What have been the early outcomes of New Zealand's seasonal foreign worker admissions?

Piotr Plewa

This essay analyzes preliminary lessons from one of the most recent, and allegedly, better designed seasonal foreign worker admissions – New Zealand's Recognized Seasonal Employer Program RSE. Drawing on the existing literature and official program documentation, the essay highlights the policy's achievements and challenges. It suggests that the policy appears to have had more positive impacts on the development of the relatively developed countries, because of their better ability to steer worker recruitment and investment of newly acquired skills and monies. When designing seasonal worker admissions to Europe, European policymakers should be aware of the fact that if included in the program migrants from the most economically, socially and geographically distant countries of origin may find it more difficult to benefit from the program and therefore either forego it or use it as a stepping stone to permanent migration.

Kewords: circular migration, seasonal migration, development, New Zealand, Pacific.

Introduction

New Zealand's seasonal worker program was born out of a unique confluence of events whereby New Zealand employers, the World Bank and the UN High Dialogue on Migration and Development. The Pacific states coincided on the idea that such admissions would help New Zealand employers overcome labor shortages, reduce irregular migration from New Zealand's Pacific neighborhood and precipitate regional co-development.

The goal of this paper is to explain the unique features of New Zealand's seasonal worker program and analyze its early outcomes. The onset of the economic crisis has led most of the European states to curb foreign worker admissions, except for seasonal admissions. Leaving limited opportunities for seasonal migration was motivated by the expectation of persisting labor shortages in agricultural jobs, and likely irregular migration in case of total border closure. Since 2010 the European Union has been working on the legislation aimed to facilitate seasonal foreign worker admissions to the EU. Based on what can be learned about the New Zealand's seasonal worker admissions, could and should a Recognized Seasonal Employer (RSE) Program be emulated in Europe? If so, which of its elements have worked and could be adopted and which have posed a challenge?

The paper consists of five parts. It starts from explaining how employers and labor market conditions are screened so as to minimize the likelihood that workers suffer from inadequate working or living conditions. Next it elucidates the challenges of the recruitment process. The third part reveals what migrants gain from working in New Zealand and to what extent they have been able to invest their monies and knowledge in the countries of origin. The fourth part discusses the impact of the so called pastoral care component of the program on migrants' social integration in New Zealand. The fifth part discusses the ability of the program to pre-

Piotr Plewa (Ph.D.) is a forthcoming Visiting Scholar at the University of Delaware, USA. His recent publications concern temporary foreign worker policies, migration and development, circular and return migration.

vent workers' settlement and to promote development-friendly circulation of workers between New Zealand and their countries of origin. The paper closes suggesting that the New Zealand program, much like European post-WII seasonal worker programs, may be more effective in reducing irregular migration and promoting development in the relatively developed countries making it necessary to ask which countries of origin should seasonal worker admissions distribute the limited visas to.

The paper has been based on the review of existing literature on seasonal migration to New Zealand as well as official government documents, including program statistics, surveys and their assessments.

How does New Zealand government determine which employers could contract foreign workers?

New Zealand's seasonal worker program aimed to encourage employers to develop good practices and in turn reward them with an accreditation to contract foreign workers legally, hence the program's name Recognized Seasonal Employer (RSE) scheme.

In April 2007 the Head of Immigration New Zealand signed interagency understandings (IAUs) with the five kick-start states: Samoa, Tonga, Tuvalu, Kiribati, and Vanuatu. Following the first year of program implementation, the RSE annual quota was expanded from 5 000 to 8 000 and over time the citizens of the Solomon Islands, Federated States of Micronesia, Nauru, Palau, Papua New Guinea, and Republic of Marshall Islands were incorporated in the scheme.

To help the program attain its objectives New Zealand government aimed to authorize only those employers who are likely to abide by the program rules, namely to qualify for a "Recognized Seasonal Employer" (RSE) status based on their contracting history and for an "Agreement to Recruit" (ATR), based on the fit between the job they offer and the labor market conditions.

The RSE accreditation aims to protect workers against abuses and ensure that, if any problems arise, they could be easily corrected (New Zealand 2010, 211). Once employers secure an RSE status, they must obtain an agreement to recruit (ATR). To authorize an ATR, the New Zealand Department of Labor (DOL) staff examines whether admitting foreign workers would not exert a negative effect on the employment of New Zealand's residents; whether employers have committed themselves to reimbursing workers fifty percent of their airfare; and whether they are likely to guarantee foreigners adequate working and living conditions (DOL 2012a).

