

Briefing

Isolation and Quarantine Order amendment: Enabling the departure of New Zealand-domiciled aircrew from managed quarantine

Date due to MO: 25 June 2021 **Action required by:** 30 June 2021

Security level: IN CONFIDENCE **Health Report number:** 20211381

To: Hon Chris Hipkins, Minister for COVID-19 Response

Copy to: Rt Hon Jacinda Ardern, Prime Minister
 Hon Andrew Little, Minister of Health
 Hon Kris Faafoi, Minister of Justice
 Hon Michael Wood, Minister of Transport

Contact for telephone discussion

Name	Position	Telephone
Dr Ashley Bloomfield	Director-General of Health	s 9(2)(a)
Maree Roberts	Deputy Director-General, System Strategy and Policy	s 9(2)(a)

Minister's office to complete:

- | | | |
|---|------------------------------------|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Decline | <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 Withdrawn | |

Comment:

Isolation and Quarantine Order amendment: Enabling the departure of New Zealand-domiciled aircrew from managed quarantine

Security level: IN CONFIDENCE **Date:** 25 June 2021

To: Hon Chris Hipkins, Minister for COVID-19 Response

Purpose of report

1. This briefing seeks your authorisation of the *COVID-19 Public Health Response (Isolation and Quarantine) Amendment Order 2020* to enable New Zealand-domiciled aircrew to depart managed quarantine after a public health risk assessment.

Isolation and Quarantine Order Amendment

2. On 11 June 2021, we recommended you consult the Prime Minister, and the Ministers of Health, Justice and Transport on a technical amendment to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 (the Isolation and Quarantine Order) [HR 20211320 refers]. The amendment will insert a new provision in the Isolation and Quarantine Order that will enable the departure of New Zealand-domiciled aircrew from managed quarantine after a public health risk assessment.
3. The amendment will support our proportionate public health response to COVID-19 and was supported by Ministers. As such, a final version is attached at Appendix One for your signature. As there is benefit in the amendment coming into effect expeditiously, with your agreement, it will commence at 11.59pm, 30 June 2021. It is not required to have been Gazetted for 48 hours before coming into force, as the effect of the Order is only to remove or reduce requirements imposed by a COVID-19 order.
4. I advise that the amendment is in line with the purposes of the COVID-19 Public Health Response Act 2020, to prevent, and limit the risk of, the outbreak or spread of COVID-19. The amendment is needed to maintain a best practice public health response to New Zealand-domiciled aircrew who report illness on return to New Zealand. They will enter managed quarantine but can depart early where they meet low risk indicators after a public health assessment. It will also support consistency with the New Zealand Bill of Rights Act 1990. It is not the intent that aircrew are subject to isolation or quarantine longer than is necessary and justified from a public health perspective.

Recommendations

We recommend you:

- a) **Note** my advice that the COVID-19 Public Health Response (Isolation and Quarantine) Amendment Order 2021 is in line with the purposes of the COVID-19 Public Health Response Act 2020, to prevent, and limit the risk of, the outbreak or spread of COVID-19 **Note**
- b) **Sign** the attached COVID-19 Public Health Response (Isolation and Quarantine) Amendment Order 2021 to enable departure of New Zealand-domiciled aircrew from managed quarantine after a public health risk assessment **Yes/No**
- c) **Note** that, pursuant to section 14(3)(b) of the Covid-19 Public Health Response Act 2020, the Amendment Order is not required to have been Gazetted for 48 hours before coming into force, as the effect of the order is only to remove or reduce requirements imposed by a COVID-19 order **Note**
- d) **Note** that, subject to you signing the Amendment Order, the amendment to the Air Border Order will come into effect at 11.59pm, 30 June 2021. **Note**



Dr Ashley Bloomfield
Te Tumu Whakarae mō te Hauora
Director-General of Health

Date: 25/06/2021

Hon Chris Hipkins
Minister for COVID-19 Response

Date:

COVID-19 Public Health Response (Isolation and Quarantine) Amendment Order 2021

This order is made by the Minister for COVID-19 Response under sections 11 and 15(1) of the COVID-19 Public Health Response Act 2020 in accordance with section 9 of that Act.

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Order

1 Title

This order is the COVID-19 Public Health Response (Isolation and Quarantine) Amendment Order 2021.

2 Commencement

This order comes into force at 11.59 pm on 30 June 2021.

3 Principal order

This order amends the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020.

4 Clause 11 amended (Early end to period of isolation or quarantine for certain people)

After clause 11(4C), insert:

Exception for New Zealand-based aircrew

(4D) If an aircrew member who is ordinarily resident in New Zealand is isolated or quarantined at an MIQF, the chief executive of MBIE may end the aircrew

**COVID-19 Public Health Response (Isolation and
Quarantine) Amendment Order 2021**

Explanatory note

member's **period of isolation or quarantine** earlier than it would otherwise end under clause 10(1) if satisfied—

- (a) that it is a practical time for the aircrew member to leave the MIQF; and
- (b) that, based on the advice of a medical officer of health, the aircrew member meets the low-risk indicators.

Dated at Wellington this day of 2021.

Minister for COVID-19 Response.

Explanatory note

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

This order amends the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 (the **principal order**). It comes into force at 11.59 pm on 30 June 2021.

Generally, a person's period of isolation or quarantine under the principal order is about 14 days in duration if the person meets low-risk indicators for having or transmitting COVID-19 (including a negative result following medical examination and testing for COVID-19). This order enables the chief executive of the Ministry of Business, Innovation, and Employment to end that period of isolation or quarantine early if—

- the person is an aircrew member who is ordinarily resident in New Zealand and is isolated or quarantined at a managed isolation or quarantine facility; and
- that chief executive is satisfied—
 - that it is a practical time for the person to leave the facility; and
 - that, based on the advice of a medical officer of health, the person meets the low-risk indicators.

This order must be approved by a resolution of the House of Representatives before the end of the relevant period described in section 16(2) of the COVID-19 Public Health Response Act 2020. If that does not happen, the order is revoked at the end of that period.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*:
This order is administered by the Ministry of Health.