



BRIEFING

Revocation of MIQ charges waivers for classes of persons returning from Australia

Date:	21 January 2022	Priority:	Medium
Security classification:		Tracking number:	2122-2389

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister for Covid-19 response	Agree to revoke the MIQ charges class waivers for returnees from Australia	27 January 2022

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

The following departments/agencies have been consulted

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Withdrawn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

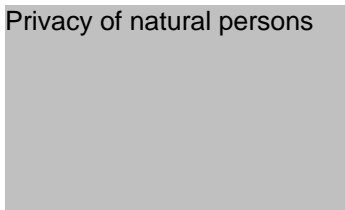
To seek your agreement to revoke the Managed Isolation and Quarantine (MIQ) charges class waivers for returnees from Australia, which were put in place after the suspension of Quarantine Free Travel (QFT) from Australia.

Recommended action

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

- a **Note** on 26 August 2021 you issued a gazette notice waiving MIQ charges for specific classes of people returning from New South Wales (NSW) and other places in Australia (2122-0475 refers). *Noted*
- b **Note** that returnees from NSW on managed return flights were issued waivers pre-emptively and so were not invoiced for their MIQ stay. *Noted*
- c **Note** that no waiver applications were received from returnees from other parts of Australia. *Noted*
- d **Note** that given that all of these classes have either had their charges waived or have had ample opportunity to seek a waiver, we judge that this notice is no longer required. *Noted*
- e **Agree** to revoke the waiver of MIQ charges for specific classes of people, returning from Australia, published in [New Zealand Gazette, 26 August 2021, Notice No. 2021-go3430](#). *Agree / Disagree*
- f **Agree** to proactively release this briefing with any withholdings consistent with the Official Information Act 1982. *Agree / Disagree*

Privacy of natural persons



Acting Policy Manager
MIQ, MBIE

21 / 01 / 2022

Hon Chris Hipkins
Minister for Covid-19 Response

23 / 01 / 2022

Background

1. As the Minister for COVID-19 Response, you have the power to waive charges under regulations 10A and 10B of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020.
2. After the suspension of QFT with Australia, on 26 August 2021 you issued a gazette notice ([New Zealand Gazette, 26 August 2021, Notice No. 2021-go3430](#)), waiving MIQ charges for specific classes of people returning from NSW and other places in Australia (2122-0475 refers)

We have reviewed the requirements to continue with this class waiver

3. The waivers for persons returning from NSW on managed isolation flights were implemented automatically so that no qualifying person was invoiced for their time in MIQ.
4. The notice also made returnees from other parts of Australia eligible for waivers if they were eligible for a QFT flight from Australia between 23 and 30 July 2021, but they could not travel because they or one of their travel group did not meet the conditions or pre-requisites for the QFT flight. This group needed to apply for a waiver with evidence that they met the criteria. No applications have been received for these waivers.
5. Given that nearly five months have passed since the waivers were put in place, we recommend revoking this class waiver on the basis that it is no longer required.

Process for revocation

6. Section 48 of the Legislation Act 2019 provides that the power to make secondary legislation includes the power to amend or revoke the legislation. To revoke the issued gazette notice, you simply need to issue another notice under regulations 10A and 10B of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020.

Next steps

7. Subject to your agreement, MBIE will issue a revocation of this class waiver notice in the gazette on 13 February 2022.