



## BRIEFING

### Resuming red flights with New South Wales

<b>Date:</b>	27 August 2021	<b>Priority:</b>	Urgent
<b>Security classification:</b>		<b>Tracking number:</b>	NSW-012 / 2122-0639

Action sought		
	Action sought	Deadline
Hon Chris Hipkins <b>Minister for COVID-19 Response</b>	<p><b>Agree</b> to sign the attached COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021.</p> <p><b>Agree</b> that Australia is removed from the list of countries exempt from pre-departure testing requirements, meaning that travellers from Australia will be required to have a test before they travel to New Zealand.</p>	30 August 2021

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

The following departments/agencies have been consulted
Ministry of Transport, Ministry of Health, Department of Prime Minister and Cabinet, Parliamentary Council Office

**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 Withdrawn           |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

## Resuming red flights with New South Wales

Date:	27 August 2021	Priority:	Urgent
Security classification:		Tracking number:	NSW-012 / 2122-0639

### Purpose

This briefing provides you with information on revoking the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice 2021 (QT Notice) to give effect to the return to red flights and business-as-usual (BAU) Managed Isolation and Quarantine (MIQ) settings with Australia.

### Recommended action

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

- a **Note** that you have agreed to close the managed return process with New South Wales (NSW) and to recommence red flights from Australia [BR 2122-0450].  
*Noted*
- b **Note** that as part of recommencing red flights with Australia, the QT Notice exempting arrivals from NSW from the requirement to hold a confirmed MIQ allocation needs to be revoked.  
*Noted*
- c **Note** that once the exemption is revoked, the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (Air Border Order) and all of its settings will reapply to returnees from NSW.  
*Noted*
- d **Agree** to sign the attached COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021 in Annex One.  
 Agree /  Disagree
- e **Note** that revoking the QT Notice will not introduce a requirement for travellers from Australia to have a pre-departure test.  
*Noted*
- f **Agree** that Australia is removed from the list of countries exempt from pre-departure testing requirements, meaning that travellers from Australia will be required to have a test before they travel to New Zealand.  
 Agree /  Disagree

g **Note** that officials will provide the Director General of Health with a new exemption notice to remove Australia from the list of countries exempt from pre-departure testing.

*Noted*

Privacy of natural  
persons

**Acting General Manager, MIQ Policy**  
MIQ, MBIE

27 / 08 / 2021



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

30 / 08 / 2021

## Background

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1. Quarantine-free travel (QFT) with NSW was paused on 22 June 2021. On 10 July, you agreed to exempt returnees from NSW from holding a confirmed MIQ allocation under clause 8(2A) of the Air Border Order [NSW-001 refers]. Managed return flights from NSW began on Tuesday 13 July 2021. The QT Notice made returnees from NSW exempt from the requirement to hold a confirmed MIQ allocation under clause 8(2A) of the Air Border Order
2. On 22 July 2021 Cabinet agreed:
  - to suspend QFT with the Commonwealth of Australia from 11:59pm on Friday 30 July 2021, for an initial period of eight weeks; and
  - that once the suspension is in place, any travellers from Australia on red flights will be required to go into MIQ for 14 days and pay fees (with some exceptions).

### *Returning to red flights and regular MIQ settings with Australia*

3. On 16 August, you agreed to close the managed return process with NSW and recommence red flights and regular MIQ settings for Australia [BR 2122-0450 refers] while QFT is suspended.
4. Phase three of NSW managed return flights ran from 9 to 22 August 2021. Red flights will commence in September.

## Returning to regular red flights with NSW

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### *The managed return settings with NSW are different to those required under the Air Border Order*

5. In order to expedite the managed return process with NSW, you issued the QT Notice under section 26 of the Air Border Order.
6. The QT Notice exempts travellers from NSW from the requirement for a confirmed allocation under clause 8(2A) of the Air Border Order. The notice only applies to “eligible persons” i.e. air crew members, New Zealand citizens and permanent residents. It also includes temporary visa holders, Australian citizens or permanent residents, or those who are a relevant family member of a person in the aforementioned groups who departed from New Zealand on or after 6 April 2021.
7. Because the Notice exempts returnees from obtaining a pre-departure test, travellers had a number of requirements as conditions of boarding a flight. They must:
  - make a statement about whether they’re a close or casual contact (as they would have had to as a QFT traveller)
  - in the previous 14 days have only been in NSW
  - not have had a positive test or be waiting on the results of a test within the previous 14 days
  - not be subject to an NSW official direction to undergo a test or isolate beyond the blanket lockdown requirements
  - not be symptomatic
  - provide contact tracing information.
8. Under the QT Notice, the rest of the Air Border Order and COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 still apply.

