



BRIEFING

Exiting eligible vaccinated travellers from MIQ on Saturday, 5 March – operationalisation

Date:	3 March 2022	Priority:	High
Security classification:		Tracking number:	2122-2927

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister for COVID-19 Response	Note how we intend to operationalise recent Cabinet decisions on the bringing forward of Reconnecting New Zealand Stage 2 that will result in the exiting of eligible vaccinated travellers from MIQ on Saturday 5 March.	4 March 2022

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

The following departments/agencies have been consulted
Ministry of Health, Crown Law

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 Withdrawn |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

Exiting eligible vaccinated travellers from MIQ on Saturday, 5 March – operationalisation

Date:	3 March 2022	Priority:	High
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Purpose

This briefing advises you as to how MIQ will operationalise recent Cabinet decisions on the bringing forward of Reconnecting New Zealand Stage 2 that will result in the exiting of vaccinated travellers from MIQ on Saturday, 5 March. It also outlines the legal risks involved with keeping unvaccinated travellers in MIQ beyond 5 March 2022.

Recommended action

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

- a **Note** that, that as per your announcement on Monday we are planning for fully vaccinated international arrivals to be released from MIQ on Saturday, 5 March.

Noted
- b **Note** that there is a difference between the list of vaccines recognised under the Air Border Order (ABO) for travel to New Zealand and the list of vaccines approved by the Director-General of Health for travellers to be considered ‘fully vaccinated’, which means that some vaccinated travellers are not considered “fully vaccinated” under the Reconnecting New Zealand framework.

Noted
- c **Note** that depending on arrival numbers today and tomorrow there will be around 1,250 border arrivals in our managed isolation facilities on Saturday, and we estimate that approximately 1,100 of them will be eligible for release.

Noted
- d **Note** that this is only an estimate as there are travellers who will arrive today and tomorrow whose eligibility for release will not be known until they enter MIQ.

Noted
- e **Note** that to ensure that MIQ staff can identify who is eligible to exit on Saturday, we are asking all travellers 17 and over to provide evidence of their vaccination status to a health worker.

Noted
- f **Note** that we also anticipate that from Saturday 5 March, there will continue to be arrivals into New Zealand who will not be considered “fully vaccinated” and will be directed into MIQ.

Noted

g **Note** that MIQ Health staff have started the process to check the vaccination status of all travellers and a letter has been provided to all travellers who may be eligible for early release outlining the requirements to provide evidence of their vaccination status in order to exit on Saturday.

Noted

h **Note** that any unvaccinated children aged 16 years or younger will be released with their parents or guardians, as will any unaccompanied minors.

Noted

i Legal professional privilege



Noted

j **Note** that where a traveller released early is liable for MIQ fees, their fees will be charged on a pro-rata basis.

Noted

k **Agree** to proactively release this briefing with any withholdings consistent with the Official Information Act 1982.

Agree / Disagree

Handwritten signature of Kara Isaac in black ink.

Kara Isaac
General Manager, MIQ Policy
MIQ, MBIE

3 / 3 / 2022

Handwritten signature of Hon Chris Hipkins in black ink.

Hon Chris Hipkins
Minister for COVID-19 Response

4/3/2022

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Background

1. On 28 February 2022, it was announced that fully vaccinated international arrivals to New Zealand will no longer be required to enter MIQ from 11:59pm on Friday 4 March 2022. This change brings forward Step 2 of Reconnecting New Zealand (RNZ) from 13 March 2022.
2. On Saturday 5 March 2022, we expect to have around 1,300 border arrivals in our managed isolation facilities. We estimate that around 1,250 of them will be eligible for release on the basis that they are 'fully vaccinated' (see Table A below).
3. There are currently around 41 people in MIQ who may not be eligible to leave on Saturday on the basis that they have either advised that they are unvaccinated, do not meet eligibility requirements, or they have not provided any information on their vaccination status. This number may increase with arrivals into MIQ today and tomorrow.

