



BRIEFING

Review of Time-Sensitive Travel allocation settings and offshore government seconded staff request for MIQ space

Date:	10 September 2021	Priority:	Medium
Security classification:		Tracking number:	2122-0627

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister for COVID-19 Response	Agree to amend the criteria for the Time Sensitive Travel allocation.Indicate your preference on whether to increase the size of the Time Sensitive Travel allocation.	14 September 2021
	 Agree to decline Time Sensitive Travel applications from critical workers travelling for personal reasons. Indicate your preferred MIQ option for offshore government seconded staff if all applicants do not secure vouchers as part of the current TST round. 	

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

The following departments/agencies have been consulted

Ministry of Health, Ministry of Foreign Affairs and Trade, Treasury, New Zealand Transport Authority, Ministry for Primary Industries, Customs, Ministry of Justice, National Emergency Management Agency, Ministry of Education, Department of Prime Minister and Cabinet, New Zealand Trade and Enterprise, Te Puni Kōkiri, Ministry for Pacific Peoples, Ministry of Culture and Heritage, New Zealand Defence Force, Major Events (MBIE), Immigration Policy (MBIE), Economic Development and Transitions (MBIE), Accord Transformation Unit (MBIE), Business New Zealand

Minister's office to complete:

Approved

Noted

🗌 Seen

See Minister's Notes

Declined

□ Needs change

Overtaken by Events

U Withdrawn

BRIEFING



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Purpose

This briefing:

- provides you with options to improve the Time Sensitive Travel (TST) allocation following a review of the current settings, and
- notes a request from MFAT and other deploying agencies for certainty of MIQ space for offshore government seconded staff seeking to return home in late 2021, along with possible options for accommodating this requests.

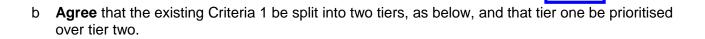
Recommended action

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

Review recommendations

TST Criteria

a **Agree** to introduce preventing 'lasting damage to New Zealand's substantial economic interests' and 'significant disruption to government research programmes' as new eligibility pathways for TST.

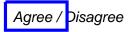


- a. Tier one: travel for critical infrastructure or lifeline utilities, operation of nationally significant supply chains, critical health and disability service and New Zealand's national security and international relations.
- b. Tier two: travel that results in significant economic benefits, or avoidance of loss, for New Zealand; and travel required to prevent significant disruption to government-funded research programmes.



Agree / Disagree

- c **Agree** to immediately clarify Criteria 1(d) for TST to explicitly include government seconded staff returning from offshore postings:
 - a. the individual's entry or return to New Zealand is required to enable work that is essential for...New Zealand's national security, obligations under international law or international relations, including on the completion of national security, national interest or law enforcement duties overseas.



d **Note** that as TST is a competitive allocation process where applications are assessed on a case-by-case basis relative to each other, it does not provide certainty of MIQ access for offshore government seconded staff.

Noted

e **Agree** to clarify that the time sensitive work can take place outside of New Zealand, with the TST allocation being used to facilitate return travel to New Zealand.

The size of the allocation

- f **Indicate** your preference for the size of the allocation for future TST rounds (January 2022 onwards).
 - a. Status quo 100 rooms per fortnight
 - b. Increase the allocation 200 rooms per fortnight

TST applicants with non-work related outbound travel

g **Agree** that TST applications for people seeking to leave New Zealand for personal reasons and return using TST are not considered.

Offshore government seconded staff

Short-term advice

h **Note** that MFAT and other agencies have approximately 200 government seconded staff and families are seeking to return home over October, November, and December. They continue to try and book on MIAS, but due to limited availability of vouchers, are exploring alternative such as time-sensitive travel and the emergency allocation.

Noted

Noted

- i **Note** that MFAT and other deploying agencies are seeking greater certainty of return for these seconded staff.
- j **Note** the current TST round for November/December is 'open' for applications and there are currently 266 applicants for 400 places. Once the round 'closes' on 14th of September, officials will have a better view of demand and whether government seconded staff will be able to secure vouchers.

