



## BRIEFING

### Proposed process for assessing demand for phase three of managed returns from NSW, and prioritising travellers if required

<b>Date:</b>	29 July 2021 10.45am	<b>Priority:</b>	Urgent
<b>Security classification:</b>		<b>Tracking number:</b>	NSW-010 / 2122-0326

Action sought		
	Action sought	Deadline
Hon Ayesha Verrall <b>Acting Minister for COVID-19 Response</b>	<p><b>Agree</b> to the proposed process for assessing demand for phase three of managed returns from NSW, including collecting information to support the prioritisation of returning travellers if required;</p> <p><b>Copy</b> this paper to the Ministers of Transport, Immigration, Foreign Affairs, and Customs for their information.</p>	29 July 2021

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Andrew Milne	Acting Deputy Chief Executive, MIQ	Privacy of natural persons	✓

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

**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Withdrawn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

This briefing seeks your agreement to going live with a process for phase three of managed returns from New South Wales (NSW) which includes a registration of interest form that will assess demand, and support the prioritisation of people who identify they have needs consistent with criteria formerly used to assess eligibility for the urgent or exceptional quota used under phase one and two.

#### Recommended action

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

- a **Note** that on 29 July 2021 you agreed to proceed with a third phase of managed returns from NSW from 9 August 2021 [NSW-009 refers]; (Noted)
- b **Note** that while agencies anticipate that there will be demand for phase three from those who have been unable to leave NSW to date, the exact level of demand is currently unknown; (Noted)
- c **Note** that officials have been working collaboratively across agencies to develop a process for determining the level of demand for phase three, and for potentially prioritising travellers if demand exceeds supply; (Noted)
- d **Note** that we propose a process whereby people in NSW will be able to register their interest via an online form that will collect their contact details, as well as information about their eligibility to travel, and reasons for needing to return to New Zealand, including whether they have a need to travel that is consistent with the criteria formerly used to assess eligibility for the urgent or exceptional quota used under phase one and two (as agreed at NSW-002); (Noted)
- e **Note** that collecting this information carries a number of risks, including creating an expectation that completion of the form secures a person's entry onto an 'MIQ waitlist', that the government has oversight of individual needs, and that prioritisation of phase three will definitely occur; (Noted)
- f **Agree** that the registration of interest form will go live on the Unite Against COVID-19 (UAC) website from 10am Friday 30 July 2021 and be accessible until 2pm (NZT) Tuesday 3 August 2021 (4 days); (Agree/ Disagree)
- g **Note** that in order for the form to go live on the UAC website by 10am Friday 30 July, your agreement is required by Thursday 29 July 2021; (Noted)

h **Note** that MBIE MIQ will prioritise travellers who have identified themselves as having a need to travel that is consistent with the criteria formerly used to assess eligibility for the urgent or exceptional quota used under phase one and two;

Noted

i **Note** that MBIE MIQ will monitor submissions of the form over Friday and Saturday to understand whether demand for NSW managed return flights will exceed the 500 QFT places;

Noted

j **Agree** that if demand exceeds the 500 QFT places, we will <sup>consider</sup> commence organising the utilisation of the 300 additional places from unallocated MIAS vouchers, continuing to prioritise those who have identified a need to travel that is consistent with the criteria formerly used to assess eligibility for the urgent or exceptional quota used under phase one and two;

Agree / Disagree

k **Note** that people whose applications have been assessed as meeting the urgent or exceptional needs criteria will be immediately passed to airlines to ensure that MIQ capacity available early in phase three is fully utilised;

Noted

l **Note** that we will provide your Office with an update next week on demand and the prioritisation of phase three travellers (if required), once the registration of interest form has gone live and we have a better understanding of demand;

Noted

m **Agree** that this briefing be proactively released with appropriate withholdings under the Official Information Act 1982.

