

# Briefing

## COVID-19 Public Health Response (Maritime Border) Amendment Order for signing

**Date due to MO:** 15 December 2020      **Action required by:** 18 December 2020

**Security level:** IN CONFIDENCE      **Health Report number:** 20202203

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

**Copy to:** Hon Michael Wood, Minister of Transport  
Hon Meka Whaitiri, Minister of Customs

### 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 Withdrawn |  |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:

# COVID-19 Public Health Response (Maritime Border) Amendment Order for signing

---

**Security level:** IN CONFIDENCE      **Date:** 15 December 2020

---

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

---

## Purpose of report

1. This report recommends that you sign the COVID-19 Public Health Response (Maritime Border) Amendment Order 2020, attached as Appendix 1.
2. The effect of this Order is to amend the COVID-19 Public Health Response (Maritime Border) Order No. 2 2020 to support the operationalisation of the settings required to manage the public health risk of COVID-19 at the maritime border.

## Summary

3. On 25 November 2020, you agreed to adopt a number of amendments to refine the maritime border system [HR 20201816 refers].
4. The draft COVID-19 Public Health Response (Maritime Border) Amendment Order 2020 attached as Appendix 1 gives would give effects to those decisions, including:
  - a. providing improved clarity on the requirements for foreign ships seeking exemption from the Order to enter New Zealand for the purposes of repair, refit or refurbishment;
  - b. mandating that personal protective equipment (PPE) be used in specific high risk scenarios on ports and ships; and
  - c. other changes and technical amendments.
5. To make or amend an Order under section 11 of the COVID-19 Public Health Response Act 2020 (COVID-19 Act) you must:
  - a. receive advice from the Director-General of Health about –
    - i. the risks of the outbreak or spread of COVID-19; and
    - ii. the nature and extent of measures that are appropriate to address those risks; and
  - b. have regard to any decision by the Government on how to respond to those risks and avoid, mitigate or remedy the effects of the outbreak or spread of COVID-19 (including taking into account any social, economic or other factors); and
  - c. be satisfied that the proposed Order does not limit or is a justified limit on the rights and freedoms in the New Zealand Bill of Rights Act 1990; and

- d. consult with the Prime Minister, the Ministers of Justice, Health and any other Ministers you think necessary; and
  - e. be satisfied that the Order is appropriate to achieve the purpose of the COVID-19 Act.
6. Officials have worked closely with the Ministry of Transport, the Ministry of Foreign Affairs and Trade, Ministry for Business Innovation and Employment, the New Zealand Customs Service and other stakeholders to develop the amendments, and will continue to work to ensure smooth implementation. Note that many of the amendments are minor and technical in nature and will not involve any operational changes.
7. I understand that you have consulted with the Prime Minister and the Ministers of Justice, Health and other relevant Ministers on the draft Order. There have been no comments or changes as a result of this process.

## Recommendations

The Ministry recommends that you:

- a) **Note** advice from the Director-General of Health on the prerequisites for making an Order under the COVID-19 Public Health Response Act 2020, including:  Yes/No
- i) the risks of an outbreak or spread of COVID-19, and
  - ii) the nature and extent of measures that are appropriate to address those risks.
- b) **Note** that advice from the Director-General of Health is that the COVID-19 Public Health Response (Maritime Border Order) Amendment Order 2020 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 by refining the existing border restrictions to further mitigate risk.  Yes/No
- c) **Agree** to sign the attached COVID-19 Public Health Response (Maritime Border Order) Amendment Order 2020  Yes/No



Dr Ashley Bloomfield  
**Director-General of Health**



Hon Chris Hipkins  
**Minister of Health**  
Date: 17/12/2020

# COVID-19 Public Health Response (Maritime Border) Amendment Order for signing

## Background

8. The COVID-19 Public Health Response (Maritime Border) Order No.2 2020 (the Order) came into force at 11.59pm on 30 June 2020. This Order restricts which ships may arrive in New Zealand and puts in place isolation and quarantine requirements for people arriving in New Zealand by sea.
9. The COVID-19 Public Health Response (Maritime Border) Amendment Order 2020 (the Amendment Order) would amend the Order to give effect to previously agreed policy decisions [HR 20201816 refers] including:
  - a. a comprehensive exemptions framework for ships seeking to enter New Zealand for the purposes of repair, refit or refurbishment;
  - b. strengthened personal protective equipment (PPE) requirements for New Zealand based port-side workers and crew who have not met low-risk indicators;
  - c. create a pathway for the Director-General to grant permission for foreign-flagged ships to enter New Zealand if all persons on board meet current immigration settings; and
  - d. further minor amendments to improve the management of public health risk.