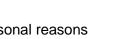
Noted

- k **Indicate** your preferred MIQ option for offshore government seconded staff if they do not all secure vouchers as part of the current TST round:
 - a. Continue to secure vouchers through MIAS, and the TST and Emergency allocations

Agree / Disagree



Agree / Disagree



Aaree

Agree /

Disaaree

Disagree



- b. Increase the TST allocation for the November-December round to ensure all eligible applicants can secure a voucher
- c. MFAT and other NZ Inc agencies develop an out-of-cycle group allocation request for any remaining government staff and families.
- I **Note** officials will report back to you on 20 September on whether options (b) or (c) are required, after we have undertaken an initial assessment of the number and type of applications received in the current TST round.

Future advice

m **Note** that MBIE will provide you with further advice next week on options for how government seconded staff secure space in MIQ on an ongoing basis (ie January 2022 onwards).

Next steps

0

n Note that, with your agreement, the immediate changes will come into effect for the current round, and the rest of the changes will come into effect for the next TST allocation round, for MIQ spaces in January 2022 onwards.

Noted

Disagree

isagree

Aaree /

Aaree

Agree to forward this briefing on to the Minister of Foreign Affairs and the Minister of Defence.

Proactive release

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

Privacy of natural persons

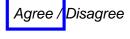
Manager, Allocation and Supply MIQ Policy, MBIE

10 / 09 / 2021

Hon Chris Hipkins Minister for COVID-19 Response

17,9,21

An



Agree Disagree

Noted

Noted

3

Background

- On 13 March 2021, you agreed to establish the Time Sensitive Travel (TST) allocation. The TST allocation is for workers undertaking time sensitive tasks in specified areas of work, which will have significant consequences for New Zealand (and the worker is unable to secure a Managed Isolation Allocation System (MIAS) voucher for their preferred date). You determine the criteria for TST allocations and MBIE assesses applications, decides who receives the allocation, and issues vouchers to successful applicants.
- 2. The TST allocation operates in rounds, where officials allocate the spaces for two-month blocks of time in each round. The applicants are ranked using a prioritisation framework, on a sliding scale and the top applicants receive a voucher. This is a competitive process. Currently, there are 400 rooms available for each two-month travel window.
- 3. There have been two TST rounds to date. The first round was for the travel period July-August 2021. There were no applications for this round as there were vouchers regularly available on MIAS over this period. The second round was for the allocation period September-October 2021 (discussed below).
- 4. As part of our continuous improvement and learning approach, MBIE regularly reviews the policy settings to ensure that offline allocations are fit-for-purpose and responsive to the need. A range of government agencies and industry groups have made suggestions for potential improvements to the TST allocation.
- 5. In July 2021, you made the decision to broaden the TST allocation to include the family workers of approved applicants [briefing 2122-0161 refers].

The second round of TST applicants did not exceed the voucher allocation

- The following table shows the breakdown of applications for the second TST round for travel in September and October 2021. Around half of the available rooms were allocated. However, given the high levels of MIQ demand, and growing awareness of the TST allocation pathway, demand is likely to increase.
- 7. A breakdown of the applications by agency is provided in **Annex One**.

Application process			
Applications received	171 (for 278 pax, including family members)		
Total applications closed before decision making (for not meeting basic requirements such as the criteria or visa requirements)	41		
Decision-making panel			
Applications approved	195 rooms (221 pax, including 26 family)		
Applications declined	1		

Review of TST settings

8. MBIE has conducted a review of the TST settings, consulting both internally, with external agencies and Business New Zealand. We note that only one substantive round of TST has occurred, so the feedback should be considered in light of this limitation.

- 9. We received a wide range of feedback mostly focused on 'broadening' TST criteria to ensure specific groups or workers would be eligible or prioritised. Given the significant capacity limitations that MIQ is facing, we have prioritised suggestions that would result in the largest benefits to New Zealand, and those that would not significantly increase demand for the TST allocation.
- 10. Our proposed changes are noted below, and the suggestions made by agencies that we have not included are noted in **Annex One**.