Employers wishing to share workers' transportation costs and help foreigners secure the longest work visas possible can apply for collective ATRs. Even when brought on collective ATRs workers remain responsible for their remaining 50 percent share of international transportation, regardless of how many employers collaborate on contracting them. When employed on joint ATRs, workers who have completed contract with one employer could start with the next.

In theory coordinated contracting should make it possible for the worker to move from one employer to the next without incurring any downtime. However, weather and ripening cycles' vagaries have notoriously made predicting labor demand in agriculture difficult. Even though employers must guarantee workers minimum pay regardless of work availability (DOL 2012b, 2), Pacific workers still find any employment gaps occurring in coordinated contracting financially challenging given the relatively high living costs in New Zealand. DOL-interviewed Samoan workers suggested that during the downtimes lasting more than a week they should be exempt from housing costs (DOL 2010b, 37).

How are workers recruited?

Once employers have secured the RSE status and an ATR, they can recruit abroad. They should recruit in one of the Pacific states with which New Zealand signed bilateral labor agreements, unless they can demonstrate that they had recruited in other countries before the RSE program started, or made reasonable efforts to recruit in the Pacific but failed to find the right worker (New Zealand 2010, 219).

In line with bilateral agreements', the countries of origin should establish and maintain the "work-ready" pools of candidates qualified to work in New Zealand. These pools should constitute the major source of labor. Employers are, however, free to recruit outside of those pools. To prevent the program from illicit recruitment, bilateral agreements stipulate cooperation between New Zealand and the countries of origin in licensing labor recruitment agents.

The RSE program advised employers to use only authorized agents and prohibited charging migrants recruitment fees (DOL 2012a). Most employers used the "work ready pools" during the first season of recruitment in the Pacific, but not all candidates from the "work-ready pools" lived up to employers' expectations. Thus, in the following seasons employers focused on recruitment of the best returners, their family members and friends. By doing so, they left a number of qualified candidates in the working pools idle.

Employers considered that workers from the same village would work more efficiently, particularly if they were accompanied by their local leader (DOL 2010b, 19). However, if the countries of origin were to acquiesce to employers' preferences for closely-related workers, they risked those migrants' remittances and skills would not be distributed equally, thereby stimulating inequality and unauthorized emigration from among the regions and individuals left behind.

In some instances the Pacific governments hesitated about their workers' pools. As the government of Vanuatu noticed that its workers' pools were becoming dominated by the candidates from urban Port Villa and Luganville, it decided to cede recruitment to village chiefs (DOL 2010b, 20).

Employers found recruitment through licensed recruitment agents expensive and not as reliable as through semi-formal agents such as church or village leaders (DOL 2010b, 21). They believed that local leaders would have stronger incentives to select best workers than government officials who were unrelated to the community (DOL 2010b, 21).

Employers and the countries of origin did not always share the same priorities concerning the RSE program. While, employers aimed to select and retain the most experienced workers, the Pacific states aimed to promote employment of the largest number of citizens, particularly those without previous work experience and from the poorer parts of the country.

Tonga instituted quotas so as to ensure that workers from the entire country could be included in the work-ready pools (DOL, 2010b, 18). However, the town officers applied the selection criteria that did not necessarily match with those that New Zealand employers were interested in (Gibson et al. 2008, in Martin 2009, 67).

The high travel costs compounded the difficulties of recruitment in Kiribati and Tuvalu. New Zealand employers would rather recruit from larger and closer Vanuatu or Tonga than Tuvalu and Kiribati due to small supply of workers and high transportation costs in the former two islands. Thus in December 2007, New Zealand went ahead with employers' demands and made them responsible for half of the transportation costs from Nadi (Fiji) rather than Tuvalu or Kiribati. This decision increased the transportation costs for the workers who now had to cover all of their transportation costs to Nadi on top of half of the transportation between Nadi and New Zealand. Even though the transportation exemption aimed to encourage employers to recruit in the remote islets, employers continued to consider contracting of Kiribati and Tuvalu citizens' expensive, the recruitment process difficult and, the ability of workers to meet labor standards deficient. Only 48 and 41 percent of Tuvalu and Kiribati workers returned to New Zealand in any season based on the return data for the first four seasons (Merwood 2012, 7). Having deducted transportation, housing and visa costs they found they could not save in New Zealand enough to justify prolonged separation from their families and any sources of income they had at home.

