



## COVERSHEET

<b>Minister</b>	Hon Chris Hipkins	<b>Portfolio</b>	COVID-19 Response
<b>Title of Cabinet paper</b>	COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020	<b>Date to be published</b>	21 June 2021

<b>List of documents that have been proactively released</b>		
<b>Date</b>	<b>Title</b>	<b>Author</b>
16 December 2020	COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020	Office of the Minister for COVID-19 Response
16 December 2020	CBC-20-MIN-0136	Cabinet Office
December 2020	Supplementary Analysis Report: Amendments to the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020	MBIE

### **Information redacted**

**YES / NO** *(please select)*

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Some information has been withheld for the reasons of Legal professional privilege, Confidential advice to Government, and Commercial information.



# Cabinet Business Committee

## Minute of Decision

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### COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations

**Portfolio**                      **COVID-19 Response**

On 16 December 2020, the Cabinet Business Committee, having been authorised by Cabinet to have Power to Act [CAB-20-MIN-0536]:

- 1        **noted** that on 16 November 2020, Cabinet agreed:
  - 1.1        to recover a higher level of cost for managed isolation and quarantine (MIQ) services from all employers of critical workers, based on the average cost, currently estimated to be \$4,722 per person, through a contract with the employer or industry group;
  - 1.2        that employers of critical workers should pay MIQ fees upfront;[CAB-20-MIN-0473]
- 2        **noted** that the most efficient way to give effect to the above decisions is to amend the Regulations, which do not currently allow a higher fee to be charged, for employers to be liable, or for payments to be required in advance;
- 3        **noted** that the operational presumption is that groups of critical workers do not share rooms, except where a risk assessment is completed and permits room-sharing;
- 4        **noted** that individual critical workers can share rooms with partners or dependent children;
- 5        **agreed** to amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to:
  - 5.1        charge a higher fee for critical workers' and their families' stays in MIQ;
  - 5.2        make employers or supporting agencies of critical workers liable for the charges, or the individual if there is no employer or supporting agency;
  - 5.3        allow MBIE to require payment in advance, where appropriate;
- 6        **agreed**, to reflect decisions previously made by Cabinet by:
  - 6.1        charging critical workers:
    - 6.1.1        \$4,800 + GST per person;

- 6.1.2 where a risk assessment has been completed, allowing for a reduced fee of \$2,600 + GST for the second adult in a room;
- 6.1.3 in the case of family groups, allowing for a reduced fee of \$2,600 + GST for the second adult in a room, and \$1,400 + GST for a child (three years or older);
- 6.2 that dependent children of critical workers under 3 years old are not charged;
- 6.3 that critical workers and their employers or supporting agencies should not be able to apply for a fees waiver on grounds of undue financial hardship or special circumstances;
- 6.4 that the new fee settings for critical workers will not apply to critical health workers;
- 7 **noted** that the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020 give effect to the decisions referred to in paragraphs 1 to 7 above;
- 8 **noted** that section 33A of the COVID-19 Public Health Response Act 2020 requires that the responsible Minister must consult with the Minister of Health before recommending the making of an Order in Council relating to cost recovery;
- 9 **noted** that section 32C of the COVID-19 Public Health Response Act 2020 requires that the responsible Minister must be satisfied of the following matters before recommending regulations be made under section 33A:
  - 9.1 the charges concerned relate to MIQ costs (including direct and indirect costs);
  - 9.2 the prescribed charges recover from any class of persons no more than an estimate of the actual and reasonable MIQ costs incurred in relation to that class (including both direct and indirect costs);
  - 9.3 there is appropriate provision to grant relief from the payment of the prescribed charges in circumstances where payment of the charges would cause undue financial hardship;
  - 9.4 the prescribed charges do not limit or are justified limits on the rights and freedoms in the New Zealand Bill of Rights Act 1990;
- 10 **noted** the advice of the Minister for COVID-19 Response that these requirements have been met;
- 11 **authorised** the submission to the Executive Council of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020 [PCO 23366/5.0];
- 12 **noted** that a waiver of the 28-day rule is sought:
  - 12.1 so that the Regulations can come into force on 1 January 2021;
  - 12.2 on the grounds that this will ensure the new fee settings are in place for Recognised Seasonal Employer workers arriving from mid-January to mid-March;
- 13 **agreed** to a waiver of the 28-day rule so that the Regulations can come into force on 1 January 2021;

- 14 **directed** the Ministry of Innovation Business and Employment to report quarterly to the Minister for COVID-19 Response and the Minister of Finance on MIQ fees collected.

Gerrard Carter  
Committee Secretary

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**Present:**

Rt Hon Jacinda Ardern (Chair)  
Hon Grant Robertson  
Hon Kelvin Davis  
Hon Dr Megan Woods  
Hon Chris Hipkins  
Hon Andrew Little  
Hon David Parker  
Hon Nanaia Mahuta  
Hon Poto Williams  
Hon Damien O'Connor  
Hon Stuart Nash  
Hon Kris Faafoi  
Hon Jan Tinetti  
Hon Dr David Clark  
Hon Dr Ayesha Verrall  
Hon James Shaw

**Officials present from:**

Office of the Prime Minister  
Department of the Prime Minister and Cabinet