Proposed changes to the criteria

11. The current criteria, including the proposed changes, are provided in **Annex Two**.

Include an economic reason for travel under Criteria 1

- 12. The current TST criteria does not provide a specific avenue for workers needing to enter New Zealand (or travel overseas) to undertake work that would result in significant economic benefits to New Zealand. The criteria includes the maintenance of supply chains and critical infrastructure, but does not account for economic activity outside of this scope.
- 13. We recommend adding general economic activity to the second tier of Criteria 1. This change will reflect the purpose of the allocation, which includes economic work. This will help facilitate projects that will have a significant economic impact on New Zealand.

Including travel for government-funded research programmes

- 14. The current TST criteria also do not provide a pathway for essential works required for the continuation of government-funded research programmes.¹ Without this, there is the risk of significant disruption to these long-term programmes, as well as New Zealand's reputation and research credibility with international partners.
- 15. We recommend adding government-funded research to the second tier of Criteria 1. This will be for roles, and travel, that is essential for the completion or continuation of a science programme under a government funded or partially government-funded contract, including research and development exchanges and partnerships. Applications will require the support of MBIE's Science, Innovation and International Branch.

Dividing Criteria 1 into two tiers

- 16. We recommend dividing Criteria 1 (the reason for travel) into two tiers. This would be a similar approach to the Emergency Allocation criteria, where the first and categories are considered a priority relative to the recently introduced third category.
- 17. This change will allow the criteria to be broadened through this second tier, while also providing more clarity on how the work is prioritised. At this stage, the second tier would contain two reasons for travel: the new economic criteria and government-funded research criteria as proposed above.

Clarifying Criteria 1(d)

18. As drafted, the current TST criteria are ambiguous regarding whether offshore Government seconded staff would be eligible at the end of their offshore assignments. MBIE has interpreted the criteria to include these types of applications.

¹ For example, crew required to retrieve GNS research equipment from a New Zealand faultline, before the batteries run out and the data and equipment is lost.

- 19. For the avoidance of doubt, we recommend immediately clarifying Criteria 1(d) to read:
 - a. "the individual's entry or return to New Zealand is required to enable work that is essential for...New Zealand's national security, obligations under international law or international relations, **including on the completion of national security, national interest or law enforcement duties overseas**."
- 20. While this amendment will provide more clarity, it will not provide certainty that these seconded staff will be approved. TST is a competitive process and applications are assessed by MBIE on a case-by-case basis.
- 21. MBIE will also update its operational guidelines to clarify that travel related to offshore shortterm assignments, and long-term postings, are time-sensitive as they relate to the ongoing maintenance of the offshore network.

Clarifying that the time-sensitive work can take place outside of New Zealand

22. Some applicants have incorrectly understood that the work must take place in New Zealand. We recommend clarifying the criteria to specify that time-sensitive work can take place outside of New Zealand, as long as it meets the other criteria.

Clarifying the meaning of Criteria 3

- 23. We received feedback that the intent of criteria 3 is vague "no reasonable alternative is available". We note that you previously agreed to the definition of "reasonable alternative" as follows [briefing 2021-2622 refers]:
 - a. 'Reasonable alternative' includes, but is not limited to: using a digital alternative to carry out the work remotely, hiring local staff to carry out the work instead.
- 24. We will update Criteria 3 with the following words in bold, to clarify its intent "No reasonable alternative is available **to enable the work to take place**."

The size of the allocation

- 25. The current allocation is for 100 rooms per fortnight, or 400 rooms over each allocation window of two months.
- 26. We received feedback from multiple stakeholders requesting that the allocation be increased. Some submitters suggested that the size of the allocation should fluctuate on a seasonal basis, to respond to periods of higher demand.
- 27. There is an ongoing trade-off between facilitating the right of New Zealanders to return home (by maximising the number of vouchers on MIAS) and achieving wider social and economic benefits from manually allocating vouchers to individuals whose travel will result in wider benefits to New Zealand. We seek your direction on whether to increase the number of vouchers allocated through TST, or to retain the current allocation.
- 28. If you wish to increase the allocation, we suggest increasing it by 100 rooms per fortnight for the future TST rounds, and taking the vouchers from those that would have been released on MIAS.