As employers began to hesitate about recruiting in Tuvalu and Kiribati, they became more optimistic about recruitment in the remaining three "kick-start" South Pacific states, thereby polarizing program impacts on certain regions while ignoring others. However, not all were satisfied with the preferred states either and called for expansion of recruitment to other states than those favored by bilateral RSE agreements.

During the first five years of policy implementation the number of all RSE workers increased from 4486 (2007/08 season) to 7009 (2008/09 season)

Table 1. RSE admissions to New Zealand, 2007–2012

	2007/08	2008/09	2009/10	2010/11	2011/12
Vanuatu	1 698	2 342	2 137	2 352	2 412
Tonga	805	1 355	1 142	1 411	1 398
Samoa	647	1 228	1 021	1 219	1 162
Malaysia	364	374	406	375	317
Indonesia	249	271	271	304	299
Solomon Islands	238	311	256	252	407
Thailand	195	684	727	827	658
Other	290	256	256	351	356
Total	4 486	6 821	6 216	7 091	7 009

Source: DOL 2012d

(Table 1). However, despite governmental attempts to favor contracting in the five "kick-start" states, employers retained a strong interest in contracting other workers, particularly from relatively developed Thailand and Malaysia. The proportion of workers from the countries where the program was initially aimed to bring development ranged between 65 and 73 percent, thereby fulfilling the minimum 50 percent guaranteed to them. However, the numbers of workers from the least developed Kiribati and Tuvalu remained dwarfed by the number of workers from more developed countries.

On the one hand, Kiribati and Tuvalu workers discovered that, having deducted the airfare, living costs and taxes, the savings they made in New Zealand were much smaller than they expected. On the other hand, some employers considered them to be more expensive compared to other foreigners. Ni-Vanuatu constituted approximately half of workers from the originally-targeted kick-start states and around 34 percent of all brought to New Zealand on the RSE scheme.

Despite their efforts to contract local workers, employers reported that New Zealanders were less willing or able to perform labor-intensive tasks or work the night shifts during the weekends and in the inclement weather conditions. They preferred indoor, mechanized jobs (e.g. packing, truck driving, fork lifting) and seemed to be ready to leave whenever they could find a better job or shortly after the harvest peak (DOL 2010b, 15).

What have migrants gained and how have they used their monies and skills?

Selected workers are instructed to arrive in New Zealand with sufficient funds to cover all initial expenses until receiving the first pay. While most Pacific workers have been aware of it, many did not know what deductions will be taken out from their paychecks. Some have been surprised at tax deductions never charged to them by their countries of origin. Others were aware of deductions but underestimated their scope. Where employers arranged and paid workers' transportation, housing, medical insurance and other arrangements, they had the right to deduct those costs from workers' paychecks.

Samoans, Tongans and Ni-Vatu considered the RSE experience financially promising. The citizens of Tuvalu and Kiribati were less optimistic. According to the DOL survey, workers tended to spend their savings on school fees and supplies, home renovation, electronic goods, land and cattle purchase, boats, and loan repayment. In some cases, these expenditures were meant to be investments (DOL 2010b, 45). In other cases, they were spent according to local traditions: on funerals, weddings and as donations to family members, religious leaders and village councils (DOL 2010b, 45). However, many Melanesians, particularly from the capitals, also spent their savings purchasing the goods and services that they would have probably not purchased if they had not got used to them in New Zealand (DOL 2010b, 48).

A number of community councils decided to assist migrants in investing their monies. Often those councils were able to promote the development-friendly impacts of remittances (e.g. when invested in improving village housing or sanitation infrastructure). However, community authorities also feared that the sudden inflow of foreign work-dependent capital could disrupt local economy and social practices (DOL 2010b, 48). In Samoa, a Poutasi village chief encouraged the RSE workers to invest their savings in development-friendly projects including cattle farming and tourism related investments (DOL 2010b, 50). In another case, the chief, who double-acted as a recruitment agent, chose to select workers from the largest village so as to avoid depopulating smaller villages through emigration. He also required departing workers to plant 5000 taro shots each prior to departure to minimize the negative consequences of their absence (DOL 2010b, 50).