Determining who is eligible to exit on Saturday 5 March

4. Under the COVID-19 Public Response (Air Border) Order (the Air Border Order) there are 33 COVID-19 vaccines that have been approved by any government or approval authority and are recognised for the purposes of entry to New Zealand. These are the minimum requirements that were established on 1 November 2021 and apply to all non-New Zealand citizens 17 years of age and above, unless they have a certificate from a medical practitioner that verifies they cannot be vaccinated due to medical reasons.
5. Arrivals must provide evidence of meeting these vaccination requirements to airlines upon departure and customs officials upon arrival. There are no vaccination requirements for children aged 16 years and under.
6. The Director-General of Health Gazette notice *Specification of COVID-19 Vaccines Under Section 5(3) of the COVID-19 Public Health Response Act 2020* (dated 26 November 2021) provides the vaccination requirements to meet the definition of 'fully vaccinated' to enter New Zealand on the test on arrival pathway (formerly referred to as the medium risk pathway). These are either:
 - a. the approved number of doses of any Medsafe/WHO approved vaccine (there are currently 10 vaccines within this category), or two doses of any combination of those approved vaccines; or
 - b. a complete course or a single dose of any other vaccine approved by any government or approval authority PLUS a single dose of Pfizer, AstraZeneca, Moderna or Jassen at least 28 days after the previous COVID-19 vaccine dose.
7. This difference between the list of vaccines recognised under the Air Border Order for travel to New Zealand and the list of vaccines approved by the Director-General for travellers to be considered 'fully vaccinated' means that there will be some vaccinated travellers in MIQ that are not considered "fully vaccinated" under the RNZ framework. This means that they will not be eligible to exit on Saturday 5 March. We also anticipate that from Saturday 5 March, there will continue to be arrivals into New Zealand who will not be considered "fully vaccinated" and will be directed into MIQ.
8. We have established that, based on the self-declared information in Border Clinical Management System (BCMS), the following number of people are 'fully vaccinated' (as per the DG's Notice) and will be eligible for exit on Saturday if they provide verification of their status. This includes children 16 years and under, whether they have been vaccinated or not. They will be eligible for release with their vaccinated parents or guardians, as will unaccompanied minors.

Table A: Estimated number of people in an MIQ who will be eligible for release on Saturday 5 March

Region	Estimate
Auckland	700-750
Central	60-75
Christchurch	320-370
Total	1,090-1,195

Process for identifying who is ‘fully vaccinated’ and eligible to exit on Saturday

9. Upon arrival into MIQ, MIQ health staff request information about vaccination status, including the type of vaccine, from travellers during their initial health check and record this in the BCMS. There are no systems in place to enable or require health staff to check evidence of vaccination. There will therefore be cases in which the vaccination type of a traveller has not been recorded in the system.
10. To ensure that MIQ staff can identify who is fully vaccinated and therefore eligible to exit on Saturday, we are asking all travellers that will be in MIQ on that day to provide evidence of their vaccination status to a health worker. This will require additional work for health staff to sight, interpret and update the vaccination status of all travellers in MIQ, however, the Ministry of Health advises that this approach is operationally viable. To alleviate any pressures in the coming days, MIQ health staff have already started to collect this information from people entering MIQ from yesterday until they exit on Saturday.
11. Where a family group consists of both vaccinated and unvaccinated adults sharing a bubble, vaccinated adults will have the option to remain in MIQ with their unvaccinated family members.
12. There will also be a small number of people who are eligible for release but who are approved to remain in MIQ on a voluntary basis. For example, Antarctic scientists, vaccinated refugees, and Pacific mariners.

Legal professional privilege

17. Where a traveller released early is liable for MIQ fees, these fees will be charged on a pro-rata basis. Travellers who do not meet these requirements will be required to stay in MIQ for the full seven days and pay the 7-day rate. This discrepancy could create a perverse incentive for travellers to falsify vaccine records or status. As with all cases, travellers will still be able to apply for a fee waiver in accordance with the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 on the basis of special circumstances or undue financial hardship.

Human Rights

Implementation

22. Implementing these changes on a weekend is challenging for MIQ both from a staffing and traveller perspective. Staff who do not ordinarily work weekends will be required to come in to process the travellers that are eligible for release. In addition, there are far fewer flight options on weekends. Where appropriate, MIQ will approve them remaining in a facility after Saturday where they have been unable or unwilling to change their travel plans.
23. We anticipate that there may be complaints about our processes from returnees who are not released because they do not meet vaccination requirements. To help pre-empt some of these complaints, MBIE is providing people in MIQ with a detailed letter to explain the process and has set up a dedicated email address for returnees to use if they have vaccination queries or concerns. This will be managed through MBIE's national office, with support from the Ministry of Health as needed.