## Contents of the Amendment Order

### Ships repair, refit or refurbishment exemptions policy<sup>1</sup>

10. The proposed amendment to the Order provides a clear exemptions framework for the delivery of ships to a New Zealand business for the purposes of repair, refit or refurbishment. The proposed changes allow for better operationalisation of the policy intent to support economic recovery whilst maintaining a strong border from a public health perspective, as agreed by Cabinet [CAB-20-SUB-0268 refers].
11. This is achieved by including a more comprehensive set of criteria in the Amendment Order for ships seeking to enter New Zealand for refit, repair or refurbishment that meaningfully contributes to our maritime industry.
12. To ensure that this process does not cause any undue increase in public health risk from COVID-19, the Amendment Order includes a robust set of post-entry requirements for ships that are exempt under this policy. Further to this, the Amendment Order provides the Director-General significant grounds on which to

---

<sup>1</sup> Clause 12 of the Maritime Border Order

decline applications based on the public health risk relating to COVID-19 posed by any ship arriving in New Zealand.

### **Strengthened PPE requirements<sup>2</sup>**

13. The Amendment Order includes a requirement that PPE is worn by New Zealand based workers when boarding a ship to undergo an essential task, and for any and all crew who have not met the low-risk indicators (14 days isolation and a negative COVID-19 test) whenever a New Zealand-based worker is on board the ship. Mandating PPE use will meaningfully reduce the COVID-19 transmission risk posed by incoming crew and improve safety for New Zealand-based workers.
14. To ensure consistent use of PPE, under the Amendment Order, New Zealand based workers are required to wear PPE in accordance with the Health and Safety at Work Act 2015. Regulators for ports and persons conducting business will have an obligation to ensure all reasonable steps are taken to prevent the spread of COVID-19.

### **Aligning maritime border and air border immigration requirements<sup>3</sup>**

15. The Amendment Order aligns immigration requirements at the maritime border with the air border to ensure consistent treatment of all people seeking to enter New Zealand, regardless of whether they enter by air or sea. This is achieved by including a discretionary exemption in the Order for the Director-General to grant permission for foreign flagged ships to arrive in New Zealand provided the ship's crew meet the current immigration settings.

### **Further minor amendments to improve management of public health risk**

16. The Amendment Order includes a number of minor changes that front-line agencies have identified that further support both the management of public health risk and the operation of border controls. These amendments include:
  - a. explicitly stating in the Order that crew must isolate on board unless otherwise directed by a Customs Officer or Medical Officer of Health<sup>4</sup>;
  - b. requiring signage for all ships in quarantine or isolation<sup>5</sup>; and
  - c. allowing ships in marinas with quarantine berths to apply discretion when coming within 50 metres of a ship that is at a quarantine berth<sup>6</sup>.

### **Process for amending a section 11 Order**

17. Under the COVID-19 Act, an Order may be made if either:
  - a. a state of emergency has been declared (under the Civil Defence Emergency Management Act 2002);

---

<sup>2</sup> Clause 25 of the Maritime Border Order

<sup>3</sup> Clause 11 of the Maritime Border Order

<sup>4</sup> Clause 18(3)(a) of the Maritime Border Order

<sup>5</sup> Clause 24(4A) of the Maritime Border Order

<sup>6</sup> Clause 24(4) of the Maritime Border Order

- b. an Epidemic Notice is in force (under the Epidemic Preparedness Act 2006); or
  - c. it has been authorised by the Prime Minister.
18. There is currently an Epidemic Notice in place, which allows Orders to be made under section 11 of the COVID-19 Act.
19. As the Minister of Health, you may make Orders under section 11 of the COVID-19 Act.
20. To make an Order under section 11 you must:
- a. have received advice from the Director-General about –
    - i. the risks of the outbreak or spread of COVID-19; and
    - ii. the nature and extent of measures that are appropriate to address those risks; and
  - b. have regard to any decision by the Government on how to respond to those risks and avoid, mitigate or remedy the effects of the outbreak or spread of COVID-19 (including taking into account any social, economic or other factors); and
  - c. you are required to consult with the Prime Minister and the Ministers of Justice and Health on any proposed orders; and
  - d. be satisfied that this order is appropriate to achieve the purpose of that Act.
21. I understand that you have consulted with the Prime Minister and the Ministers of Justice, Health and other relevant Ministers on the draft Order.
22. My advice about the risks of the outbreak or spread of COVID-19 and the nature and extent of measures that are appropriate to address those risks is set out below.