Some workers felt that to make the most of their RSE experience, it was necessary that apart from monies, they are also tutored how to use their savings productively. For instance, some Samoan workers wished that while in New Zealand they could work with the crops that they could plant at home and that additional assistance in the implementation of learned agricultural skills would be provided upon their return (DOL 2010b, 50). The governments of Samoa, Tonga and Vanuatu aimed to help their citizens apply the learned skills upon return. However, even the Samoan, Tongan and Vanuatu workers considered that given all the investments they made in the program, they should be guaranteed at least a four month-long uninterrupted activity so as to make abandoning their families and sources of little income at home worth it (DOL 2010b, xv).

Even short periods of residence in New Zealand may transform workers' needs and savings goals. On the one hand workers and their families began to develop dependency on foreign goods and services. On the other hand they also acquired skills to produce them at home, thereby using their New Zealand-gained experience productively.

Some seasonal workers planned to build new houses and educate their children. But, they knew that emulating New Zealand living standards would be only possible if they are guaranteed an uninterrupted access to work in New Zealand, at least until they accumulated enough capital and knowledge to invest at home. Some were ready to repeat the trips over and over again hoping for the longest contracts possible. The uncertainty of contract renovation; the paucity of economic, social and political infrastructure to launch or sustain investments; and social norms requiring that some savings be shared with the community which selected them to go abroad prevented some workers from returning home upon their visa expiry. While many workers were satisfied with their earnings and savings, others, particularly those from Kiribati and Tuvalu, reported having earned and saved less than expected. While Kiribati and Tuvalu workers were allowed to stay in New Zealand for up to nine months, their transportation costs were the highest and the working and investment opportunities at home in the off-season the bleakest. The Kiribati and Tuvalu workers were thus more likely to either forego work in New Zealand, or leave under the condition that they could eventually settle there.

The factors which, according to DOL, could have affected workers' ability to earn and save included the airfare, accommodation, availability of work, taxes and other deductions (DOL 2009, 6). Since many of those expenses could not be reduced, program evaluators and employers focused on helping migrants' reduce their already limited spending in New Zealand. Employers were afraid that the family members or village leaders of the workers who were not able to save enough would prevent them from returning to New Zealand in the following years.

In general, returners were able to save more and were thus more satisfied with the program than the newcomers. Some workers reported lower earnings in the second season as compared to the first one. According to DOL, the variations of earnings could be attributed to a number of factors which workers may not always understand and which may be difficult to correct, such as fruit ripening patterns (DOL 2010b, 31).

New Zealand and the sending countries hoped that the RSE would provide jobs, savings, and investment to Pacific Islands while filling seasonal agricultural labor shortages. Nonetheless, as of 2012, the development impacts of the RSE were not yet clear. One concrete outcome of the RSE was a reduction in money transfer costs (Martin 2009, 70). Already following the second season, the RSE program's ability to foster development in the least-developed Pacific islands hinged on a wide array of challenges some of which did not seem obvious when the program was incepted. These included the effects of recession on the availability of jobs for migrants; the weak ability of migrants to secure the longest employment periods possible, make savings and invest them productively; and the paucity of adequate investment assistance programs so as to prevent migrants from investing their monies in development-unfriendly projects.

Even though Pacific workers and Pacific states benefitted from RSE-generated remittances, the program brought about a number of more subtle yet potentially important challenges too. Even if Pacific states continue to receive over fifty percent of visas allowing for the deployment of some 4 000 workers, once divided between all of the "favored" countries, each would benefit from relatively small quota. While the Pacific quota was raised from initial 5 000 to the current 8 000, the number of participating states also rose from five to eleven. The small quotas are likely to help the sending states relieve unemployment pressures, but will this aid be substantive enough to support sustainable development?