TST applicants: outbound travel for non-work reasons

29. MBIE has received a small number of TST requests for the current round, where the reason for seeking entry into New Zealand was for New Zealand citizen workers that needed to return for critical work, but had departed for personal reasons. The scenarios included healthcare workers (GPs and nurses) who had departed to visit sick relatives or family overseas and needed to recommence work such as maintaining a GP clinic or health services.

- 30. While these workers are providing essential services, MBIE's view is that the TST allocation should not be used as a mechanism to facilitate personal outbound travel. Allowing these applications would create a perverse incentive to travel overseas and increase the demand for TST allocations.
- 31. MBIE recommends that you do not allow these applications under the TST allocation. The workers can apply for the Emergency Allocation if they meet one of the categories (for example Category 2e(iv)²), provided they meet the visa requirements. The majority of emergency allocation categories for personal reasons are restricted to New Zealand citizens or residents. If this pathway is not available to them, they are able to book vouchers on MIAS when they become available.

Government seconded staff returning from overseas work

Government seconded staff and families looking to return to New Zealand

- 32. The Government maintains an offshore network of posts, consulates, and other assignments³ of approximately 400 seconded New Zealand staff from various New Zealand Government agencies⁴ (NZ Inc). Seconded staff may also be accompanied offshore by their families.
- 33. There are a small number of government seconded staff and families who are looking to return in October 2021, and have not yet obtained a MIAS voucher. If they are not able to, then they will likely apply for the Emergency Allocation.
- 34. There are 196 government seconded staff and their families looking to return to New Zealand in November/December 2021, following the end of long-term postings and short-term relief assignments, or for respite and/or medical reasons and who have not yet been able to secure MIQ vouchers through MIAS.
 - a. 157 of these individuals are returning permanently, and are applying for the TST allocation.
 - b. The other 39 individuals are returning on a temporary basis, and will continue to seek MIAS vouchers or, failing that, apply for the Emergency Allocation where eligible.

Options to provide MIQ allocations to offshore government seconded staff and families

MFAT and NZ Inc agencies' comment

35. MFAT and NZ Inc would like certainty for the NZ Inc offshore network looking to return in November and December 2021. The New Zealand Government has a duty of care and health and safety obligations to staff serving offshore. If staff have no confidence in the ability of agencies to return them to New Zealand, they may not be willing to undertake overseas assignments and this would erode our ability to safely staff and sustain New Zealand's offshore network.

² Emergency Allocation Category 2e(iv): New Zealand citizens or residents who have travelled or are travelling to visit a close relative who is living with a terminal illness or end-stage disease (with a life expectancy of six months or less) and resides overseas, where timely return travel is unlikely to be possible if the person books through the Managed Isolation Allocation System.

³ Other assignments include staff on secondments, exchanges, or shorter-term attachments undertaking official business on behalf of the New Zealand Government.

⁴ These agencies include the Ministry of Foreign Affairs and Trade, Ministry of Business, Innovation and Employment, New Zealand Trade and Enterprise, Tourism New Zealand, New Zealand Defence Force, Department of Internal Affairs, Education New Zealand, New Zealand Police, New Zealand Customs Service, Ministry for Primary Industries, The Treasury, and the New Zealand Intelligence Community

Option a – use current pathways

- 36. One option is for the seconded staff to use existing pathways: MIAS vouchers, TST, and emergency allocation. For seconded staff applying under TST, this would rely on the clarification at paragraph 20 above, that offshore government seconded staff returning from postings are included.
- 37. The current TST round, for travel in November and December, is open for applications, with a total of 266 applicants to date (a breakdown is provided in **Annex One**). When the round closes on 14 September, officials will have a clearer picture of demand, and whether the government seconded staff will be likely to secure vouchers or not.

Option b – use current pathways and increase the TST size for November and December

38. If the demand from eligible applicants exceeds supply of vouchers, then you may wish to increase the size of the allocation for the November/December travel period to ensure that all of eligible applicants can secure a voucher. This would mean all eligible applications (not just government seconded staff) would receive a voucher, as we do not recommend explicitly prioritising one type of applicant over another.

