pilots in early 2023 as well as leading public communication on the introduction of the digital declaration.

Implementation activities will support the easy roll out of the digital declaration at the air and maritime border including uptake of the digital declaration by different groups of travellers.

Population impacts

There has been no specific population impacts analysis of the proposal. This is because amending the Visa Regulations is primarily about providing travellers with an additional way to fulfil their legislative requirements rather than introducing a new regulatory requirement. A paper declaration will still be available for those who cannot or choose not to use the digital declaration.

Te Tiriti o Waitangi obligations

Te Tiriti obligations are being primarily addressed through the NZTD programme's Accessibility, Usability and Inclusion Strategy, which will include consideration of what languages the NZTD will be available in (Te Reo Māori is one of the confirmed languages for go-live), and how to support the use of the NZTD by groups that may face barriers, including Māori.

Responsible Manager(s)


Kirsty Hutchison

Manager, Immigration (Border and Funding) Policy
Ministry of Business, Innovation and Employment

Quality Assurance (completed by QA panel)	
Reviewing Agency:	MBIE Regulatory Impact Analysis Review Panel (RIARP)
Panel Assessment & Comment:	MBIE's Regulatory Impact Analysis Review Panel has reviewed the attached Impact Statement prepared by MBIE. The panel considers that the information and analysis in the Regulatory Impact Statement <u>meets</u> the criteria necessary for Ministers to make informed decisions on the proposals in this paper.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

The paper Arrival Card is an outdated and inefficient way to apply for visas and entry permission

- 1 Under the Immigration Act 2009 (the Act), associated Regulations and certified Immigration Instructions, the New Zealand government sets the conditions under which non-New Zealand citizens can travel to, enter and be in New Zealand.
- 2 All foreign nationals are required to apply for and be granted a visa before travel (unless from a visa waiver country). For visa-waiver travellers, the paper Arrival Card is the current mechanism to apply for a visa and entry permission on arrival. Other non-New Zealand citizen travellers (such as valid visa holders) use the paper Arrival Card to apply for entry permission only.
- 3 The paper Arrival Card is administratively burdensome, not an efficient use of resource and is increasingly out-of-step with other INZ visa products (most of which can or must be applied for electronically). The manual collection of data does not support efficient information sharing between border agencies or timely insights about immigration/border risk which can be used to manage risk more effectively.
- 4 Other comparable countries like Canada, the United States, and Singapore allow travellers to complete the arrival card (or its equivalent) online or via an app, including immigration related applications where applicable.
- 5 The Visa Regulations, however, do not allow for applications for visas on arrival and entry permission to be made electronically, which reflects that at the time the regulations were made (2010) all applications were paper-based. Amendments are required to the Visa Regulations to allow applications for visas on arrival and entry permission to be made electronically.

A programme has been established to digitise the Arrival Card

- 6 The NZTD was introduced in March 2022 to support the reopening of New Zealand's border and manage COVID-19 related risk offshore, by requiring travellers to meet certain health criteria before they travel to New Zealand.
- 7 The NZTD programme, led by Customs in collaboration with MBIE, MPI, and the Ministry of Health, is being implemented in phases. Phase three (currently underway), involves the creation of a digital declaration to replace the paper Arrival Card, which is used for making Customs and Biosecurity declarations as well as applications for visas and/or entry permission on arrival.
- 8 The digital declaration will be introduced in June 2023 and will enable travellers to meet their border requirements in a digital format and move through our airports more

seamlessly, while improving risk management at the border via the use of better and more reliable data.

- 9 Cabinet has made several decisions related to the NZTD's scope, associated funding and timeframes [CBC-21-MIN-0090 and CAB-21-MIN-0366, SWC-22-MIN-0050 and CAB-22-MIN-0104, and SWC-22-MIN-0127]. The Crown will fund the initial development of the digital declaration and its operation through to 2023/24, with operating costs to be fully met by travellers from 1 July 2024 using existing border processing levies [DEV-22-MIN-0301].

If the status quo continues customer experience and border risk management would be impacted

- 10 If the status quo continues, it will remain difficult to gain insights from the data which can be used to manage risk more effectively and operate as a joined-up border. The customer experience is likely to worsen as the NZTD is implemented because the two different approaches to meeting immigration versus biosecurity and Customs requirements may create confusion for travellers. The cost to Government associated with paper Arrival Cards or declarations will also continue at a similar rate and the efficiencies of using a digital declaration will not be realised (for example, freeing up border officer resource).