Agree / Disagree

Andrew Milne  
**Acting Deputy Secretary**  
MIQ, MBIE

29 / 07 / 2021

Hon Ayesha Verrall  
**Acting Minister for COVID-19 Response**

29.7.21

## **Background**

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1. On 28 July 2021, we provided you with advice on proceeding with a third phase of managed returns from New South Wales (NSW) from 9 August 2021 [NSW-009 / 2122-0297].
2. The advice noted that MBIE can provide 500 rooms to support a phase three NSW managed return from the quarantine-free travel (QFT) reserve, with 320 rooms available in the week from 9 – 15 August 2021, and the remaining 180 rooms available during 16-22 August 2021. A further 300 rooms from 9-22 August 2021, which have not yet been released on the Managed Isolation Allocation System (MIAS), will be withheld and could also be used to support a phase three NSW managed return.
3. The All-of-Government (AOG) MBIE-led call centre and MFAT Consular team have identified that demand for flights from NSW remains high. Although there is no way to determine exactly how many people remain in NSW (or the rest of Australia), there appears to be a significant number of stranded New Zealanders in NSW whose circumstances are concerning, and we expect levels of distress to continue to rise with the passage of time.
4. Officials have been working across agencies to develop a process for determining the level of demand for travellers from NSW seeking to return to New Zealand. If demand for flights exceeds supply it may be necessary to allow for some prioritisation over and above the very limited consular emergency pathway category currently available for those in concerning situations.

## **We have developed an approach and registration form to help us understand demand**

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5. Although we have various channels of information which help us estimate demand, for the purposes of planning managed returns we need more certainty as to the number of people currently in NSW who meet the eligibility criteria for managed returns as set out by Cabinet, and are interested in returning.
6. It is unclear how much 'noise' is being created across the system by repeat callers, or how many people travelled to NSW from New Zealand during the QFT period with the intention of staying.

## **People will be invited to register their interest in managed return flights**

7. In order for us to get a better picture of demand, we have drafted a form for people interested in managed return flights to complete.
8. This form will be hosted on the Unite Against COVID-19 (UAC) website, and will capture information relevant to arranging their managed return, including how long returning travellers have been in Australia (to confirm whether they travelled within the QFT window) and whether they are travelling with anyone else (to inform room numbers).
9. This form will also ask returning travellers to identify why they need to return to New Zealand.
10. We propose that eligible travellers will be given from 10am (NZT) Friday 30 July – 2pm (NZT) Tuesday 3 August (4 days) to register their interest in a phase three managed return from NSW.

## **We are intending to capture information which can be used to prioritise travellers, if needed**

11. At this point it is not clear that prioritisation will be required, for example, demand may not exceed the available supply of 500 QFT contingency MIQ rooms, plus up to 300 further rooms to be made available if required [NSW-009].
12. However, in anticipation of the possibility that prioritisation may be needed, we intend to capture information that would help us prioritise travellers at the same time as people register their interest in managed return flights.
13. Within the UAC hosted form to be completed by people in NSW, we are intending to seek information about why travellers are returning to New Zealand (e.g. if they are a critical health worker, to continue employment, or complete study). This information will help us to understand patterns of return, but we will also capture information that will allow us to prioritise travellers if needed.
14. People will be asked whether they have needs consistent with the criteria formerly used to assess eligibility for the urgent or exceptional quota used under phase one and two. The urgent or exceptional circumstances criteria are as follows:
  - a. There is a serious risk to health or safety for me or my dependant, which requires urgent travel to New Zealand
  - b. Urgent travel is required to ensure a child is provided with appropriate care and protection
  - c. Urgent travel is required to provide critical care for a dependant person in New Zealand
  - d. I (or someone travelling with me) have a serious medical condition that requires treatment or support back in New Zealand
  - e. Compassionate grounds, such as visiting close relatives who are in critical medical conditions (please note that you will need to complete 14 days in managed isolation on arrival in New Zealand)
  - f. I (or someone travelling with me) will suffer significant financial hardship if I am unable to return to New Zealand urgently.
15. We expect that there are likely to be further returning travellers who have urgent or exceptional needs as quota applications used to prioritise people under phase one and two NSW managed returns closed on Friday 16 July 2021. In the time since applications closed, we expect some of those remaining in NSW to now have a need to travel to New Zealand which meets the criteria.
16. As with the urgent or exceptional quota, self-declarations will be taken at face-value and will not be scrutinised or evidenced. Criteria are equally weighted (i.e. there is no hierarchy of need).
17. In the form, it will be clear to travellers that this information may be used to prioritise returns to New Zealand.

