



## BRIEFING

### Cabinet Paper and talking points: COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021

<b>Date:</b>	12 March 2021	<b>Priority:</b>	Urgent
<b>Security classification:</b>	In Confidence	<b>Tracking number:</b>	2021-2704

Action sought		
	Action sought	Deadline
Hon Chris Hipkins <b>Minister for COVID-19 Response</b>	<b>Lodge</b> the attached Cabinet paper for consideration by Cabinet Legislation Committee on 18 March	12 March 2021

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Kara Isaac	General Manager, MIQ Policy			✓
	Policy Manager, System and Strategy, MIQ			
	Senior Policy Advisor, System and Strategy, MIQ			

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Withdrawn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



## BRIEFING

### Cabinet Paper and talking points: COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021

<b>Date:</b>	12 March 2021	<b>Priority:</b>	Urgent
<b>Security classification:</b>	In Confidence	<b>Tracking number:</b>	2021-2704

#### Purpose

To provide you with the Cabinet Paper *COVID -19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021* for lodgement on 12 March 2021 and talking points to support discussions at Cabinet Legislation Committee on 18 March 2021.

#### Recommended action

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

- a **Agree** to lodge the final Cabinet paper *COVID -19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021* for consideration by Cabinet Legislation Committee (LEG) on 18 March 2021; and

*Agree / disagree*

- b **Note** the talking points attached as Annex 1 to support your discussions at LEG on 18 March 2021.

*Noted*

Kara Isaac  
General Manager  
MIQ Policy, MBIE

11 / 3 / 21  
..... / ..... / .....

Hon Chris Hipkins  
Minister for COVID-19 Response

..... / ..... / .....

## Background

---

1. The proposed *COVID -19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021* (the Regulations) give effect to the following policy decisions set out below.
  - a. On 15 February, Cabinet agreed to amend the Regulations so that:
    - i. temporary entry class visa holders liable for the higher fee of \$4,800 + GST for the first/only person in a room, \$2,600 + GST for the second adult in a room, and \$1,400 + GST for a child (aged 3-17 years) [CAB-MIN-21-0016 refers];
  - b. At the same meeting, Cabinet agreed in-principle to extend the length of time people must be in the country to not be liable to pay fees from 90 days to 180 days [2021-2023 refers] and delegated authority to you and the Attorney-General to make final decisions. On 10 March 2021, you both agreed to extend the timeframe to 180 days.
  - c. You are also intending to seek Cabinet agreement to the following matters:
    - i. carving out air crew and maritime crew from paying the proposed higher MIQ fee for temporary entry class visa holders [2021-2665 refers];
    - ii. making temporary entry class visa holders liable for the lower fee rate if they are sharing a room in MIQ with people liable for the lower fee [2021-2665 refers]; and
    - iii. specifying in the Regulations that a person's reason for travel is a consideration when MBIE reviews applications for fee waivers [2021-2665 refers].

### *Timing and 28 day rule*

2. The Cabinet paper proposes that the following commencement dates:
  - a. 25 March 2021 at 12.01am for changes affecting temporary entry class visa holders [decisions (a) and (c) above]. The changes in (a) have already been publically announced by MIQ to allow international students time to prepare for the changes (see para 3 below); and
  - b. 1 June 2021 for changes affecting New Zealand citizens and permanent residents traveling to New Zealand for less than 180 days.

### *Communications*

3. On 2 March 2021, with your agreement, MIQ announced the changes to be made to the Regulations on how MIQ charges will apply to all temporary entry class visa holders from 25 March 2021.
4. We are working with relevant agencies to prepare a communications plan for the remaining changes set out above.

## **Annex 1 – Talking points for Amendments to MIQ fees Regulations**

- I seek authorisation to submit the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2021.
- On 15 February, Cabinet agreed to charge all temporary entry class visa holders the same fee level as critical workers of \$4,800 + GST for the first person.
- Cabinet also agreed in-principle, to extend the length of time people must be in the country to not be liable to pay fees from 90 days to 180 days.

Legal professional privilege

- The proposed Regulations will give effect to these policy decisions.

### **Further agreement by Cabinet required on amending the Regulations**

- I also seek Cabinet agreement to further policy changes that will be given effect in the proposed Regulations.

### Carve out aircrew and maritime crew

- In addition to these changes, I seek Cabinet agreement to carve out air crew and maritime crew from paying the higher fee of \$4,800 + GST.
- This change acknowledges that the higher fee could have an adverse impact on the aviation and maritime sectors.
- Air and maritime crew are distinct from other groups of temporary visa holders as they stay in MIQ for short periods of 1-3 days, and sometimes have several stays per week. They will continue to pay fees on a pro-rata basis.

### Treatment of family members/partners who are temporary entry class visa holders

- I seek Cabinet agreement that temporary entry class visa holders sharing a room with a person liable for the charge associated with the lower fee level.
- This would help ensure that New Zealand citizens and permanent residents do not face additional financial barriers in bringing their non-citizen/resident family members back to New Zealand.

### Agree to amend the Regulations to clarify the criteria for fee waivers on the grounds of 'undue financial hardship'

- I seek agreement to amend the Regulations to specify that another consideration when assessing a MIQ fee waiver on the grounds of 'undue financial hardship' is 'the person's reason for travel', such as an overseas holiday or business travel.
- This consideration is already occurring, but the amendment will provide clarity and transparency to travellers, and support the smooth processing of waiver applications.