What is the policy problem or opportunity?

Visa Regulations do not allow applications for a visa and/or entry permission on arrival to be made electronically

- 11 As the Visa Regulations do not allow travellers to apply for entry permission or a visa on arrival electronically, it is not currently possible to use the digital declaration for immigration purposes.
- 12 Amendments to the Visa Regulations would enable immigration to benefit from the NZTD and support a modern New Zealand border that uses digital solutions. The amendments would specifically allow travellers to apply for entry permission and/or visas on arrival electronically, providing for a consistent border experience.

Visa Regulations require applications to be completed in English

- 13 Under the Visa Regulations applications for visas and entry permission must be completed in English. This requirement is referenced throughout the Visa Regulations and applies to applications for both temporary entry class and residence class visas (made by Australian citizens and residents at an immigration-controlled area (IAC)) and includes both applications made at an IAC and outside an IAC (refer regulations 8(2)(c), 10(2)(c), 11(1)(c) and 24(2)(c) of the Visa Regulations).
- 14 As part of its future work programme the NZTD Programme intends to translate the digital declaration into several languages and allow travellers to answer the questions in their respective language. This would improve the traveller experience and align with the approaches of countries like Canada and Singapore.
- 15 Amendments to the Visa Regulations to allow applications for entry permission and visas on arrival to be made in languages other than English would help future-proof the immigration system. MBIE does not intend to change the language requirement for other visa applications (the majority of which have open-ended questions rather than the yes/no questions in the digital declaration).

The Visa Regulations provide inconsistent powers to MBIE's Chief Executive

- 16 MBIE proposes that alongside this, the Visa Regulations are amended to provide the Chief Executive with the ability to require applications for entry permission be made online, which supports future-proofing the immigration system (noting that MBIE is not currently mandating that applications for visas or entry permission on arrival be made online). Currently, the Chief Executive can only mandate that certain visa applications be made online (regulation 23AA).

What objectives are sought in relation to the policy problem?

- 17 There are three objectives relating to the policy problem:
- 17.1 enable the NZTD to be used for immigration purposes, including allowing applications for visas and entry permission to be made electronically
 - 17.2 ensure immigration settings are not a barrier to the government's objective to deliver a smarter, resilient, fit for the future border system
 - 17.3 provide travellers with a seamless customer experience by helping them understand their immigration obligations in advance and experience more efficient border processing upon arrival.
- 18 These objectives align with the:
- 18.1 NZTD, which is a key part of a modern and digitally enabled New Zealand border that is fit for the future
 - 18.2 Border Sector Strategy - to enable safe, secure, and efficient digital border clearance and enforcement services for passengers, crew and staff while protecting and promoting New Zealand.
- 19 The Visa Regulations as currently drafted are a constraint achieving the policy objectives as they do not allow travellers to apply electronically for visas or entry permission on arrival using the digital declaration.

Section 2: Deciding upon an option to address the policy problem

What criteria will be used to compare options to the status quo?

- 20 The following criteria, which support the objectives identified for this proposal in paragraph 17, has been developed to guide the analysis:
- **A positive traveller experience:** Support a more seamless border experience by helping travellers understand their immigration obligations in advance and experience less interaction upon arrival.
 - **Effective risk management:** Support and enable border agencies to have timely access to reliable information to inform more targeted risk assessments and better manage border risk.
 - **Efficient data collection:** Digital collection and storage of information better facilitates data and information sharing (within legal constraints) across border agencies and better management of high volumes of travellers.
 - **Be future focused:** The immigration border settings are resilient and flexible to meet today's needs and adapt to the changing requirements of the government. This includes supporting preparedness/readiness for a future emergency.

- **Support an integrated border system:** Regulatory settings and operational processes that enable the border agencies to be joined up and deliver smarter, more efficient border processing services and provide a consistent customer experience.

What scope will options be considered within?

- 21 The scope of the consideration of options is limited by the NZTD Programme and previous Cabinet decisions on the NZTD scope. Therefore, policy options are limited to how to best modernise the Arrival Card and support the implementation of the NZTD.