## **Public health rationale for amendments**

23. You are receiving ongoing advice about the risks associated with COVID-19. In accordance with section 9(2) of the Act, you may have regard to that advice without it being repeated here.
24. You have previously been provided with detailed public health rationale for the proposed amendments [HR 20201816 refers].
25. COVID-19 is a highly infectious disease which may be spread by people who are not showing symptoms. This supports significant measures for those at heightened risk of contracting or spreading COVID-19 to identify potential cases and reduce the risk of any spread.

## **New Zealand Bill of Rights Act 1990**

26. A matter for you to consider each time an Order is proposed or amended under the COVID-19 Act is whether the exercise of such powers will be proportionate to the public health risk. The power to make an Order under section 11 of the Act must be exercised consistently with New Zealand Bill of Rights Act 1990 (BoRA).
27. A number of rights are engaged by the proposed amendments including:
- a. the right to freedom under section 18; and
  - b. the right to be secure against unreasonable search or seizure under section 21.

28. It is considered that insofar as the rights noted above are engaged and limited by the amendments, any limitations are justifiable in a free and democratic society, noting that:
- a. the amendments are risk-based, and impositions on individuals' rights are directly proportionate to the level of risk of COVID-19 transmission associated with their entry into New Zealand;
  - b. testing and mandatory self-isolation, where imposed, are the least restrictive interventions which could mitigate the risk of COVID-19 transmission to an acceptable level; and
  - c. given the seriousness of the COVID-19 pandemic and its risks to public health, testing and mandatory self-isolation are justifiable insofar as they avoid significant limitations on the freedoms and lives of all New Zealanders (either due to the impacts of COVID-19 infection, or due to other reasonable-but-restrictive public health measures which would otherwise be required to contain COVID-19 outbreaks).

### **Next steps**

29. If you are satisfied that the grounds for making the order are met and it is appropriate to achieve the purpose of the COVID-19 Public Health Response Act 2020, then you can sign the attached Order.
30. If you sign the attached Order on December 18<sup>th</sup> 2020, it will come into force on December 21<sup>st</sup> 2020.

**Appendix 1: Draft COVID-19 Public Health Response (Maritime Border)  
Amendment Order**

PROACTIVELY RELEASED

## COVID-19 Public Health Response (Maritime Border) Order (No 2) Amendment Order 2020

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.

### Contents

		Page
1	Title	2
2	Commencement	2
3	Principal order	2
4	Clause 4 amended (Interpretation)	2
5	Clause 10 amended (Exemptions from clause 9)	2
6	Clause 11 replaced (Director-General may permit ships to arrive in New Zealand despite clause 9)	2
11	Director-General may permit ships to arrive in New Zealand despite clause 9	3
7	Clause 12 amended (Matters relevant to Director-General giving permission under clause 11)	3
8	Clause 17 replaced (General requirement to remain in isolation or quarantine)	4
17	General requirement to remain in isolation or quarantine	4
9	Clause 18 amended (Persons isolated or quarantined on ship may be transferred to place of isolation or quarantine)	5
10	Clause 19 amended (Arrivals must meet low-risk indicators in order to disembark)	5
11	Clause 20 amended (Certain arrivals not required to complete period of isolation or quarantine to disembark)	6
12	Clause 22 amended (Obligation to undergo testing and medical examination)	6
13	Clause 24 amended (Ships in isolation or quarantine)	6
14	Clause 25 replaced (Person who undertakes necessary task must take precautions)	7
25	Obligations of persons undertaking necessary tasks	7
15	Clause 26 amended (Exemption for certain crew departing New Zealand)	7

**COVID-19 Public Health Response (Maritime Border)  
Order (No 2) Amendment Order 2020**

cl 1

16	Clause 27 amended (Exempt crew members arriving in New Zealand by air)	7
17	Clause 29 amended (Requirements relating to crew members who travel to or from security designated aerodrome, ship, or place of isolation or quarantine)	7

**Order**

**1 Title**

This order is the COVID-19 Public Health Response (Maritime Border) Order (No 2) Amendment Order 2020.

