

Version
as at 27 February 2022



COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 15) 2021

(LI 2021/198)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 15) 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.

Notice

1 Title

This notice is the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 15) 2021.

2 Commencement

This notice comes into force at 11.59 pm on 30 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), revoke the definitions of—

- (a) **affected Australian State**; and
- (b) **Australian State**.

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

Replace clause 10 with:

10 Person must not have been in Australia

- (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 Australia during the specified 14-day period.
- (3) This condition does not apply to an aircrew member if the aircrew member—
 - (a) boarded the aircraft in the Cook Islands or Niue; and
 - (b) arrived in the Cook Islands or Niue on an aircraft from New Zealand having originally departed from Australia; and
 - (c) had a negative result from a test for COVID-19 administered no earlier than 72 hours after their arrival in New Zealand from Australia; and
 - (d) had not, before receiving the negative result, been on an aircraft undertaking a flight from the Cook Islands or Niue to New Zealand (or vice versa).

6 Clause 11 and cross-heading replaced

Replace clause 11 and the cross-heading above clause 11 with:

Exemptions for relevant workers on relocating flights from Australia

11 Exemptions for relevant workers on relocating flights from Australia

- (1) A relevant worker is exempt from clause 8(2A) and (3) of the Air Border Order if—
- (a) they arrive in New Zealand on an aircraft undertaking a flight from Australia to New Zealand for the purpose of relocating the aircraft or relevant workers on board (whether or not the aircraft also carries freight) to New Zealand; and
 - (b) the owner or charterer of the aircraft undertaking the flight is a relevant carrier.
- (2) It is a condition of the exemption from clause 8(3) of the Air Border Order that, before the relevant worker boarded the aircraft, a statement was made by, or on behalf of, the relevant worker that, no more than 7 days immediately before the scheduled departure of the flight and at the direction of their employer, the relevant worker had mouth swabs or nose swabs (or both) taken for an RT-PCR test.
- (3) The condition does not apply to a relevant worker who, when in Australia during the period starting 7 days immediately before the scheduled departure of the aircraft and ending on that scheduled departure, was only—
- (a) on an aircraft or on the airside of an airport in Australia at which the aircraft landed; or
 - (b) on Norfolk Island.
- (4) If the relevant worker is an aircrew member, it is also a condition that before they boarded the aircraft they must have notified, or on their 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.
- (5) In this clause,—
- employer**, in relation to a relevant worker, means an air carrier for which the relevant worker works (whether or not as an employee)
- relevant carrier** means—
- (a) Air New Zealand Limited; or

- (b) Qantas Airways Limited; or
- (c) Jetstar Airways Proprietary Limited; or
- (d) Air Chathams Limited

relevant worker means—

- (a) an aircrew member who is not a specified aircrew member; or
- (b) any person, other than an aircrew member, who is on the aircraft on which they arrive in New Zealand at the direction of a relevant carrier for which they work.

7 **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 13 inserted into Schedule 1

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Part 13
Provision relating to COVID-19 Public Health Response
(Exemptions and Conditions for Quarantine-free Travel)
Amendment Notice (No 15) 2021

19 QFT flights departing before commencement of Amendment Notice

- (1) Former clauses 10 and 11 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 15) 2021

former clauses 10 and 11 means the clauses of this notice as in force immediately before the commencement of the Amendment Notice.

Dated at Wellington this 30th day of July 2021.

Hon Dr Ayesha Verrall,
Acting 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. It comes into force at 11.59 pm on 30 July 2021.

This notice—

- ends all quarantine-free travel from Australia and for all persons who have been in Australia during the 14-day period immediately preceding the departure of their flight for New Zealand; and
- continues, for aircrew members and others undertaking relocating flights from Australia to New Zealand, the exemption from the requirement in the

COVID-19 Public Health Response (Air Border) Order (No 2) 2020 for isolation or quarantine after arrival if certain conditions are satisfied.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 30 July 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 15) 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)