



## BRIEFING

### Ministerial power to waive MIQ charges – class waiver for persons being resettled from Afghanistan

<b>Date:</b>	14 December 2021	<b>Priority:</b>	High
<b>Security classification:</b>		<b>Tracking number:</b>	2122-2126

Action sought		
	Action sought	Deadline
Hon Chris Hipkins <b>Minister for COVID-19 Response</b>	<b>Sign</b> the attached Gazette Notice to waive MIQ charges for persons being resettled from Afghanistan once the amendment regulations come into force.	15 December 2021

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

The following departments/agencies have been consulted
Ministry of Foreign Affairs and Trade, Immigration New Zealand, Immigration Policy

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Withdrawn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

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This briefing provides you a draft Gazette Notice, setting out a waiver of Managed Isolation and Quarantine charges for persons being resettled from Afghanistan.

#### Recommended action

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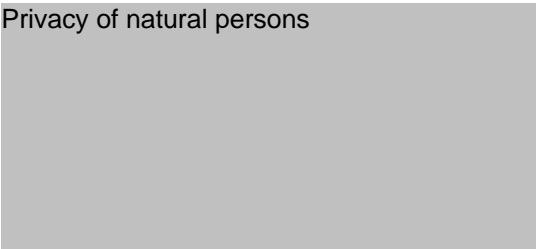
The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021 will come into force on 15 December 2021.  
*Noted*
- b **Note** that once the regulations come into force, you may waive Managed Isolation and Quarantine charges for any class of persons being resettled from Afghanistan who arrive in New Zealand and impose conditions on the waiver you consider necessary.  
*Noted*
- c **Agree** to issue a Notice under the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to waive MIQ charges for persons being resettled from Afghanistan who meet the following conditions:
  - a. The person was supported or enabled to depart Afghanistan by the New Zealand government as confirmed by the Ministry of Foreign Affairs and Trade; and
  - b. The person departed Afghanistan on or after 16 August 2021.*Agree/Disagree*
- d **Note** that the draft Gazette Notice provided in Annex 1 may be subject to minor and technical drafting changes.  
*Noted*
- e **Sign** the attached draft Gazette Notice once the amendment Regulations come into force.  
*Agree/Disagree*

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

Agree / Disagree

Privacy of natural persons



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

**Policy Manager, Systems and Strategy**  
MIQ, MBIE

14 / 12 / 2021

16 / 12 / 21

## Background

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1. On 11 October 2021, you agreed to not charge MIQ fees for any individual supported to depart Afghanistan as part of the Afghanistan Resettlement response [2122-1104 refers].
2. On 8 November 2021 Cabinet agreed to amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to include a Ministerial class waiver power to apply to persons supported to resettle from Afghanistan [CAB-21-MIN-0454.01].
3. To give effect this decision, on 9 December 2021, the Cabinet Legislation Committee agreed to submit to Executive Council the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021 (amendment Regulations) [LEG-21-MIN-0214 refers]. On 13 December 2021, Cabinet approved this decision, and it was authorised by the Executive Council. The amendment Regulations will come into force on 15 December 2021.

## Exercising the power to waive MIQ charges

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4. Once the amendment Regulations are in force, you have the power to waive the MIQ charges for any class of persons being resettled from Afghanistan subject to any conditions you consider necessary.

### Conditions of the class waiver

5. We recommend the waiver apply to people that meet the following conditions:
  - a. The person was supported or enabled to depart Afghanistan by the New Zealand government as confirmed by the Ministry of Foreign Affairs and Trade; and
  - b. The person departed Afghanistan on or after 16 August 2021.
6. If you agree to these conditions, a draft Gazette Notice setting these out is attached in Annex One for you to sign once the amendments to the Regulations come into force on 15 December 2021.

## Next steps

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7. If you sign the attached draft Gazette Notice, we will arrange for the Notice to be published in the Gazette and on MBIE's website to take effect as soon as possible. The draft Notices may be subject minor and technical drafting changes.

## Annexes

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Annex One: COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Waiver for Afghanistan resettlement response

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The Gazette notice is available at this address: <https://gazette.govt.nz/notice/id/2021-go5402>