



# Cabinet Legislation Committee

## Minute of Decision

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### Student Allowances Amendment Regulations (No 2) 2023

**Portfolio**                      **Social Development and Employment**

On 20 July 2023, the Cabinet Legislation Committee:

- 1        **noted** that in November 2022, the Cabinet Social Wellbeing Committee (SWC) agreed to waive the three-year residency stand-down period for student loans and student allowances for family members who are granted residence visas between 15 March 2019 and 31 December 2024 through their relationship to holders of a Christchurch Response Visa, or those who would have been eligible but who were already holding another residence visa, for study starting on or after 1 January 2024 [SWC-22-MIN-0191];
- 2        **noted** that the original decision taken by Cabinet in paragraph 1 above was rescinded on 26 June 2023 [CAB-23-MIN-0259.01];
- 3        **noted** that in June 2023, Cabinet agreed to waive the three-year residency stand-down for student loans and allowances for people starting study on or after 1 January 2024, as long as they are [CAB-23MIN-0259.01]:
  - 3.1        granted a residence-class visa under the Immigration Act 2009 between 15 March 2019 and 31 December 2024, and
  - 3.2        a family member (as defined in paragraph 4 below) of a living person where that living person is:
    - 3.2.1        the holder of a Christchurch Response Visa, whether or not they reside in New Zealand; or
    - 3.2.2        a New Zealand citizen, whether or not they reside in New Zealand, who:
      - 3.2.2.1        was a resident visa holder under the Immigration Act 2009 at the time of the Masjid Al Noor or Linwood Masjid terrorist attack on 15 March 2019 (the attack) and was eligible for a Christchurch Response Visa; or
      - 3.2.2.2        would have been eligible for a Christchurch Response Visa had they not already been the holder of a permanent resident visa under the Immigration Act 2009; or
      - 3.2.2.3        would have been eligible for a Christchurch Response Visa had they not already been a New Zealand citizen; or

3.2.2.4 was granted New Zealand citizenship after holding a Christchurch Response Visa; or

3.2.3 the holder of a permanent resident visa under the Immigration Act 2009, whether or not they reside in New Zealand, who:

3.2.3.1 was a resident visa holder under the Immigration Act 2009 at the time of the attack and was eligible for a Christchurch Response Visa; or

3.2.3.2 would have been eligible for a Christchurch Response Visa had they not already been the holder of a permanent resident visa under the Immigration Act 2009; or

3.2.4 the holder of a resident visa under the Immigration Act 2009, whether or not they reside in New Zealand, who held the resident visa at the time of the attack and who was eligible for a Christchurch Response Visa;

4 **noted** that in June 2023, Cabinet agreed that family members for the purposes of paragraph 3 above, are defined as partners, children (both dependent and non-dependent), grandchildren, parents, grandparents, siblings, aunts, uncles, nieces, nephews, first cousins (i.e., a child of an aunt or uncle), parents-in-law, children-in-law, siblings-in-law, as well as step-children, step-parents and step-siblings [ CAB-23-MIN-0259.01];

5 **noted** that the Student Allowances Amendment Regulations (No 2) 2023 give effect to the decisions referred to in the paragraphs above;

6 **authorised** the submission to the Executive Council of the Student Allowances Amendment Regulations (No 2) 2023 [PCO 25519/10.0];

7 **noted** that the Student Allowances Amendment Regulations (No 2) 2023 come into force on 16 October 2023 and that the changes will apply to periods of study starting on or after 1 January 2024.

Rebecca Davies  
Committee Secretary

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**Present:**

Hon Carmel Sepuloni  
Hon Grant Robertson (Chair)  
Hon Andrew Little  
Hon Kiri Allan  
Hon David Parker  
Hon Peeni Henare  
Hon Kieran McAnulty  
Hon Barbara Edmonds  
Hon Dr Duncan Webb  
Hon Dr Deborah Russell  
Tangi Utikere, MP (Chief Government Whip)

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG