

**Version
as at 27 February 2022**



COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 14) 2021

(LI 2021/195)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 14) 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.

Schedule
New Part 12 inserted into Schedule 1

5

Notice

1 Title

This notice is the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 14) 2021.

2 Commencement

This notice comes into force at 11.59 pm on 23 July 2021.

3 Principal notice

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

4 Clause 3 amended (Interpretation)

In clause 3(1), definition of **affected Australian State**, after paragraph (c), insert:

- (d) the State of Tasmania:
- (e) the State of Western Australia:
- (f) the Northern Territory:
- (g) the State of Queensland:
- (h) the Australian Capital Territory:
- (i) Norfolk Island

5 Clause 7 amended (Person must have made required statement before boarding)

In clause 7(2), replace “, before the person boarded the aircraft, a statement was made by, or on behalf of, the person that” with “the person satisfies 1 of the following requirements and that, before boarding the aircraft, this was confirmed in a statement made by, or on behalf of, the person that”.

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

Replace clause 8(2) with:

- (2) The condition is,—
 - (a) if the person is not an aircrew member to whom clause 10B applies, that on their arrival in New Zealand they meet all of the applicable QFT prerequisites; or

- (b) if the person is an aircrew member to whom clause 10B applies, that on their arrival in New Zealand they meet all of the applicable QFT prerequisites except—
 - (i) the prerequisite in clause 5(2) of Schedule 2 of the Air Border Order (which relates to the results of tests for COVID-19); and
 - (ii) the prerequisite in clause 9 of Schedule 2 of the Air Border Order (which relates to contact tracing).

7 Clause 10 amended (Person must not have been in affected Australian State at or after specified time)

- (1) After clause 10(2)(c), insert:

(d) any other affected Australian State at or after 11.59 pm on 23 July 2021.

- (2) Replace clause 10(4) with:

- (4) The condition also does not apply to a person if the person—

- (a) is a person described in subclause (2)(b), (c), or (d); and
- (b) has not been in the State of New South Wales during the specified 14-day period; and
- (c) is a specified person.

- (3) In clause 10(5), insert in its appropriate alphabetical order:

specified person means a person who—

- (a) is a New Zealand citizen or the holder of a residence class visa; or
- (b) last departed from New Zealand on or after 6 April 2021 and—
 - (i) is the holder of a temporary visa granted under the Immigration Act 2009; or
 - (ii) is an Australian citizen under Australian law; or
 - (iii) is the holder of a current permanent residence visa (including a resident return visa) issued by the Government of Australia; or
- (c) is a relevant family member of a person referred to in paragraph (a) or (b)

8 Clause 10A amended (Evidence of qualifying pre-departure test)

After clause 10A(2)(b), insert:

- (c) the person, on arrival in New Zealand, must produce the evidence when requested by 1 or more of the following:
 - (i) a health protection officer;
 - (ii) an immigration officer;
 - (iii) a Customs officer.

9 New clauses 10BA and 10BB inserted

After clause 10B, insert:

10BA Foreign aircrew members must notify intention to self-isolate

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause if—
 - (a) the QFT flight is from Australia; and
 - (b) the person is an aircrew member other than a specified aircrew member.
- (2) The condition is that before the aircrew member boarded the aircraft they must have notified, or on arrival in New Zealand they must notify, the Ministry of Health—
 - (a) that they will self-isolate during the period that—
 - (i) commences as soon as practicable after they arrive in New Zealand; and
 - (ii) ends when they leave their place of self-isolation; and
 - (b) of the address of the residence or other accommodation that they intend to be their place of self-isolation; and
 - (c) of an email address and telephone number at which they may be contacted.

10BB Specified aircrew members must comply with key safety standards while outside New Zealand

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause if—
 - (a) the QFT flight is from Australia; and
 - (b) the person is a specified aircrew member.
- (2) The condition is that the specified aircrew member must comply with the key safety standards while outside New Zealand.
- (3) In this clause, the **key safety standards** are the standards set out in Part 1 of Schedule 2 of the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020.

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.

Schedule
New Part 12 inserted into Schedule 1

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Part 12
Provision relating to COVID-19 Public Health Response
(Exemptions and Conditions for Quarantine-free Travel)
Amendment Notice (No 14) 2021

18 QFT flights departing before commencement of Amendment Notice

(1) Former clauses 8(2), 10, and 10A(2)(b) continue to apply in relation to a QFT flight that departed for New Zealand before the commencement of the Amendment Notice.

(2) In this clause,—

Amendment Notice means the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 14) 2021

former clauses 8(2), 10, and 10A(2)(b) means clauses 8(2), 10, and 10A(2)(b) of this notice as in force immediately before the commencement of the Amendment Notice.

Dated at Wellington this 23rd day of July 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 23 July 2021.

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 (the **Air Border Order**) for isolation or quarantine after that arrival. The exemption is subject to certain conditions.

One condition is that a person has not been in New South Wales, Victoria, or South Australia on or after certain dates and times (clause 10). This notice extends that condition to also require that the person has not on or after 11.59 pm on 23 July 2021 (New Zealand time) been in Tasmania, Western Australia, Queensland, the Northern Territory, the Australian Capital Territory, or Norfolk Island. However, this extension of the condition does not apply to New Zealand citizens and certain other classes of persons in Australia if they have not been in New South Wales at any time during the 14-day period immediately preceding the departure of their QFT flight to New Zealand.

Another condition relates to meeting the QFT prerequisites on arrival in New Zealand (clause 8(2)). This notice replaces the condition in clause 8(2) to provide that all persons arriving in New Zealand, other than aircrew members to whom clause 10B applies, must comply with all of the QFT prerequisites in Schedule 2 of the Air Border Order, including the prerequisite relating to contact tracing.

A further condition relates to pre-departure testing (clause 10A). If a person has been in Australia for 72 hours or more before the scheduled departure of their QFT flight, the person must have made a statement before boarding that they have evidence of a qualifying pre-departure test. They must also, when boarding, have that evidence. This notice amends clause 10A to extend this condition to require the person on arrival in New Zealand to produce the evidence to certain officers upon request.

Two new conditions are also imposed (in *new clauses 10BA and 10BB*). *New clause 10BA* requires foreign aircrew members on QFT flights to notify the Ministry of Health that they will self-isolate while in New Zealand and to also give notice of the address of their place of isolation and their contact details. *New clause 10BB* requires specified aircrew members on QFT flights to comply with the key safety standards set out in Part 1 of Schedule 2 of the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 while outside New Zealand.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 14) 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)