What options are being considered?

- 22 Two options are being considered:
- 22.1 **Option One: status quo** – applications for a visa and/or entry permission continue to be made using the paper Arrival Card or paper equivalent of the digital declaration, and in English only.
- 22.2 **Option Two: use the digital declaration for immigration purposes** by amending the Visa Regulations to allow applications for visas and entry permission on arrival to be made electronically and in languages other than English. Alongside this, amend the regulations to provide the Chief Executive with the ability to require applications for entry permission be made online, to future proof the immigration system. This is MBIE's preferred option.
- 23 Table One sets out analysis of the two options against the criteria established under paragraph 24. The scoring schema is:
- 1 Negatively impacts criteria
 - 0 Not at all or not applicable
 - 1 Marginal positive impact?
 - 2 Partially meets or addresses
 - 3 Meets or addresses well

How do the options compare to the status quo?

Table One: Analysis of options against key criteria

	Option One Status Quo: continue using paper Arrival Card for immigration purposes	Option Two use the digital declaration for immigration purposes
A positive traveller experience	<p>-1 – Option One will not contribute to a positive traveller experience as travellers may be confused about how to best meet their border requirements. Some travellers may end up completing two documents (a digital declaration for customs and biosecurity purposes and a paper declaration for immigration), which could result in confusion and does not support a seamless experience</p>	<p>2 – Option Two will support a positive traveller experience by providing one digital declaration for biosecurity, customs and immigration purposes. It will enable travellers to start completing the declaration pre-arrival (and update it along their journey if they choose to). The requirement to have internet and a device may impact a small group of travellers negatively. However, this will be mitigated by the implementation work underway, which supports travellers' access to the digital declaration and the provision of paper declarations</p>
Effective risk management:	<p>0 - Option One will not support effective immigration risk management as the data would continue to be collected manually, making it less reliable and difficult to use for gaining insights and making improvements to immigration border processes</p>	<p>2 - Option Two will support effective risk management over time as agencies will have access to timely and accurate data to enable them to gain insights about which travellers pose risk and why, which allows agencies to implement processes or dedicate resource to better manage risk at the border. Agencies would also be able to amend the questions over time to better capture travellers that pose a risk (and require, for example, engagement with a border official)</p>
Efficient data collection:	<p>0 - Option One will not support efficient data collection as the data would continue to be collected manually and there are no in-built systems to ensure its accuracy</p>	<p>2 - Option Two will support efficient data collection as data will be collected and stored digitally and shared with border agencies (as legally permitted) to enable a single-view of the traveller</p>
Be future focused	<p>-1 - Option One is not future focussed as it does not support a modern border enabled by digital solutions. There would be limits for easily sharing immigration information (within legal settings) with other border agencies. The application process on arrival would also be inconsistent with INZ's operations more generally, noting most visas can applied for electronically. This option is less responsive as the process to change questions would be more administrative and require a review by all agencies.</p>	<p>3 - Option Two will support a modern border enabled by digital solutions. It also would support automation and a seamless traveller experience. It is more responsive to a future pandemic or emergency that impacts New Zealand's borders as it provides the framework to support an efficient government response (by, for example, modifying questions easily).</p>

	Option One Status Quo: continue using paper Arrival Card for immigration purposes	Option Two use the digital declaration for immigration purposes
Support an integrated border system	1 – Option One supports the current level of integration between border agencies but the digital declaration would enable the border system to be better integrated as agencies will have better insights about the risk travellers pose, enabling them to make system and process improvements to address risk.	3 – Option Two will support joined-up border agencies and a more secure border system, enabled by better data capture about travellers and information sharing across agencies. Travellers will also be able to meet all their border requirements using a single electronic format rather than engage with various border officials on different sections of the paper Arrival Card or declaration.
Overall assessment	-1	12

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

- 24 MBIE recommends Option Two as it best meets the key criteria. It also supports the cross-agency NZTD Programme and the scope that Cabinet has agreed to (which includes collection of immigration information via the digital declaration).
- 25 The NZTD is a joint project between Customs, MBIE, MPI and the Ministry of Health, and Cabinet has already agreed to its scope and funding. If MBIE did not amend the Visa Regulations to enable the digital declaration to be used for immigration purposes it is likely that the NZTD Programme would falter as it would be unable to achieve its objectives.