**2 Commencement**

This order comes into force at 11.59 pm on 23 December 2020.

**3 Principal order**

This order amends the COVID-19 Public Health Response (Maritime Border) Order (No 2) 2020 (the **principal order**).

**4 Clause 4 amended (Interpretation)**

(1) In clause 4, insert in its appropriate alphabetical order:

**Customs officer** has the same meaning as in section 5(1) of the Customs and Excise Act 2018

(2) In clause 4, definition of **person who undertakes a necessary task**, paragraph (d), delete “(as that term is defined in section 5(1) of the Customs and Excise Act 2018)”.

(3) In clause 4, definition of **person who undertakes a necessary task**, after paragraph (c), insert:

(ca) a health practitioner (as that term is defined in section 5(1) the Health Practitioners Competence Assurance Act 2003)

**5 Clause 10 amended (Exemptions from clause 9)**

(1) In clause 10(1)(b), replace “ships” with “foreign ships”.

(2) In clause 10(2), replace “ships” with “foreign ships”.

(3) In clause 10(2)(d), replace “clause 11(1)” with “clause 11”.

**6 Clause 11 replaced (Director-General may permit ships to arrive in New Zealand despite clause 9)**

Replace clause 11 with:

**11 Director-General may permit ships to arrive in New Zealand despite clause 9**

- (1) The Director-General may give permission for a ship to arrive in New Zealand only if—
- (a) all of the persons on board the ship are able to travel to New Zealand in accordance with the Immigration Act 2009; or
  - (b) the ship is seeking permission to arrive in New Zealand for the purpose of—
    - (i) reprovisioning or refuelling, or both; or
    - (ii) carrying out a refit or a refurbishment of, or a repair to, the ship that is more than minor; or
    - (iii) delivering the ship to a business; or
  - (c) there is a compelling need for the ship to arrive in New Zealand for humanitarian reasons.
- (2) If the Director-General gives permission under subclause (1), the Director-General may require any person on the ship—
- (a) to comply with—
    - (i) any applicable isolation or quarantine plan;
    - (ii) any directions given on arrival in New Zealand, including those—
      - (A) regarding where and when the ship may berth;
      - (B) given by a medical officer of health;
  - (b) to maintain contact with New Zealand authorities, including providing notice of the ship's proposed arrival time before it departs for New Zealand;
  - (c) to provide, in the case of refit, refurbishment, or repair work, evidence (if requested) that the work has been completed (for example, an invoice, a receipt, or a signed contract);
  - (d) to obtain any required visas under the Immigration Act 2009 before arrival in New Zealand;
  - (e) to comply with any other conditions that the Director-General considers necessary.

**7 Clause 12 amended (Matters relevant to Director-General giving permission under clause 11)**

- (1) Replace clause 12(1) with:
- (1) In determining whether to give permission under clause 11(1)(b)(ii) or (iii), the Director-General may take into account the following matters:
- (a) the urgency of the need for—
    - (i) the ship to be refitted, refurbished, or repaired;

- (ii) the delivery of the ship to a business; and
  - (b) the monetary contribution to New Zealand's economy of—
    - (i) the refit, refurbishment, or repair work;
    - (ii) the delivery of the ship to a business and the financial benefits arising from that delivery; and
  - (c) the risk of those on board the ship spreading COVID-19 to New Zealanders and any related health concerns; and
  - (d) the likelihood of those on board the ship adhering to any applicable requirements (for example, immigration and customs requirements); and
  - (e) the likely administrative costs (if any) required to carry out activities related to ensuring compliance with the Act and this order; and
  - (f) any other matter that the Director-General considers relevant.
- (2) In clause 12(2), replace “a ship needs to arrive in New Zealand in accordance with” with “to give permission under”.
- (3) After clause 12(2), insert:
- (2A) Before permitting a ship to arrive in New Zealand under clause 11, the Director-General must take into account—
- (a) the public health risk of the ship arriving in New Zealand; and
  - (b) the resources available to manage that risk.