### *QT Travel for Air Crew*

9. The QT Notice also set out specific requirements for air crew that are different from regular red flights. New Zealand based air crew on managed return flights are not required to isolate or quarantine provided they meet the conditions of the NSW flights (e.g. pre-boarding declarations and not being symptomatic), are tested every seven days, and comply with key safety standards if land-side in NSW. Overseas based aircrew on managed return flights must declare that they have had a COVID-19 test in the last seven days before the scheduled departure of a flight. If they leave air-side while in New Zealand, they must notify the Ministry of Health of their plans to self-isolate, and their self-isolation address and contact details. Under the Notice it is unlikely that air crew would be required to enter MIQ.

### **Returning to red flights and regular MIQ settings with NSW requires the QT Notice to be revoked.**

10. Revoking the QT Notice will realign NSW's MIQ requirements with the rest of Australia for any return to red flights in September. All requirements under the Air Border Order will recommence, meaning that anybody from NSW arriving in New Zealand will be required to have a confirmed MIQ allocation (i.e. a Managed isolation Allocation System (MIAS) voucher). Failure to have evidence of a confirmed MIQ allocation constitutes an infringement offence, where a person is liable for a \$300 fee (and a court-imposed fine of \$1000 where applicable).
11. In light of the current COVID-19 outbreak in New Zealand and the Ministerial decision to delay the release of MIAS vouchers for the time being, officials will provide you with further advice on the potential make-up of the early-September red flights from Australia shortly. This may require decisions on exempting travellers, other than those with an emergency allocation, from needing a voucher.
12. Revoking the QT Notice will not immediately require returnees from NSW (or any other part of Australia) to have a valid negative pre-departure test result and the approved documentation as the Exemption of Persons from Pre-departure Requirements Before Arriving in New Zealand by Air Notice is still in place.<sup>1</sup> Any change to this will require Australia to be removed from the list of exempted countries.
13. Revoking the QT Notice will also revert all aircrew back to the standard red flight requirements. Under red flight settings, the Air Border Order requires that overseas based aircrew isolate in a managed isolation facility (MIF) for the duration of their layover, or for 14 days, until they depart New Zealand for their next flight.
14. New Zealand aircrew are subject to the Key Safety Standards and seven days surveillance testing and will be required to be vaccinated by 30 September. They may also be referred into managed isolation if not considered low risk.

### *Public Health Advice*

15. The Office of the Director of Public Health (ODPH) supports the revocation of the QT Notice. As noted above, this will require all travellers from Australia to hold a confirmed allocation and be subject to 14-days managed isolation on arrival to New Zealand. The ODPH notes that Australia is now a high risk country. As a result of this, the ODPH recommends Australia should be removed from the list of countries exempt from pre-departure testing requirements. If you agree, a revised Pre-departure Requirements exemption notice will be provided to the Director General of Health, who has authority to make decisions on PDT.

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<sup>1</sup> [Exemption of Persons From Pre-departure Requirements Before Arriving in New Zealand by Air - 2021-go1406 - New Zealand Gazette](#)

## **Next steps**

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16. Subject to your signature, the attached Notice will be published and gazetted on 31 August 2021.
17. The notice comes into effect 1 September 2021.
18. Subject to your agreement, officials will provide the Director General of Health with a new exemption notice to remove Australia from the list of countries exempt from pre-departure testing.

## **Annexes**

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**Annex One:** COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021

## **Annex One: COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021**

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The final notice is available at: <https://www.legislation.govt.nz/regulation/public/2021/0184/latest/LMS522118.html>

## **COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021**

Pursuant to clause 26 of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020, the Minister for COVID-19 Response gives the following notice after complying with that clause.

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### **Notice**

**1 Title**

This notice is the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice Revocation Notice 2021.

**2 Commencement**

This notice comes into force on 1 September 2021.

**3 Revocation**

The COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice 2021 (LI 2021/184) is revoked.

**4 Revocation of this notice**

This notice is revoked at the close of 30 September 2021.



**COVID-19 Public Health Response (Exemptions and  
Conditions for Quarantine Travel from Australia)  
Notice Revocation Notice 2021**

Explanatory note

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Dated at Wellington this                      day of                      2021.

Minister for COVID-19 Response.

**Explanatory note**

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice, which comes into force on 1 September 2021, revokes the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine Travel from Australia) Notice 2021.

That notice created exemptions for a limited class of people arriving from New South Wales from the requirement to hold a confirmed allocation issued under the managed isolation allocation system. The effect of revoking the notice will be that the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 and all of its settings will re-apply to all passengers and aircrew members arriving from New South Wales.

This notice is revoked at the close of 30 September 2021.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*:

This notice is administered by the Ministry of Health.