Option c – out-of-cycle group allocation request

- 39. The other options is for Border Ministers to consider, and agree to, an urgent out-of-cycle group allocation request. The government seconded staff appear to meet the group allocation criteria. A group allocation request would involve:
 - a. The Minister for Foreign Affairs, and other affected Ministers, writing to you to request an out of cycle allocation and provide a proposal for these seconded staff and families;
 - b. The proposal being assessed by the Border Senior Officials Group, including exploring options for scaling and staggering the requested MIQ space; and
 - c. Border Ministers considering the proposal relative to wider demands and making a final decision on the allocation.
- 40. You recently re-confirmed your decision to not allow out-of-cycle group allocation requests [briefing 2122-0300 refers], but there are compelling reasons to consider this request.
- 41. To date, MFAT and other agencies have relied on using MIAS and booking online, but this is not currently possible given the 'pause' of voucher releases and the very high demand. We anticipate that the pause will soon be lifted, with large numbers of October and November vouchers to be released [briefing 2021-0921 refers]. These seconded staff may secure some vouchers online once releases re-commence, but given extremely high demand, a number will likely not be able to.

Group allocation availability for October 2021 – January 2022

- 42. There are a small number of group allocation vouchers available over November and December 2021. A table of the allocations to date is provided in **Annex Three**.
- 43. We note that there may not be sufficient group allocation vouchers left over for the November and December 2021 to accommodate the returning seconded staff. In that case, you may need to increase the group allocation cap by taking vouchers from MIAS to ensure that enough vouchers are available, or agencies will need to sequence some arrivals into early 2022.

44. We also understand that there are a number of seconded staff looking to return in January 2022, which could be included in this request.

Report back on the current TST round

45. Officials will report back to you on 20 September on the number and type of applications received in the current TST round. This will outline whether options (b) or (c) are required to ensure that the government seconded staff secure MIQ vouchers, or whether the current TST allocation is sufficient. We will also provide further detail on your preferred option if it is considered necessary.

Future advice

46. MBIE is developing further advice on the appropriate MIQ pathway for offshore government seconded staff going forward, which you will receive next week. This advice will include both offshore government seconded staff, and other government-related travel.

Next steps

47. If you agree to the proposed changes, the immediate changes will come into effect for the current round, and the rest of the changes will come into effect for the next TST allocation round, for MIQ spaces in January 2022 onwards. We will provide communications material and update the website accordingly.

Annexes

Annex One: TST applications by agency for round two

Annex Two: Changes that we do not recommend at this stage

Annex Three: Proposed changes to the TST Criteria

Annex Four: Group allocation availability for November and December 2021

Annex One: TST applicants by agency for rounds two and three

TST applicants round two

48. Table showing the number of applicants, by endorsement agency, for the second round of TST (for travel in September and October 2021).

Agency	Number of applicants
NZ Defence Force	34
District Health Board	30
Ministry of Health	29
New Zealand Trade and Enterprise	15
Ministry of Business, Innovation and Employment (Energy Sector)	13
Ministry of Foreign Affairs and Trade	12
Ministry for Primary Industries	98
Ministry of Transport	1
Department of Corrections	1
Cook Islands Customs Service	1
Total	234

TST applicants round three

49. Table showing the number of applicants, by endorsement agency, for the third round of TST (for travel in November and December 2021). Note that this round of applications is open until 14 September, so will likely not be a complete picture of the applications.

Agency	Number of applicants
NZ Defence Force	94
Ministry of Health	90
Ministry of Business, Innovation and Employment	8
Ministry of Foreign Affairs and Trade	58
Ministry for Primary Industries	3
Ministry for Pacific Peoples	4
Total	266

Annex Two: Changes that we do not recommend at this stage

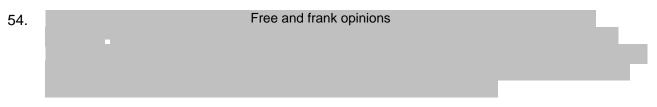
50. There were some further suggestions for changes to the criteria. We recommend prioritising the above changes and considering these changes at a later stage. However, we can provide further advice on these requests if required.