**8 Clause 17 replaced (General requirement to remain in isolation or quarantine)**

Replace clause 17 with:

**17 General requirement to remain in isolation or quarantine**

- (1) A person who arrives in New Zealand on board a ship must remain in isolation or quarantine for at least 14 days—
  - (a) on board that ship; or
  - (b) at a place of isolation or quarantine in accordance with clause 19(2).
- (2) A person who is in isolation or quarantine on board a ship under subsection (1) must remain in isolation or quarantine on board that ship until all the persons who arrived in New Zealand on board that ship (or were transferred to that ship under this order) meet the low-risk indicators.
- (3) For the purposes of subclause (1)(a), the period of 14 days is counted from the most recent of the following:
  - (a) the time at which and date on which the ship last departed for New Zealand from a port or other place outside New Zealand;
  - (b) the time and date of the person's last contact, counted from the time at which the contact ended:

- (c) the time at which and date on which a new person joins the ship.
- (4) For the purposes of subclause (1)(b), if a person is transferred from the ship to a place of isolation and quarantine, the time spent in isolation or quarantine on board the ship, if continuous, may be counted when determining, under any other order, whether the person has been in isolation or quarantine at that place for a period of at least 14 days.
- (5) A person who arrives in New Zealand on board a ship may not disembark the ship except in accordance with this order.
- (6) A person who arrives in New Zealand on board a ship (**person A**) must wear personal protective equipment while another person is on board the ship to perform a necessary task (**person B**) if person A is likely to come within 2 metres of person B.
- (7) For the purposes of this clause, **person** includes any exempt crew member.

**9 Clause 18 amended (Persons isolated or quarantined on ship may be transferred to place of isolation or quarantine)**

- (1) Replace clause 18(1) with:
  - (1) An authorised officer may transfer a person who arrives in New Zealand on board a ship from the ship to a place of isolation or quarantine for the purpose of the person completing their period of isolation or quarantine as required by clause 23, if the officer is reasonably satisfied that the person needs to be transferred—
    - (a) to manage the public health risk; or
    - (b) to isolate or quarantine the person safely; or
    - (c) to ensure compliance with this order.
- (2) Before clause 18(3)(a), insert:
  - (aaa) a Customs officer; and

**10 Clause 19 amended (Arrivals must meet low-risk indicators in order to disembark)**

- (1) In the heading to clause 19, replace “**in order to disembark**” with “**to end period of isolation or quarantine**”.
- (2) Replace clause 19(2) with:
  - (2) Before authorising a person to disembark a ship, the medical officer of health or the health protection officer must be satisfied that—
    - (a) the person has met the requirements of clause 17(1); and
    - (b) no person on board the ship has, in the previous 14 days, experienced any symptoms that suggest the presence of COVID-19.
- (3) In clause 19(4), replace “**must**” with “**may**”.

**11 Clause 20 amended (Certain arrivals not required to complete period of isolation or quarantine to disembark)**

- (1) In clause 20(1), delete “on board a ship required”.
- (2) In clause 20(3), delete “on board a ship required”.

**12 Clause 22 amended (Obligation to undergo testing and medical examination)**

In clause 22(2), replace “clause 19(2)(b)(i) or 20(4)(b)(i)” with “this order”.

**13 Clause 24 amended (Ships in isolation or quarantine)**

- (1) Replace clause 24(1) with:
  - (1) This clause applies if a person remains in isolation or quarantine on board a ship.
- (2) In clause 24(3), replace “clause 18(1), 19(1) or (4), 20(1) or (4), 21(1), or 26(2) or (3)” with “this order”.
- (3) Replace clause 24(4) with:
  - (4) An enforcement officer may require the ship to remain at least a specified distance away from any other ship, except a ship—
    - (a) in the service of 1 or more of the following agencies:
      - (i) the Ministry of Health;
      - (ii) the Ministry for Primary Industries;
      - (iii) the New Zealand Customs Service;
      - (iv) the New Zealand Police;
    - (b) carrying a person who undertakes a necessary task;
    - (c) needed for the safe navigation, movement, or operation of the ship referred to in subclause (1).
  - (4A) The master of the ship must ensure that prescribed isolation or quarantine signage is visible and secure at the place where the ship is berthed.
  - (4B) However, an enforcement officer may exempt the master from the requirement specified in subclause (4A).
- (4) In clause 24(5), replace “(2) or (4)” with “(2), (4), or (4A)”.
- (5) After clause 24(5), insert:
  - (6) In this clause, **prescribed isolation or quarantine signage** means isolation or quarantine signage—
    - (a) prescribed by the Director-General of Health; and
    - (b) published on a publicly accessible Internet site maintained by or on behalf of the New Zealand Government.

