

Version  
as at 26 November 2022



## COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020 (LI 2020/324)

COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020: revoked, on 26 November 2022, pursuant to section 34 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 16th day of December 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under section 33A of the COVID-19 Public Health Response Act 2020—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for COVID-19 Response made after consultation with the Minister of Health and after being satisfied that—
  - (i) the prescribed charges relate to managed isolation or quarantine facility (MIQF) costs; and

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Ministry of Business, Innovation, and Employment.**

- (ii) the prescribed charges recover from any class of persons no more than an estimate of the actual and reasonable MIQF costs incurred in relation to that class (including both direct and indirect costs); and
- (iii) there is appropriate provision to grant relief from the payment of the prescribed charges in circumstances where payment of the charges would cause undue financial hardship; and
- (iv) the prescribed charges do not limit, or are justified limits on, the rights and freedoms in the New Zealand Bill of Rights Act 1990.

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## Regulations

- 1 Title**  
These regulations are the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020.
- 2 Commencement**  
These regulations come into force on 1 January 2021.

### 3 Principal regulations

These regulations amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 (the **principal regulations**).

### 4 Regulation 3 amended (Interpretation)

In regulation 3, insert in their appropriate alphabetical order:

**immigration instructions** has the same meaning as in section 4 of the Immigration Act 2009

**supporting agency**, in relation to an other critical worker, means the employer or other organisation who made the request under immigration instructions for approval in principle for the other critical worker and any spouse, partner, or child of the other critical worker to travel to New Zealand

### 5 Regulation 7 amended (Amount of charges)

- (1) Replace the heading to regulation 7 with “**Amount of charges: general**”.
- (2) In regulation 7(2)(b), replace “3 years of age or older” with “aged 3 years or older at the time they enter the MIQF”.
- (3) In regulation 7(3), replace “under 3 years of age ” with “who is aged under 3 years at the time they enter the MIQF”.
- (4) In regulation 7(8), replace “this clause” with “this regulation”.
- (5) In regulation 7(8)(a), replace “these regulations” with “this regulation”.
- (6) After regulation 7(8), insert:
- (9) This regulation does not apply in relation to an other critical worker referred to in regulation 6(2)(d)(ii) or any spouse, partner, or child of that worker (for which regulation 7A provides).

### 6 New regulation 7A inserted (Amount of charges: other critical worker and any spouse, partner, or child of other critical worker)

After regulation 7, insert:

#### 7A Amount of charges: other critical worker and any spouse, partner, or child of other critical worker

- (1) This regulation applies in relation to—
  - (a) an other critical worker referred to in regulation 6(2)(d)(ii); and
  - (b) any spouse, partner, or child of that worker.
- (2) The charge for the first or only person in a room is \$5,520.
- (3) The charge for a fellow resident of the first person is—
  - (a) \$2,990 for an adult:

- (b) \$1,610 for a child who is aged 3 years or older at the time they enter the MIQF.
- (4) A charge is not payable for a child who is aged under 3 years at the time they enter the MIQF if the child is a fellow resident of the first person.
- (5) The chief executive may determine that a lesser charge is payable in respect of a person who stays in an MIQF for less than 14 days. The lesser charge must be calculated on a pro rata basis (rounded up to a number of whole days).
- (6) An other critical worker's supporting agency is liable to pay any charges in respect of the other critical worker and any spouse, partner, or child of the other critical worker.
- (7) However, if the other critical worker does not have a supporting agency,—
  - (a) all adults in a room are jointly and severally liable for any charges in respect of themselves and their fellow residents; and
  - (b) a child's guardians are jointly and severally liable for any charges payable in respect of a child who is staying in a room without an adult.
- (8) Charges are inclusive of GST.
- (9) In this regulation, the **first person** in a room is—
  - (a) an adult in respect of whom charges are payable under this regulation; or
  - (b) if there is no adult of a kind described in paragraph (a), a child.

**7 Regulation 9 amended (Chief executive may waive charges in cases of undue financial hardship)**

After regulation 9(2), insert:

- (3) Nothing in this regulation applies to charges payable under regulation 7A.

**8 Regulation 10 amended (Chief executive may waive charges in other special circumstances)**

After regulation 10(2), insert:

- (3) Nothing in this regulation applies to charges payable under regulation 7A.

**9 Regulation 11 amended (Charges payable on due date stated in invoice or notice)**

Replace the heading to regulation 11 with “**When charges payable: general**”.

**10 New regulation 11A inserted (When charges payable: other critical worker and any spouse, partner, or child of other critical worker)**

After regulation 11, insert:

**11A When charges payable: other critical worker and any spouse, partner, or child of other critical worker**

- (1) The chief executive must issue the liable person under regulation 7A with an invoice or notice that states—
  - (a) the amount of charges they are liable to pay; and
  - (b) the date by which the charges must be paid.
- (2) The chief executive may—
  - (a) issue an invoice under subclause (1) before the date on which the other critical worker or any spouse, partner, or child of the other critical worker enters an MIQF; and
  - (b) specify that the charges must be paid on or before that date.
- (3) However, the chief executive may agree to defer the time for payment if the chief executive considers that a deferment is appropriate in the circumstances.
- (4) In subclause (1), **liable person** means the person referred to in regulation 7A(6) or (7), as relevant.

**11 Schedule 1 amended**

In Schedule 1,—

- (a) insert the Part set out in the Schedule of these regulations as the last Part; and
- (b) make all necessary consequential amendments.

## Schedule

### New Part 2 inserted into Schedule 1

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#### Part 2

### Provisions relating to COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020

#### 3 Interpretation

In this Part, **amendment regulations** means the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020.

#### 4 Persons who entered MIQF before 1 January 2021

The amendments made by the amendment regulations do not apply in respect of a person's stay at an MIQF if that stay began before 12.01 am on 1 January 2021.

Janine Harvey,  
for the Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 January 2021, amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 (the **principal regulations**).

The principal regulations, which are made under the COVID-19 Public Health Response Act 2020, prescribe charges to recover the costs of a person's stay in a managed isolation or quarantine facility (**MIQF**) where the person is required to stay in an MIQF because they belong to a certain group or where the person has elected to enter the MIQF.

The main effect of these amendments is to—

- increase the charges that are payable in respect of other critical workers and any spouse, partner, or child aged 3 years or older of an other critical worker; and
- generally require the supporting agency of the other critical worker to pay the charges in respect of those persons.

Version as at  
26 November 2022

**COVID-19 Public Health Response (Managed Isolation  
and Quarantine Charges) Amendment Regulations 2020**

Explanatory note

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Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 17 December 2020.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations 2020 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66): section 34