As of 2012, it was still difficult to predict how migrants would invest the skills and monies acquired abroad. On the one hand, workers began to acquire or plan to acquire many of the goods and services they saw in New Zealand. On the other hand, home country leaders, be it village elderly or the Departments of Labor demonstrated an interest in helping migrants invest the monies in what they assumed to be "wise" projects. Not only did it matter for the countries of origin (and employers) how many will leave, but also who will leave, at what point of time and for how long, thus posing the question of how to coordinate population departures so that they have a positive rather than negative effect on the countries and communities of origin. Apart from economic preoccupations, such as those concerning the impact of emigration on food production, the sending countries' leaders began to ponder the social effects of departures, including alcohol abuse by the workers abroad and poorer school performance among children left in homelands with one parent only. To attenuate some of the negative effects of emigration on family life, the Vanuatu Employment Services began to require families to sign a consent form, and in the future will attempt to encourage employers to recruit both spouses (DOL 2010b, 49).

Despite the New Zealand government's hopes for the triple-win outcome, as of the fourth season, employers appeared to have benefitted from the RSE program more than the migrants and their homelands. The availability of foreign workers helped New Zealand employers to appease labor shortages and even increase production (DOL 2009a, 7–8) based on the confidence that foreign workers would continue to be available. Many of those interviewed by the DOL reported having increased productivity and gained confidence in business expansion thanks to the RSA program (DOL 2010b, 57). According to DOL's on-line survey, the RSE employers were more likely than the non-RSE employers to invest in new plants and equipment (DOL 2012). More employers would have probably expanded production plans if not uncertainty posed by recession. Employers who made investments hoped that the workers they trained would return thereby making investments in their training worthwhile (DOL 2009, 8).

Even though employers were relatively disappointed with the quality of Pacific workers in the first season, many considered Pacific Islanders relatively reliable, enthusiastic and disciplined in the second season. The workers employers choose in the second season were returners or their close friends and relatives, rather than unknown candidates from the sending governments' "work-ready pools". Returners and the people they recommended had more realistic expectations of what the job would entail and what the benefits would be, thus, they were likely to stay on the job throughout the entire season (DOL 2010b, 56). Returners did not need to be trained and had positive demonstration effects on the new workers, particularly those coming from their communities of origin. Due to more realistic expectations and better training by their compatriots, even the new workers seemed more prepared in the second season. As employers found recruitment and training somewhat easier, they could dedicate more attention to workers' integration issues which constituted an important part of the so called "pastoral care".

How has migrants' social integration been fostered?

Pastoral care refers to those services which aim at increasing the labor and social comfort of RSE workers over the course of their stay in New Zealand. It includes transportation to work, suitable accommodation, orientation and integration services (DOL 2012b, 2).

Some employers considered their pastoral care obligations useful in developing relationship with their workers and between the workers and the host community. This was notably the case where returners or community members volunteered to provide pastoral care on behalf of employers. However, the vast majority considered a number of pastoral care obligations to be superfluous. The uncertainty about the evolution of the RSE program in the context of the economic crisis cooled down employers' enthusiasm about investing in certain aspects of pastoral care, notably housing (DOL 2009, 7). However, many employers planned to expand production assuming that workers would continue to be available.

Housing constituted the key obligation and the key challenge of pastoral care. Employers considered it difficult to rent the same accommodation in the off-season, thus they kept accommodation prices high so as to have migrants cover the non-occupancy period as well (DOL 2010b, 36). Returning workers were more understanding of New Zealand's relatively high housing costs, or capable to find alternatives.

Given the time-consuming character of pastoral care obligations, employers actively sought assistance of other individuals and organizations. In some cases they entrusted pastoral care to Pacific diaspora, in others to the most trusted returners. However, in most cases they ceded pastoral care obligations to local churches. Religious communities welcomed new members with such an alacrity that certain employers began to feel that they could distract workers' from their duties, tap on their savings and increase the likelihood of visa overstay (DOL 2010b, xiv, 38). Employers have generally found it much easier to integrate migrants in work and the community if they operated in the area with a pre-existing diaspora from the country where they wished to recruit, and if they focused recruitment on the same area of origin, because of ethnic solidarity.

In theory, RSE workers had access to the same support mechanisms set out in the Employment Relations Act 2000 as New Zealand workers (DOL 2010b, xix). However, in practice RSE workers either did not find it easy to claim their rights or did not wish to do it. The access to dispute resolution remains one of the biggest challenges for the New Zealand government to provide (DOL, 2010b, XVIII).

How has the program affected mobility of workers between the countries of origin and New Zealand?