Option two scores high against all key criteria

- 26 Option Two will generally support a positive traveller experience as they will be able to meet all their border requirements in one place and can start completing the digital declaration before arrival (while updating it along their journey before finally submitting it). This will not only give travellers more time, but they can receive information via the NZTD system that will help them be compliant with immigration (and other border requirements) when they arrive in New Zealand (via automated system messages).
- 27 There will likely be a small number of travellers for whom the requirement to have internet and a device to use the NZTD is a barrier. The implementation work that the NZTD Programme is doing, will ensure the digital declaration is accessible and inclusive, particularly for those who have difficulty accessing or using devices.
- 28 Option Two will lead to more effective risk management over time as agencies will have access to more timely and accurate data about travellers from across the border system, enabling system insights that will lead to improvements in border processes and risk identification. The data collected via the digital declaration will be more accurate and reliable as it is collected and stored digitally, and shared as appropriate between border agencies, enabling a single-view of a traveller. It is worth noting that some data will continue to be collected via the paper declaration, which may temper some of the benefits from the digital declaration. High-uptake of the digital declaration, however, is expected based on data analysis from the traveller pass during the period March – October 2022.

- 29 On a future focused and integrated border system, this option scores highly. It supports the Government's goal to modernise our border systems by digitalising border processes and supports a low touch border and seamless customer experience by using automation. The digital declaration also allows border agencies to be more responsive in a future pandemic or emergency, by making changes to questions to better identify travellers who may pose a risk to New Zealand.

Option One scores poorly against all criteria

- 30 If the status quo continues travellers may be confused about how best to meet their legislative obligations at the border, and some travellers may end up engaging with two different processes – both the paper declaration (for immigration purposes) and the digital declaration (for customs and biosecurity purposes). This will be frustrating for travellers and challenging for border agencies to communicate effectively. It is likely to negatively impact the traveller experience as there will be a disjointed rather than seamless experience at the border.
- 31 Option One will not lead to more efficient data collection or effective risk management either as the data will continue to be collected manually via the paper Arrival Card or declaration, which limits how it can be used to gain insights and manage risk at the border or associated with particular travellers. Without a single-view of the traveller, enabled by the NZTD, border officials would be less able to identify and manage risk, and it will be more resource intensive to do so.
- 32 Option One is not future focused as it does not support a modern border that is light touch and seamless, enabled by digital solutions such as the digital declaration. As travellers increasingly rely on their devices for everyday tasks it makes sense to provide a digital declaration of the Arrival Card, which will also enable border agencies to modernise and improve the way they assess and manage risk. While the status quo supports a level of integration between border agencies, this is likely to reduce over time as border agencies rely more on the digital declaration and become more joined up via digital information sharing.
- 33 If we continue with the status quo, it is likely that in the future MBIE would need to move to the digital declaration anyway because of difficulties in maintaining a paper option only at the border long term. Timing for regulation changes would perpetuate a poor customer experience and/or delays in benefits realisation.

What are the marginal costs and benefits of the preferred option?

- 34 The NZTD Programme is leading the implementation of the digital declaration. A Business Case, including the case for the digital declaration, its costs and benefits, was prepared and approved by Cabinet.
- 35 The Government has agreed to fund the initial development of the digital declaration and its operation through to 2023/24, with operating costs to be fully met by travellers from 1 July 2024 using existing border processing levies [DEV-22-MIN-0301]. Customs is leading this work and has indicated that the cost would be minimal (less than \$5 per traveller) and would be incorporated in border levy rates set in December 2024.
- 36 The funding for the 2023/24 year includes costs associated with the operation of the NZTD, deployment of port infrastructure and additional airport support to industry partners and travellers. \$13.600 million in capital funding has been provided to build the NZTD infrastructure.
- 37 This section focuses on the costs and benefits of the preferred option: using the digital declaration for immigration purposes (Option Two).