**14 Clause 25 replaced (Person who undertakes necessary task must take precautions)**

Replace clause 25 with:

**25 Obligations of persons undertaking necessary tasks**

- (1) A person who undertakes a necessary task and who boards a ship under clause 24 must take reasonable steps to minimise the risk of an outbreak, or the spread, of COVID-19, including by—
  - (a) maintaining physical distancing (to the greatest extent practicable) from any person who is in isolation or quarantine on that ship; and
  - (b) minimising (to the greatest extent practicable) the time that the person spends on the ship; and
  - (c) wearing personal protective equipment of a type, and in a manner, consistent with guidance provided by the regulator for their industry.
- (2) In this clause, **regulator** has the same meaning as in section 16 of the Health and Safety at Work Act 2015.

**15 Clause 26 amended (Exemption for certain crew departing New Zealand)**

- (1) In clause 26(2)(b), replace “that is scheduled to depart from New Zealand as soon” with “as close to the time of departure”.
- (2) In clause 26(4)(b), replace “that is scheduled to depart from New Zealand as soon” with “as close to the time of departure”.

**16 Clause 27 amended (Exempt crew members arriving in New Zealand by air)**

In clause 27(3), replace “must” with “may”.

**17 Clause 29 amended (Requirements relating to crew members who travel to or from security designated aerodrome, ship, or place of isolation or quarantine)**

In clause 29(1), replace “clause 26(3), 27(3), or 28(2) or (5)” with “this order”.

Dated at Wellington this 17th day of December 2020.



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, which comes into force at 11.59 pm on 23 December 2020, amends the COVID-19 Public Health Response (Maritime Border) Order (No 2) 2020 (the **principal order**).

The principal order, which is made under the COVID-19 Public Health Response Act 2020 (the **Act**), seeks to prevent, and limit the risk of, an outbreak, or the spread, of COVID-19 by restricting which ships may arrive in New Zealand, by putting in place isolation or quarantine requirements for people who arrive in New Zealand by sea, and by enabling the safe transfer of crews. The main effect of the amendments made by this order are set out below.

### *Ships arriving in New Zealand*

Part 2 of the principal order, which sets out restrictions on ships arriving in New Zealand, is amended to—

- clarify the requirements that apply to persons on board a ship that is permitted by the Director-General of Health (the **Director-General**) to arrive in New Zealand (*see new clause 11*):
- specify additional matters that the Director-General may take into account when giving permission for ships to arrive in New Zealand (*see new clause 12(1)*):
- require the Director-General, before giving permission for a ship to enter New Zealand, to take into account the public health risk of the ship arriving in New Zealand and the resources available to manage that risk (*see new clause 12(2A)*).

### *Isolation or quarantine requirements*

Part 3 of the principal order, which requires persons arriving in New Zealand on board a ship to be isolated or quarantined, is amended to—

- require that a person remain in isolation or quarantine for at least 14 days on board the ship or at a place of isolation or quarantine, and may not leave the ship until all the persons who arrived in New Zealand on board that ship have met the low-risk indicators (*see new clause 17(1) and (2)*):
- require persons who arrive in New Zealand on board a ship to wear personal protective equipment while another person is on board the ship to perform a necessary task (*see new clause 17(6)*):
- refine the grounds for transferring a person from a ship to a place of isolation or quarantine (*see new clause 18(1)*):
- refine the grounds for authorising a person to disembark a ship (*see new clause 19(2)*):

- provide that an enforcement officer may, except in certain circumstances, require a ship to remain at least a specified distance away from any other ship (*see new clause 24(4)*):
- provide that the master of a ship with persons on board who are in isolation or quarantine must ensure that isolation or quarantine signage is visible and secure at the place where the ship is berthed (*see new clause 24(4A)*):
- clarify the obligations of persons who board ships to undertake necessary tasks (*see new clause 25*).

#### *Exemptions for arriving and departing crew*

Part 4 of the principal order, which sets out exemptions from the general requirement for maritime crew arriving in and departing from New Zealand by ship or air to be isolated or quarantined on arrival in New Zealand, is amended to—

- provide medical officers of health and health protection officers with a discretion to direct the transfer of crew members who have arrived in New Zealand by air for the purpose of boarding a ship to depart New Zealand as close to the time of departure as is reasonably practicable:
- ensure that the requirements relating to crew members who travel to or from a security designated aerodrome, a ship, or a place of isolation or quarantine apply to all crew change situations under the principal order.

#### *Order revoked without resolution of House*

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 Act. 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.