## **Once we have a clearer picture of demand, we intend to start prioritisation**

18. Once applications are open to register interest in managed return flights, we intend to monitor the volume of submissions to understand whether the proposed MIQ availability of phase three as set out in NSW-009 is sufficient to meet demand.

19. In order to ensure that all capacity across the window of phase three is fully allocated, it is critical that prospective travellers begin to be booked onto flights. Due to lead-times ahead of flights, we are working to ensure that airlines can begin to immediately contact eligible travellers who meet the urgent or exceptional needs criteria, ahead of the first arrivals on Monday 9 August 2021. Delays to this timeframe will put planned flights early in the window at risk of being undersubscribed.
20. Once these submissions have been actioned, we would then move through remaining submissions in order of receipt.
21. We anticipate that it will be clear by Monday whether the number of submissions made is likely exceed the proposed MIQ capacity for phase three.
22. Under phase one NSW managed returns, 20 percent of flights were reserved for the urgent or exceptional quota, whilst 80 percent of flights were released to market for general sale. Under phase two NSW managed returns, all people who had been approved for the urgent or exceptional quota, but for whom there were no rooms available under phase one, were prioritised, and the remainder of flights were put to market for general sale.
23. Under the process proposed for phase three NSW managed returns, no flights will be put directly to market for general sale. That is, the only way to procure a flight will be to submit a form registering interest (where airlines will subsequently contact people directly – prioritisation contingent).

## Risks

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24. People in NSW seeking to return to New Zealand may have reasonable expectation that their completion of the proposed form secures their entry onto an 'MIQ waitlist', regardless of their situation (irrespective of any caveats to the contrary). Given the lack of clarity as to demand for NSW managed return flights, and associated administrative complexity, we cannot provide such assurance.
25. Similarly, people who indicate any urgent or exceptional needs may feel that the government has visibility or oversight of their various individual circumstances. This will not be the case (beyond MBIE possessing basic summary statistics as to the boxes people have ticked).
26. The very process of asking people to indicate the nature of their reasons for return to New Zealand may set expectations that prioritisation will take place. This expectation may provide some people with a degree of comfort, but alarm all other people. It's possible that people without perceived 'high needs' may feel compelled to falsify their status.
27. MBIE is not in a position to confirm the veracity of any self-declarations, nor institute a system for ranking people for managed returns on the weight of their information provided, due to resource constraints and potential legal risk. This process, as was the case for the urgent or exceptional quota used for phase one and two NSW managed returns, constitutes a high-trust model.
28. Given our intention to prioritise people with formerly-designated urgent or exceptional needs in the event demand exceeds supply, there is a risk that people who indicate other reasons for needing to return to New Zealand (e.g. to continue business or employment) – which we intended to capture for information gathering purposes only, at this stage – may raise frustrations regarding transparency and pre-determination (insofar as information is being gathered for two separate functions).

## Next steps

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29. We recommend that the Ministers of Transport, Immigration, Foreign Affairs, and Customs be provided a copy of this paper, once you have considered it, for their information.
30. If you agree to the launch of the registration process as proposed in this briefing, we intend for the form to go-live on the UAC website from 10am Friday 30 July 2021 and be accessible until 2pm Tuesday 3 August 2021.
31. Subject to trends emerging from early submissions and whether we identify a need to prioritise travellers, we will provide you with further advice in the week of Monday 2 August 2021.