- 38 Given that most of the costs and benefits associated with Option Two relate to intangible factors such as improved customer experience, and more efficient processing of travellers at the border, MBIE has attempted to accurately describe the non-monetised costs and benefits of this option based on experience with similar initiatives.
- 39 We have identified the following affected groups:
- 39.1 **Regulated groups:** Travellers who currently must complete the Arrival Card. Although all travellers must complete the Arrival Card currently (with some exceptions), it is generally only foreigners (i.e. non-New Zealand citizens) that need to apply for entry permission and/or visas on arrival under immigration settings.
- 39.2 **Regulators:** Immigration Officers from MBIE or Customs Officers who are designated Immigration Officers at the air and maritime border.
- 39.3 **Others:** Border agencies and the NZTD Programme, which includes a subset of border agencies (Customs, MBIE, MPI, MoH), and Statistics New Zealand, who will use the statistical information from the digital declaration.
- 40 Table Two sets out the non-monetised costs and benefits of the preferred option: use the digital declaration for immigration purposes, in comparison to the status quo: continuing with the paper Arrival Card for immigration purposes.

Table Two: Costs and benefits of preferred option – using the digital declaration for immigration purposes

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Regulated groups <i>Travellers who must complete arrival card on entry to New Zealand</i>	<p>Nature of cost: access to internet/device Type: ongoing Comment: travellers will need to have access to a mobile device or a laptop and internet to complete NZTD (although paper Arrival Cards/declarations and help to access digital declaration will be available).</p> <p>Nature of cost: financial Type: ongoing From July 2024 travellers will pay for the digital declaration as part of the border levy (estimated to be less than \$5 per traveller)</p> <p>Nature of cost: concern about information security Type: initial stage but some ongoing Comment: some travellers may be concerned about the security of their information being submitted over an electronic platform and have a general distrust of government.</p>	<p>Low</p> <p>Low</p> <p>Low</p>	<p>Medium. We know from previous experience with the NZeTA that a small proportion of travellers will need assistance or have access issues, particularly in the initial stage. The NZTD Programme has plans in place to address this and minimise impact.</p> <p>\</p> <p>Medium. Cabinet has already agreed to travellers funding the operation of the NZTD from 1 July 2024. MPI and Customs will work together to set border levy rates by December 2024, including consultation with stakeholders, particularly those who are impacted by the options.</p> <p>Medium. MBIE understands this is likely to be a small group. The NZTD Programme is addressing this by ensuring it meets the Government's expectations for managing information security and a privacy impact assessment.</p>
Regulators <i>Immigration Officers (IOs) from MBIE or Customs that are IOs</i>	<p>Nature of cost: resource to respond to questions/help travellers Type: one off Comment: resource of IOs may be required, particularly in the initial phase when travellers have questions/need help (INZ has advised that this can be done using existing resource). There will also be a need to (re)educate travellers on the NZTD and contact centre support – funding has been provided by the NZTD programme.</p>	Low	Medium. We know from previous experience with earlier versions of the NZTD and the NZeTA that the initial phase can be more resource intensive until the process beds in. The NZTD Programme has plans in place to address this and mitigate impacts.
Others: <i>Border agencies, The NZTD Programme, Stats NZ</i>	No additional cost as these groups will benefit from the NZTD being used for immigration purposes.	Low	High. We know that border agencies will not face costs in relation to the preferred option.
Total monetised costs	N/A		

Non-monetised costs	Low		
Additional benefits of the preferred option compared to taking no action			
Regulated groups	Nature of benefit: customer experience Type: ongoing Comment: Travellers will have an electronic option to apply for entry permission and/or visas on arrival. Travellers can make and update their declarations quickly and easily at multiple points during their journey.	Medium	High. The NZTD System design enables travellers to easily update their declarations at multiple points, which provides more flexibility to the traveller
Regulators <i>Immigration Officers (IOs) from MBIE or Customs that are IOs</i>	Nature of benefit: resource and operational efficiency Type: ongoing Comment: reduced need for IOs to interact with travellers as the NZTD system will send notifications about border and immigration requirements. Nature of benefit: risk management Type: ongoing Comment: agencies will be able to have single view of the traveller, with information about a traveller's journey linked centrally (as permitted within legal and privacy settings). This will enable better risk identification early on.	Medium	Medium. NZTD System design will allow agencies to send notifications about border requirements automatically, reducing unnecessary engagement on the ground. Better data and insights about travellers that pose risk will enable agencies to make improvements to their processes and risk management over time.
Others <i>Border agencies The NZTD Programme</i>	Nature of benefit: information sharing and responsiveness Type: ongoing Comment: ongoing benefit to border agencies, based on improved information sharing, enabling them to better manage risk and respond to future emergencies. The NZTD programme's scope includes immigration information, so this is a one-off benefit to the NZTD programme.	Medium	Medium. NZTD system design will be supported by information sharing agreements, which over time will enable better risk management at the border.
Total monetised benefits	N/A		
Non-monetised benefits	Medium		

Section 3: Delivering an option

How will the new arrangements be implemented?