Expanding Criteria 1(c) to include "public, social or community"

- 51. This recommendation seeks to expand Criteria 1(c) beyond critical health and disability services, to include "public, social or community" matters. This would reflect the range of development programme activities in the Pacific, which extend beyond health and disability services. Examples include:
 - a. Policing advisors;
 - b. Rotating judges into the Pacific; and
 - c. Technical advisors to support critical infrastructure programmes
- 52. We consider that Criteria 1(a) already captures these types of services under "critical infrastructure", which is defined as follows [briefing 2021-2622 refers]:
 - a. "the services, goods, data and their related supply chains that underpin the wellbeing of New Zealanders now, and into the future because they impact on
 - The day-to-day lives of New Zealanders
 - The maintenance of public safety and security
 - NZ's short and long-term prosperity
 - NZ's international reputation"
 - b. For the avoidance of doubt, the definition of "critical infrastructure" also applies to the specified Pacific Countries not just to New Zealanders.

Expanding the list of relevant Pacific countries

53. Currently, some of the criteria refer to time-sensitive work for the benefit of specified Pacific Countries: namely the Cook Islands, Niue, Tokelau, Samoa and Tonga.



55. We do not consider that the list should be widened at this stage, as this is a significant change to the scope of the allocation, and risks significantly increasing demand for the allocation.

Include non-emergency humanitarian work

56. Another proposal was to include humanitarian work as a reason for travel under the TST allocation. We do not think that this should be included, as this does not link to the overall purpose of the allocation, which is to provide benefits to New Zealand and specified Pacific countries.

⁵ Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Marshall Islands, Nauru, New Caledonia, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu, Wallis and Futuna

Annex Three: Proposed changes to the TST Criteria

TST Criteria

Note: the proposed changes are in bold below.

Criteria 1.1:

The individual's entry or return to New Zealand is required to enable work (whether or not the work is located in New Zealand) that is essential for:

Either:

a) The continued operation or construction of critical infrastructure or lifeline utilities, which are of regional or national significance, in New Zealand or specified Pacific Islands (the Cook Islands, Niue, Tokelau, Samoa and Tonga); OR

b) The continued operation of supply chains of regional or national significance for New Zealand or specified Pacific Islands (the Cook Islands, Niue, Tokelau, Samoa and Tonga); OR

c) A critical health and disability service that is not, or soon will not be, practicably accessible for a local community or region in New Zealand or specified Pacific Islands (the Cook Islands, Niue, Tokelau, Samoa and Tonga); OR

d) New Zealand's national security, obligations under international law or international relations, including on the completion of national security, national interest or law enforcement duties overseas.

OR

Criteria 1.2

The individual's entry or return to New Zealand is required to enable work (whether or not the work is located in New Zealand) that is essential for:

a) Preventing lasting damage to New Zealand's substantial economic interests.

For the avoidance of doubt applications made under 1.2(a) may include both preserving New Zealand's existing areas of economic strength and enabling new initiatives to transition New Zealand to a more productive, sustainable and inclusive economy.

b) preventing significant disruption to government-funded, or partially government-funded, research programmes.

AND

Criteria 2:

There will be significant consequences, whether human, social, environmental, economic or for New Zealand's international relations, unless the individual is guaranteed entry or return to New Zealand within the next allocation window.

Annex Four: group allocation availability for November and December 2021

57. The following table outlines the group allocations for November and December 2021, out of a total of 400 available vouchers. Note that late November is oversubscribed.

Approx. date	Groups	Total numbers
Early November	 33 Antarctic programme 68 Fishers 30 Construction Sector Accord 25 NZTE 150 RSE (Solomon Islands) 	306
Late November	197 Antarctic programme 80 Expo 65 All Blacks 65 Black Ferns 24 Black Caps 30 Construction Sector Accord	461
Early December	76 NZDF 40 Bangladesh (seeking an exemption to train) 33 Black Caps (seeking an exemption to train) 30 Construction Sector Accord 25 NZTE	204
Late December	65 Antarctic programme 108 refugees 30 Construction Sector Accord	203