



COVERSHEET

Minister	Hon Chris Hipkins	Portfolio	COVID-19 Response
Title of Cabinet paper	COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021	Date to be published	28 March 2022

List of documents that have been proactively released

Date	Title	Author
December 2021	COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021	Office of the Minister for COVID-19 response
9 December 2021	COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021 LEG 21-MIN-0214 Minute	Cabinet Office

Information redacted

NO [select one]

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021

Portfolio COVID-19 Response

On 9 December 2021, the Cabinet Legislation Committee:

- 1 **noted** that on 8 November 2021 Cabinet:
 - 1.1 agreed to amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to include a Ministerial class waiver power for groups of people included in the Afghanistan resettlement response;
 - 1.2 invited the Minister for COVID-19 response to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above paragraph; and
 - 1.3 authorised the Minister for COVID-19 Response to make decisions consistent with Cabinet's decisions on any technical issues that may arise during the drafting process [CAB-21-MIN-0454.1]
- 2 **noted** that the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021 will give effect to the decision referred to in paragraph 1 above;
- 3 **authorised** the submission to the Executive Council of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021 [PCO 24321/5.0];
- 4 **noted** that a waiver of the 28-day rule is sought:
 - 4.1 so that the regulations can come into force as soon as possible;
 - 4.2 on the grounds that the amendments are minor, have little or no effect on the public and confers only benefits on the public;
- 5 **agreed** to waive the 28-day rule so that the regulations can come into force on 15 December 2021;

- 6 **noted** that section 32B and 32C of the COVID-19 Public Health Response Act 2020 require that the responsible Minister before recommending the making regulations which set charges for Managed Isolation and Quarantine be satisfied that;
- 6.1 The charges concerned relate to managed isolation or quarantine facility (MIQF) costs (including direct and indirect costs);
 - 6.2 the prescribed charges recover from any class of persons no more than an estimate of the actual and reasonable MIQF costs incurred in relation to that class (including both direct and indirect costs);
 - 6.3 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;
 - 6.4 the prescribed charges do not limit or are justified limits on the rights and freedoms in the New Zealand Bill of Rights Act 1990;
- 7 **noted** the advice of the Minister for COVID-19 Response that this requirement has been met.

Rebecca Davies
Committee Secretary

Present:

Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon Poto Williams
Hon Jan Tinetti
Hon Meka Whaitiri
Kieran McAnulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG