



BRIEFING

Decisions on red flights from Australia while MIAS bookings are paused

Date:	27 August 2021	Priority:	Urgent
Security classification:		Tracking number:	AUS-005 / 2122-0741

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister of COVID-19 Response	Agree that while MIAS bookings are paused, the first red flights from Australia on 5 September will only be available for those with approved emergency allocation vouchers or existing offline MIAS allocations	28 August 2021
Hon Kris Faafoi Minister of Immigration	Note that you will be asked to certify instructions changes to support the return of ordinarily-resident temporary entry-class visa holders	

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Privacy of natural persons	Acting General Manager, MIQ Policy	Privacy of natural persons	✓
Brigadier Rose King	Joint Head, MIQ		

The following departments/agencies have been consulted
Ministry of Transport, Ministry of Foreign Affairs and Trade, Immigration New Zealand, Crown Law Office, Department of Prime Minister and Cabinet

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Decisions on red flights from Australia while MIAS bookings are paused

Date:	27 August 2021	Priority:	Urgent
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Purpose

To seek your direction on access to the first red flights from Australia since the suspension of quarantine-free travel (QFT), which are due to occur on 5 September.

Recommended action

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

- a **Note** that Managed Isolation and Quarantine (MIQ) is experiencing extreme pressures across the network due to the concurrent events of:
- accommodating the final tranche of New South Wales (NSW) managed returns;
 - the current community outbreak of COVID-19 requiring additional quarantine capacity to be brought on-line;
 - the forecast intake of people from Afghanistan this week arriving sooner and being larger than expected; and
 - the potential flow on workforce impacts of MIQ staff testing positive for COVID-19.

Noted

- b **Note** that you decided on 26 August not to release MIAS vouchers for the next two to three weeks while the impact on MIQ of the current community outbreak is managed, continuing the temporary pause announced by MBIE on 23 August.

Noted

- c **Note** that only offline allocations (largely emergency allocations) of vouchers are available to prospective travellers in Australia due to pauses to the release of MIAS vouchers.

Noted

- d **Note** that red flights from Australia have been scheduled for 5, 12 and 19 September.

Noted

- e **Agree** that while MIAS bookings are paused, the first red flights from Australia on 5 September will only be available for those with approved emergency allocation vouchers or existing offline MIAS allocations.

Agree Disagree

- f **Note** that there are a number of considerations to work through urgently with Air New Zealand to implement decisions around red flights on 5 September.

Noted

- g **Invite** the Minister of Immigration to certify any instructions changes needed to support the return of ordinarily-resident temporary entry-class visa holders.

Noted

h **Agree** to proactively release this briefing with appropriate redactions consistent with the Official Information Act 1982.

Agree Disagree

Privacy of natural persons

Acting General Manager, MIQ Policy
Managed Isolation and Quarantine, MBIE

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Hon Chris Hipkins
Minister for COVID-19 Response

28 / 8 / 2021

Background

1. On 15 August 2021, you agreed to end the New South Wales managed return process and recommence red flights from Australia while QFT remains paused.
2. On 23 August, MBIE announced that we were temporarily pausing the release of rooms on the Managed Isolation Allocation System (MIAS) due to the current COVID-19 outbreak.
3. On 25 August, MIQ announced that a limited number of red flights from some cities in Australia will begin in September. The NSW managed return process finished on 22 August and green flights from the rest of Australia ran from 23 to 30 July.
4. Red flights from Australia had been scheduled for 1, 5 (one in Brisbane, one in Sydney), 12 and 19 September, however the 1 September flight was subsequently cancelled. MIAS vouchers have not been released and decisions are needed urgently around who will be able to access the remaining flights.
5. Offline allocations including emergency allocations and group allocations have continued to be made.

Extreme pressure on MIQ capacity

6. MIQ is experiencing extreme pressures across the network due to the concurrent events of:
 - a. accommodating the final tranche of NSW managed returns;
 - b. the current community outbreak of COVID-19 requiring additional quarantine capacity to be brought on-line;
 - c. the forecast intake of people from Afghanistan this week arriving sooner and being larger than expected; and
 - d. the potential flow on workforce impacts of MIQ staff testing positive for COVID-19.
7. As a result of these pressures, the release of MIAS vouchers has been paused to allow MIQ to mitigate the risks posed by these combined pressures.

Current access to red flights following the suspension of QFT

8. Air New Zealand is the only airline intending to offer red flights at this point in time, and is seeking urgent direction from Government around eligibility and conditions of travel on planned red flights. Air New Zealand has been working to support these flights and direction is required for Air New Zealand to [Confidentiality], and to make any adjustments to planned schedules (such as potentially combining smaller flights).
9. Due to the suspension of the release of MIAS vouchers, currently only travellers who have been issued with offline allocations have been scheduled on planned flights for 5, 12 and 19 September.
10. We have sent 17 approved applications (approximately 31 travellers) to Air New Zealand who have arranged travel with seven groups for 5 September. These applications are made up of 14 approved emergency allocations and three time sensitive travel allocations. Air New Zealand is currently booking all travellers onto the Sydney flight on 5 September 2021.
11. We expect to approve another 20 applications (approximately 34 travellers) over the next four days. The majority of emergency allocation applications are located in Sydney or can travel to Sydney.

12. Across the two 5 September flights (currently one from Brisbane, one from Sydney), we are expecting to fill 45 rooms for about 70 people, including emergency allocations and time sensitive travel already approved, those we expect to approve, and potentially seven travellers from the approved Construction Sector Accord group offline allocation.
13. Preliminary feedback from Air New Zealand is that these numbers may be insufficient to run two flights. We need to engage further with Air New Zealand following your direction to understand whether this is the case.

We recommend prioritising the urgent need to return from Australia at this time

14. The 5 September flights may include space for travellers beyond those who already have offline allocations. There is a question of whether Air New Zealand Confidentiality
[REDACTED]
15. This would provide those who have been unable to travel to New Zealand since the suspension of QFT an opportunity to travel. While we could make a small quota available to Air New Zealand, in addition to emergency allocations, to sell to the general public, on balance we recommend focusing on those with an urgent need to travel to New Zealand.
16. For the last 5 weeks, there has been no emergency pathway from most Australian states, while approximately 600 emergency allocation applications have been processed for the rest of the world. We propose to provide an equitable pathway for urgent travel from Australia for 5 September, consistent with our approach for the rest of the world.
17. At this time, we do not recommend offering any additional capacity to Air New Zealand to sell tickets to the general public without a MIAS voucher. We have previously advised you of the risk that people in countries other than Australia could successfully challenge the decisions to prioritise the allocation of spaces in MIQ to people returning from Australia (and the related decision not to release further MIAS vouchers) on the grounds that there is no rational basis for these decisions and they breach rights to equal treatment [AUS-003 / 2122-0450 refers]. We do not consider there is a rational basis to prioritise MIQ spaces for MIQ travellers from Australia in this instance, given the opportunities already provided for Australia travellers to return to New Zealand.
18. Recent weeks have seen the introduction of a number of changes to MIQ's normal operating processes in relation to vouchers, including the NSW managed return process. A further shift from our standard methods of releasing vouchers through offline and online (i.e. released on MIAS) allocations to enable airlines to book travellers with no voucher from Australia would reflect a further disruption to an already pressed system.
19. On balance, we recommend that the first red flights from Australia on 5 September only be available for those with approved emergency allocation vouchers or existing offline MIAS allocations.

Risks

20. If the current community outbreak worsens, MIQ will continue to be under substantial pressure to accommodate positive community cases. While there is capacity for approximately 45 rooms (for 70 people) we expect to arrive 5 September due to cohorting at the Grand Millennium, accommodating flights for 12 and 19 September could push capacity over its limits.
21. There continue to be New Zealanders seeking to return to New Zealand from Australia who were ineligible for the managed returns and green flights, and whose circumstances do not qualify them to make an emergency allocation request. The Ministry of Foreign Affairs and

Trade are aware of around 100 consular cases who have been advised to shelter in place until regular Trans-Tasman passenger flights resume. Their needs are likely to become more urgent over time.

22. The current lack of Trans-Tasman passenger flights also impacts the ability of New Zealanders in some Pacific Islands to return to New Zealand, and travel by foreign diplomats from Australia to New Zealand (and in some cases onwards to the Pacific), which may impact international relations.
23. Air New Zealand continues to work to support our approach to Australia and have been flexible around changing circumstances including the cancellation of the flight on 1 September. Confidentiality

Next steps

24. Confidentiality
We will continue to work with Air New Zealand to communicate your decision, and work through their feedback. We will update your office if it is not possible to operate flights based on your decision.
25. There are further flights planned for 12 and 19 September and we will provide you with options for these flights once we have a clearer picture of whether MIQ will have capacity to accommodate potential travellers from Australia given the current community outbreak.
26. Decisions will need to be communicated to potential travellers as soon as possible, i.e. by Monday 30 August at the latest, to give them the ability to prepare for the flight, including confirming bookings, getting pre-departure tests and arranging travel to the international departure port.
27. We will continue to work with the Ministry of Health to ensure that PDT requirements are in place.
28. The Minister of Immigration will need to certify immigration instructions relating to ordinarily resident people returning who are not citizens or residence-class visa holders.