



## BRIEFING

### Draft Cabinet paper for Ministerial consultation *Improvements to the allocation of managed isolation rooms*

<b>Date:</b>	1 December 2020	<b>Priority:</b>	High
<b>Security classification:</b>		<b>Tracking number:</b>	2021-1471

Action sought		
	Action sought	Deadline
Hon Chris Hipkins <b>Minister for COVID-19 Response</b>	<b>Consult</b> your Ministerial colleagues on the draft Cabinet paper <i>Improvements to the allocation of managed isolation rooms</i>	2 December to 7 December 2020
	<b>Provide</b> feedback on the draft Cabinet paper to MBIE	7 December to 9 December 2020
	<b>Lodge</b> the final Cabinet Paper for consideration by Cabinet on Thursday 14 December 2020	10 December 2020

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Privacy of natural persons	Manager, Allocation and Supply, Managed Isolation and Quarantine Policy	-	Privacy of natural persons	✓
Privacy of natural persons	Principal Policy Advisor, Managed Isolation and Quarantine Policy	-	Privacy of natural persons	

The following departments/agencies have been consulted
Immigration New Zealand, Ministry of Foreign Affairs and Trade, the Ministry of Health, the Ministry for Primary Industries, the Ministry of Transport, the Ministry of Education, New Zealand Customs Service, the Treasury, the Department of Prime Minister and Cabinet, Crown Law Office

Minister's office to complete:

Approved

Declined

Noted

Needs change

Seen

Overtaken by Events

See Minister's Notes

Withdrawn

**Comments**



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### Purpose

To provide you with the draft Cabinet Paper: *Improvements to the allocation of managed isolation rooms*.

To seek your feedback on the paper and feedback for Ministerial consultation between 2 December and 7 December, prior to finalisation and lodgement on 10 December for Cabinet consideration on 14 December.

### Recommended action

The Ministry of Business, Innovation and Employment (MBIE) recommends that you:

- a **Note** that MBIE has prepared the attached draft Cabinet paper *Improvements to the allocation of managed isolation rooms* (the Cabinet paper) in response to your direction at a meeting with officials on 16 November 2020. *Noted*
- b **Note** that the draft Cabinet paper addresses the manifesto commitment for a 10 per cent allocation for critical workers in managed isolation and proposes additional allocation system improvements. *Noted*
- c **Note** that key assumptions around the overall policy objectives and tools achieving those objectives underpin the draft Cabinet paper, and that these are set out in paragraph 4 in the briefing below. *Noted*
- d **Note** that MBIE will liaise with your office to incorporate your feedback and feedback from Ministerial consultation. *Noted*
- e **Agree** to lodge the finalised Cabinet paper consideration by Cabinet on 14 December 2020.

Agree /  Disagree

Privacy of natural persons

**Manager, Allocation and Supply,  
Managed Isolation and Quarantine Policy**  
MBIE

1 / 12 / 2020

Hon Chris Hipkins  
**Minister for COVID-19 Response**

2 / 12 / 2020

## Background

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1. On Monday 16 November 2020, you met with MBIE officials to discuss the aide memoire and slide pack “Options to implement the manifesto commitment for 10% allocation for Critical Workers” [Aide Memoire 2021-1249 refers].
2. In response to your direction MBIE has prepared the attached draft Cabinet paper *Improvements to the allocation of managed isolation rooms*. The paper addresses both the manifesto commitment for a 10 per cent allocation for critical workers and recommends wider improvements to how spaces in managed isolation are allocated in order to protect New Zealanders’ legal right to return to New Zealand. It reflects separate feedback from the Minister of Immigration on the slide pack, and has been developed in consultation with MBIE’s Employment, Skills and Immigration Policy branch.
3. 

Legal professional privilege

  

Legal professional privilege

 Amendments to orders can be made in February 2021 which is anticipated to align with IT changes to the managed isolation allocation system (MIAS). Officials will provide you with further advice on timing in the New Year.

## Policy assumptions underpinning the draft Cabinet paper

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4. The draft Cabinet paper has been prepared on the basis of the following policy assumptions:
  - New Zealand’s public health response to COVID-19 is paramount.
  - The legal right of New Zealanders to enter the country under the New Zealand Bill of Rights Act 1990 (NZBORA) should be protected (a 75 per cent ring fence of MIAS places is proposed for this, with the remaining 25 per cent of places being available to all travellers on a largely first-come first-served basis.
  - Non-legislative options to achieve the 10 per cent manifesto commitment are preferred.
  - A 10 per cent operational target for critical workers should be established, to be jointly overseen by the Minister for COVID-19 Response and the Minister of Immigration supported by:
    - a clear definition of who a critical worker is
    - accurate data about the use of MIQ by critical workers.
  - Section 11 orders will support the current offline (manual) MIAS allocation process for time-critical travel and provide for potential future expansion of this system to allocate more rooms to this group (which is likely to include a high proportion of critical workers).
  - MIAS should support the efficient use of MIQ capacity.
  - IT changes will be required to MIAS and Immigration New Zealand systems. The cost of MIAS changes have been included in your Cabinet paper *Managed Isolation and Quarantine (MIQ) operating model and funding*.
  - Early next year, officials will provide the Minister of Immigration and the Minister for COVID-19 Response more detailed advice on how to best collect information on the number of critical workers entering New Zealand.

5. Critical workers are defined in the draft Cabinet paper as “workers who enter New Zealand: under the economically critical worker border exception; as a critical health worker; as a temporary migrant worker who is normally resident in New Zealand; or as family accompanying one of these workers.” The increased managed isolation charges for critical workers proposed in the separate draft Cabinet paper *COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020*, only applies to the critical worker border exception and their families, and would not apply to critical health workers or temporary migrant workers ordinarily resident in New Zealand.

## **Next steps**

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6. We recommend that you agree to circulate the draft Cabinet paper for Ministerial comment between 2 December and 7 December 2020. We will work with your Office to receive and incorporate feedback.
7. MIQ officials are available to discuss the paper at your officials meeting on 7 December 2020.
8. We will provide a final version of the Cabinet paper in time for lodging on 10 December 2020 and Cabinet consideration on 14 December 2020.

## **Annexes**

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Annex One: Draft Cabinet Paper: - *Improvements to the allocation of managed isolation rooms*

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