Workers are expected to leave New Zealand upon their permits' expiry. They can prolong their stay to the maximum 7 to 9 months. The authorities believed that rotation could be induced through an educational approach directed both at workers and at employers. Employers whose workers did not return home could be charged up to NZ$ 3 000 to finance worker's repatriation (DOL, 2010b, 43), while workers deported and prevented from participation in the program in the future.

The available data provide a clearer picture of migrant circulation between the country of origin and New Zealand than return from New Zealand. Out of 24 614 workers who participated in the RSE program over four seasons, 13 895 returned to New Zealand, usually in the following season and usually to the same employer (Table 2). Employers preferred to recruit returners among others to obviate the need for training (DOL 2012 in Merwood 2012, 2). In 2010/11 season nearly two-thirds were returning workers. The increasing proportion of returners meant the decreasing proportion of first-time workers. In 2010/11 season the proportion of first-time workers decreased to 37.9 percent (Merwood 2012, 5).

Table 2. Circulation between New Zealand and the countries of origin

	Returned (%)	Returned to the same employer (%)
2007/08	0	0
2008/09	34.8	30.0
2009/10	59.5	52.5
2010/11	62.1	54.0

Source: DOL in Merwood, 2012:5

Tuvalu and Kiribati workers had the lowest return and circulation rates, allegedly due to the relatively high travel costs (Merwood 2012, 6; DOL 2010, in Merwood 2012, 6). The DOL suspected that those who failed to return home upon visa expiry were the workers of those employers who failed to provide sufficient work and pastoral care (DOL 2010b, 42), and most likely also those who did not want to return to their families, village leaders and money-lenders empty-handed. A few case studies found that some Pacific workers participated in the seasonal migration scheme hoping it would facilitate permanent migration (Gibson et al. 2008; McKenzie at al. 2008; Bedford et al. 2010, in Merwood 2012, 2). However, there were some workers who voluntarily returned before their contract expiry. This was notably the case with certain Tongans who had counted on employment six times a week and given the high living costs in New Zealand did not find it financially beneficial to stay in New Zealand when the workload dropped to 3-4 days a week (Martin 2009a, 68).

What have been the program's initial outcomes?

New Zealand's RSE is one of the most recent, fully operational, seasonal worker programs instituted to foster co-development of labor sending and receiving countries and as such could provide valuable lessons for circular foreign worker admissions currently promoted by the European Union. Both New Zealand and the EU expect circular admissions to achieve the same three broad objectives: (1) promote co-development of the host and home societies; (2) reduce irregular migration; and (3) appease labor shortages in the host states while reducing the unemployment in migrants' homelands.

The key achievement of the program has been a sound pre-selection of employers focused on inclusion of those likely to abide by the program rules. To prevent that employers make production decisions based on the assumption that foreign workers would continue to be available the New Zealand government limited the program to a modest 8 000 annual quota and the jobs that are least likely to attract locally available workers. However, while keeping RSE admissions limited is likely to prevent employers from excessive reliance on foreign labor, and possibly reorganization of production methods to reduce labor demand in the long term, it poses the challenge to the achievement of the two other program objectives. If the number of work visas available remains small compared to the number of unemployed foreigners willing to work in New Zealand, they may overstay their permits and the program will have a largely insignificant effect on the Pacific states' development.

One way to maximize the ability of the program to meet all three objectives, would be to limit its expansion to the new countries of origin and to deepen the assistance to the sending states so as to train their workers prior to departure for New Zealand, and assist them in investing their monies and ideas productively upon their return. Given New Zealand employers' alacrity to expand the production in the jobs that local workers are not interested in taking and the Pacific states' interest in developing a robust agricultural production, the RSE program should become a prelude rather than substitute for New Zealand investment in the region. Pacific people would be able to improve their working and living conditions without depending on limited visas for short-term jobs that are not aimed at serving as a prelude to a permanent resident status.

Applying the preliminary lessons of the RSE program to Europe, European policymakers would benefit from considering New Zealand's careful employer and labor market screening, but should recognize the complexity of using seasonal worker admissions to promote sustainable development of migrants' countries of origin and to reduce irregular migration. In fact New Zealand's early RSE program experience has been similar to the European post-WWII experience whereby temporary foreign worker admissions have had a more positive effect on the development of the already relatively developed countries of origin in Southern Europe rather than in Africa. This makes it relevant to ask which countries of origin should New Zealand's and EU's seasonal worker admissions distribute limited work visas to.

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