- 41 If Cabinet agrees to proceed with the proposed changes and Visa Regulations are amended, officials will implement them as set out below.
- 42 The digital declaration is proposed to go-live in June 2023, which is when the Customs and Excise (Arrival Information) Amendment Bill is expected to come into force (currently at Select Committee stage).
- 43 Amended Visa Regulations will need to be in place in June 2023 to allow the NZTD to be used for immigration purposes. Where changes to Immigration Instructions are required, the amended Instructions will be certified by the Minister of Immigration.
- 44 Customs is leading the development and deployment of the NZTD in collaboration with other border agencies including MBIE, the Ministry of Health, and MPI. A Steering Committee with representatives from these agencies is in place to govern the programme and ensure successful delivery of its outputs, objectives, and outcomes. The NZTD will support accessibility, inclusion and usability needs, and expectations (and is likely to be multi-lingual in the future).
- 45 The implementation approach includes the following:
 - 45.1 Developing a digital traveller declaration in both web and mobile application formats
 - 45.2 A series of pilots will run from late March 2023 until early June 2023 at both the aviation and maritime border to test NZTD readiness and refine the NZTD before it launches
 - 45.3 Implementing a responsive and agile Customs, MPI and Immigration processing approach for travellers to deliver an improved arrival experience
 - 45.4 Developing and delivering a significant education and information promotions campaign to support the implementation of the NZTD
 - 45.5 Maintaining the paper Arrival Card or declaration
 - 45.6 A contact centre service line has been established within the existing MBIE Contact Centre to help travellers trouble-shoot any technical issues or to understand the requirements on them.

How will the new arrangements be monitored, evaluated, and reviewed?

- 46 On 5 October 2022, the Border Executive Board (BEB) agreed to an agency model for accountability arrangements for the NZTD system once it is fully operational from mid-2023. On 16 November 2022, the BEB agreed that Customs would be the accountable agency the NZTD system once it is fully operational.
- 47 As accountable agency Customs' responsibilities include monitoring and reporting on the effectiveness of the NZTD system. Partner agencies, such as MBIE, will contribute to the performance management requirements and processes associated with this responsibility. A full list of Customs' responsibilities as accountable agency is in Annex One.

Monitoring of new arrangements and whether anticipated impacts materialise

- 48 The NZTD Programme will monitor and report on effectiveness of the NZTD. The details of how Customs will do this are still being developed by the NZTD Programme but in the short term a series of KPIs, which indicate how travellers are engaging with the digital declaration, will be monitored. KPIs include, for example, the percentage of travellers completing the NZTD online (the goal is 90%), the time it takes for travellers to complete the NZTD (the goal is less than 30min), and the percentage of people seeking help from the contact centre.

Complaints process

- 49 While Customs will oversee the complaints process, for example, the NZTD Programme will need to be clear on at which point agencies are responsible for customer feedback and complaints.
- 50 MBIE envisages a central point that captures complaints and feedback on the NZTD, and then feeds them back to the relevant agency for response.
- 51 INZ has an established customer complaints and feedback process available on its website (immigration.govt.nz). People can give feedback and make complaints about a range of matters, including INZ services received or processes, via an online or downloadable form.

Evaluation of the NZTD

- 52 The NZTD Programme will determine whether there is a built-in review process for the NZTD as part of its implementation planning. MBIE understands that details of a formal evaluation/review of the NZTD are being worked through and MBIE will have the opportunity to input as governance/accountability arrangements are formalised in advance of go-live.
- 53 Agencies will have the ability to amend their questions in the digital declaration as and when required as part of the design/functionality of the NZTD without prompting a wider review or evaluation of the NZTD.
- 54 MBIE envisages that significant changes in policy or risk settings or a significant event such as a pandemic may prompt an earlier review of the NZTD (although the NZTD is designed to be responsive to future pandemics and other emergencies).

Reporting on immigration-related information

- 55 MBIE will continue regular reporting on issues that come up at the border, such as travellers being refused entry to New Zealand, which helps MBIE to identify trends and risks that need to be addressed through changes to processes or systems.
- 56 As the NZTD is anticipated to remove most of the manual work associated with the paper Arrival Card, having passenger arrival information in a digital format will greatly enhance data management and analysis, and support data driven decision making. This will lead to insights from the data that inform how we manage risk at the border and for example, tweak the questions as we go to better target travellers that are likely to pose risk.

Annex One: Indicative responsibilities of the accountable agency (Customs)

The accountable agency needs the resources available to undertake the required administrative responsibilities indicated below based on the responsibilities for the operation of Tranche 1. Strategic responsibilities will also need to be articulated and met.

Table Three: Indicative responsibilities (as presented to the BEB on 16 November 2022)

Accountable agency	Partner agencies (The accountable agency will have these responsibilities in its own right too)
<i>Delivery of benefits:</i> Responsible for delivering on previously agreed benefits and key performance indicators and associated reporting on these to BEB and Treasury.	Deliver their respective responsibilities to enable the benefits and key performance indicators to be achieved and contribute, as required, to reporting.
<i>Funding:</i> Manage and report on use of funding provided by agencies and/or the Crown NZTD-specific funding for the operation, maintenance and agreed development of the NZTD system. Report on financial performance measures.	Depends on what is decided about future funding. Provide input into any Budget bid for additional funding. Report on financial performance measures.
<i>Technology:</i> Develop, operate, and maintain a secure technology platform to provide a cohesive NZTD system, including the ability for issuing a traveller pass where required.	Develop, operate, and maintain component parts of the NZTD system, in alignment with the agreed road map.
<i>Complaints and review of decisions:</i> Lead and coordinate with other agencies as appropriate responses to complaints and requests for review of decisions.	Contribute to responses to complaints and review of decisions where relevant to each agency.
<i>Monitor and report on the effectiveness of the NZTD system:</i> e.g., ongoing issues with particular questions in the NZTD.	Contribute to the performance management requirements and processes.
<i>Policy, Legal, and Privacy oversight:</i> Ensure policy, legislative and privacy settings are robust, fit for purpose, lawful and appropriate, and continue to support the NZTD. Monitor and investigate emerging issues, with partner agencies, that impact on the NZTD as a whole and initiate cross-agency work as agreed.	Contribute to cross-agency emerging issues. Undertake any legal or policy work required for agency-specific issues.
<i>Information collection in NZTD:</i> N/A as each agency mandates the information to be collected. From a border system perspective, there may be a role in this area for the NZTD Steering Committee ² and/or BEB.	Maintain authorisation for collection of existing information or establish authority for any additional information being collected through the NZTD by each agency.
<i>Information disclosure and access:</i> Ensure strong information disclosure and access protocols and procedures to minimise any breaches.	Lead information sharing arrangements or decisions for agency-specific information. Lead response to any privacy breaches that are specific to an agency.

²This term is used as a placeholder as there is likely to be a requirement for a 'senior management' group between the operational delivery team/management and BEB.

Accountable agency	Partner agencies (The accountable agency will have these responsibilities in its own right too)
<p>Liaise with agencies on requests to access NZTD information.</p> <p>Monitor and report on any privacy breaches associated with the NZTD system.</p> <p>Lead responses where the breach is for all NZTD information for a traveller.</p>	<p>[Note: the NZTD Programme is leading a review to ensure information sharing arrangements are established from the outset]</p>
<p><i>Communications:</i> From a NZTD Inc perspective, in conjunction with other agencies, develop and deliver a communications plan and lead stakeholder engagement as required.</p>	<p>Contribute to NZTD Inc communications on NZTD.</p> <p>Lead specific communications, such as changes to agency-specific information required, once agreed by the NZTD Steering Committee.</p>
<p><i>Risk assessment for border security:</i> Monitor the application of the algorithms on NZTD information and the referral of travellers (e.g., unnecessary/repeat referrals).</p>	<p>Refine existing rules and develop new rules, including testing and confirming changes, to facilitate the necessary risk assessment of information provided as required by each agency to deliver its functions.</p>