

Version  
as at 27 February 2022



**COVID-19 Public Health Response (Exemptions and  
Conditions for Quarantine-free Travel) Amendment  
Notice (No 6) 2021**  
(LI 2021/157)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 6) 2021: revoked, at 11.59 pm on 27 February 2022, pursuant to clause 61(1)(b) of the COVID-19 Public Health Response (Air Border) Order 2021 (SL 2021/427).

Pursuant to clause 26 of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020, the Minister for COVID-19 Response gives the following notice after complying with that clause.

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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.

**This notice is administered by the Ministry of Health.**

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## Notice

### 1 Title

This notice is the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 6) 2021.

### 2 Commencement

This notice comes into force at 11.59 pm on 22 June 2021.

### 3 Principal notice

This notice amends the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Notice 2021.

### 4 Clause 8 amended (Person must meet QFT prerequisites on arrival)

In clause 8(2)(b)(i), replace “clause 10B” with “clause 10A”.

### 5 Clauses 10 to 10B and cross-heading above clause 10 replaced

Replace clauses 10 to 10B and the cross-heading above clause 10 with:

*Conditions for arrivals on QFT flights relating to State of New South Wales,  
Australia*

### 10 Person must not have been in State of New South Wales, Australia at or after specified time

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause.
- (2) The condition is that the person has not been in the State of New South Wales, Australia at or after 11.59 pm on 22 June 2021 (New Zealand time).
- (3) The condition does not apply if the person—

- (a) has been at Sydney Kingsford Smith Airport (but nowhere else in the State of New South Wales, Australia and only for the purpose of transiting to or from the Territory of Norfolk Island, Australia); or
- (b) is an aircrew member.

**10A Aircrew members who have been in State of New South Wales, Australia: pre-departure test**

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause if the person—
  - (a) is an aircrew member; and
  - (b) has been in the relevant State at or after 11.59 pm on 22 June 2021 (New Zealand time).
- (2) The condition is that, before the aircrew member boarded the aircraft, a statement was made by, or on behalf of, the aircrew member that, no more than 7 days immediately before the scheduled departure of the QFT flight and at the direction of their employer, the aircrew member had mouth swabs or nose swabs (or both) taken for an RT-PCR test.
- (3) The condition does not apply to an aircrew member who has already complied with the condition in connection with other relevant flights but only if, after the most recent of those flights, they—
  - (a) have not returned to the relevant State; or
  - (b) have returned to the relevant State by aircraft and, until departing from there, remained on the airside of the airport at which that aircraft landed.
- (4) In this clause,—

**employer**, in relation to an aircrew member, means an air carrier for which the aircrew member works (whether or not as an employee)

**relevant flight** means a flight that departed at or after 11.59 pm on 22 June 2021

**relevant State** means the State of New South Wales, Australia.

**6 Cross-heading above clause 10C replaced**

Replace the cross-heading above clause 10C with:

*Exemption relating to State of New South Wales, Australia for air carrier of QFT flights*

**7 Clause 10C amended (Exemption from step generally required to be carried out by air carrier for QFT flight from Australia)**

- (1) Revoke clause 10C(2).
- (2) In clause 10C(3), replace “clause 10B” with “clause 10A”.

**8 Cross-heading above clause 11 replaced**

Replace the cross-heading above clause 11 with:

*Exemptions relating to relocating flights from State of New South Wales,  
Australia*

**9 Clause 11 amended (Exemptions for aircrew members and others on  
relocating flights)**

- (1) In clause 11(1)(a), replace “Victoria” with “New South Wales”.
- (2) Revoke clause 11(3).

**10 Schedule 1 amended**

In Schedule 1,—

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

**11 Schedule 2 revoked**

Revoke Schedule 2.

**Schedule**  
**New Part 4 inserted into Schedule 1**

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**Part 4**  
**Provisions relating to COVID-19 Public Health Response**  
**(Exemptions and Conditions for Quarantine-free Travel)**  
**Amendment Notice (No 6) 2021**

**8 Meaning of Amendment Notice**

- (1) In this Part, **Amendment Notice** means the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 6) 2021.
- (2) In this Part,—
  - (a) a reference to a **former clause** is a reference to the clause as in force immediately before the commencement of the Amendment Notice; and
  - (b) a reference to a **new clause** is a reference to the clause as in force on the commencement of the Amendment Notice.

**9 Flights relating to the State of Victoria, Australia that departed for New Zealand before commencement of Amendment Notice**

- (1) Former clauses 10, 10A, 10B, 10C, and 11 of this notice continue to apply in relation to a flight that departed for New Zealand before the commencement of the Amendment Notice.
- (2) Former clause 8(2)(b) continues to apply in relation to an aircrew member to whom former clause 10B continues to apply.
- (3) Former Schedule 2 continues to apply in relation to former clause 10.

**10 Flights relating to State of New South Wales, Australia that depart for New Zealand on or after commencement of Amendment Notice**

- (1) New clauses 10, 10A, 10C, and 11 of this notice apply only in relation to a QFT flight that departs for New Zealand on or after the commencement of the Amendment Notice.
- (2) New clause 8(2)(b) applies only in relation to an aircrew member to whom new clause 10A applies.

Dated at Wellington this 22nd day of June 2021.

Hon Chris Hipkins,  
Minister for COVID-19 Response.

## Explanatory note

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

This notice amends the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Notice 2021 (the **principal notice**). It comes into force at 11.59 pm on 22 June 2021 (the **commencement time**).

The principal notice exempts a person who arrives in New Zealand on an aircraft undertaking a quarantine-free travel flight (or QFT flight) from the requirement in the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 for isolation or quarantine after arrival in New Zealand. The exemption is subject to certain conditions.

This notice makes amendments to the principal notice to (among other things)—

- remove additional conditions that were imposed on the exemption in response to the recent community outbreak of COVID-19 in the State of Victoria, Australia; and
- impose similar additional conditions on the exemption in response to the community outbreak of COVID-19 in the State of New South Wales, Australia.

The removed conditions continue to apply in relation to a flight that departed for New Zealand before the commencement time. The new conditions apply only in relation to a flight that departs for New Zealand at or after the commencement time.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 22 June 2021.

## Notes

### **1**    *General*

This is a consolidation of the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 6) 2021 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 (Air Border) Order 2021 (SL 2021/427): clause 61(1)(b)