



9 March 2022

Ref: DOIA 2122-1443

Privacy of natural persons

Dear Privacy of

Thank you for your email of 19 January 2022 to the Ministry of Business, Innovation and Employment (the Ministry), requesting the following information under the Official Information Act 1982 (the Act):

1. *The number of New Zealand citizens who have entered New Zealand without a confirmed MIQ allocation, since the commencement of the COVID-19 Public Health Response (Air Border) Order (No 2) 202 ("the order"), other than persons exempt from clause 8(2A) by or under the order.*
2. *If different from (1) above, the number of New Zealand citizens who MBIE understands to have boarded flights to New Zealand as transit passengers without a confirmed allocation, but who entered New Zealand upon arrival, since the commencement of the order.*
3. *Details of the MIQ arrangements made for persons identified in (1) or (2) above, including whether each was accommodated in MIQ facilities, the duration of stay for each, and the fees (if any) charged to each person.*
4. *Details of infringement notices issued to persons identified in (1) or (2) above under the order, including*
 - a) *whether each was considered "high risk", "medium risk" or "low risk", and*
 - b) *the penalty (if any) for each case.*

Please refer to the Ministry's response below:

Question 1: *The number of New Zealand citizens who have entered New Zealand without a confirmed MIQ allocation, since the commencement of the COVID-19 Public Health Response (Air Border) Order (No 2) 202 ("the order"), other than persons exempt from clause 8(2A) by or under the order.*

Since 3 November 2020, 151 New Zealanders have entered New Zealand without a voucher through the Air Border. Similarly, 5 New Zealanders have entered New Zealand without a voucher through the Maritime Border. Please note prior to the Managed Isolation Allocation System (MIAS) was set up in November 2020, travellers did not require a MIQ voucher before flying to New Zealand.



Question 2: *If different from (1) above, the number of New Zealand citizens who MBIE understands to have boarded flights to New Zealand as transit passengers without a confirmed allocation, but who entered New Zealand upon arrival, since the commencement of the order.*

Since December 2021, 11 New Zealanders have boarded flights to New Zealand as transit passengers without a confirmed allocation and did not take their ongoing flight and chose to remain in New Zealand.

Question 3: *Details of the MIQ arrangements made for persons identified in (1) or (2) above, including whether each was accommodated in MIQ facilities, the duration of stay for each, and the fees (if any) charged to each person.*

The persons identified in **questions 1** and **2**, were accommodated in MIQ facilities for the required isolation period of either 14 days or 7 days (depending on the isolation requirement at the time of their entry). Similarly, they were invoiced the room charges as per their isolation period and if they intended to remain in New Zealand for less than 90/180 days.

For those returnees who are required to pay, some could be granted a full or partial waiver of fees in cases of financial hardship or other special circumstances. The details of who is liable for charges can be found at: www.miq.govt.nz/charges-for-managed-isolation/who-needs-to-pay-for-managed-isolation/.

Points of reference:

Individuals who enter New Zealand without vouchers are required to complete their full stay in managed isolation. However, under the Maritime Border when a New Zealander has requested to depart the ship/vessel, a medical officer of health conducts an assessment if they are of risk to the community. Where a risk is identified by a medical officer, individuals are required to come into managed isolation to complete their required stay. Where there are no risks identified, individuals are allowed to enter the country and asked to self-isolate.

Under the Air Border Order (No 2) 2020, airline crews who have travelled overseas for training purposes for less than 7 days, are not required to come into MIQ or self-isolate. If crew members have been away for 7-14 days, they are required to self-isolate. Please note that MIQ can only track those individuals who have been away for longer than 14 consecutive days and are required to go into MIQ.

Question 4: *Details of infringement notices issued to persons identified in (1) or (2) above under the order, including*

- a) whether each was considered "high risk", "medium risk" or "low risk", and*
- b) the penalty (if any) for each case.*

Our response to **question 3** under *Points of reference* answer point (a) of this question. That is, risk was not a consideration for those arriving by air with all air arrivals being required to undertake managed isolation, however, it was a consideration taken into account by a medical officer of health for maritime arrivals.

Regarding point (b), unplanned entries have had the potential to overwhelm the MIQ system and risk the health and safety of New Zealanders and anyone arriving without an MIQ voucher are referred to the Police. We can confirm that no infringement notices have been issued to any persons by the New Zealand Police.

Some information relating to fines on a failure to comply with the legal requirements under the COVID-19 Public Health Response Regulations 2021 can be found in the public domain. The penalties are set out here: www.legislation.govt.nz/regulation/public/2021/0393/latest/LMS600713.html.

You have the right to seek investigation and review of my decision by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found at: www.ombudsman.parliament.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Russell Burnard', with a stylized flourish at the end.

Russell Burnard

General Manager, MIQ National Operations Services
Managed Isolation and Quarantine