

**Version
as at 27 February 2022**



COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 7) 2021

(LI 2021/196)

COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 7) 2021:
revoked, at 11.59 pm on 27 February 2022, pursuant to clause 61(1)(a) of the COVID-19 Public
Health Response (Air Border) Order 2021 (SL 2021/427).

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 (Air Border) Order (No 2) Amendment Order (No 7) 2021.

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 order is administered by the Ministry of Health.

2 Commencement

This order comes into force at 11.59 pm on 25 July 2021.

3 Principal order

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

4 Clause 4 amended (Interpretation)

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

Customs officer has the meaning given by section 5(1) of the Customs and Excise Act 2018

5 Clause 8B amended (Obligations on persons on QFT flights)

(1) Before clause 8B(1), insert:

Persons on QFT flights must be QFT persons

(1AAA) A person must not arrive in New Zealand on an aircraft undertaking a QFT flight unless they are a QFT person.

(2) Replace clause 8B(4) with:

(4) A person who arrives in New Zealand on an aircraft undertaking a QFT flight must—

(a) provide to a relevant official when requested—

(i) appropriate evidence to establish that, on boarding the aircraft, they met each of the applicable QFT prerequisites; and

(ii) evidence to establish that, on boarding the aircraft, they met all other applicable conditions to an exemption from the requirement to comply with clause 8(3) that is granted under clause 26; and

(b) answer any questions put to them by a relevant official to establish whether they are a QFT person.

(3) In clause 8B(5), replace “subclause (1),” with “subclause (1AAA), (1),”.

(4) In clause 8B(6), definition of **relevant official**, after paragraph (c), insert:

(d) a Customs officer.

6 Schedule 1 amended

In Schedule 1,—

(a) insert the Part set out in the Schedule of this order as the last Part; and

(b) make all necessary consequential amendments.

Schedule New Part 6 inserted into Schedule 1

cl 6

Part 6

Provision relating to COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 7) 2021

5 QFT flights departing before commencement of Amendment Order

(1) Clause 8B(4) of this order, as in force immediately before the commencement of the Amendment Order, continues to apply to persons arriving in New Zealand on an aircraft undertaking a QFT flight that departed before the commencement of the Amendment Order.

(2) In this clause, **Amendment Order** means the COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 7) 2021.

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 order, but is intended to indicate its general effect.

This order amends the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (the **principal order**) and comes into force at 11.59 pm on 25 July 2021. This order amends clause 8B of the principal order to—

- expressly provide that only QFT persons may arrive in New Zealand on an aircraft undertaking a QFT flight:
- provide that a failure to comply with the above requirement is an infringement offence:
- require persons arriving in New Zealand on an aircraft undertaking a QFT flight to provide to a relevant official, when requested, evidence that when they boarded the aircraft they were exempt from the requirement to isolate or quarantine:
- extend the definition of relevant official to include a Customs officer so that a Customs officer can require a person arriving in New Zealand to produce evidence, or answer questions, relating to whether they are a QFT person.

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 2019.
Date of notification in *Gazette*: 23 July 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 7) 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)(a)