

**Version
as at 27 February 2022**



**COVID-19 Public Health Response (Exemptions and
Conditions for Quarantine-free Travel) Amendment
Notice 2021
(LI 2021/115)**

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice 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.

*Exemptions relating to relocating flights from State of
Victoria, Australia*

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Notice

1 Title

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

2 Commencement

This notice comes into force at 7.59 pm on 25 May 2021.

3 Principal notice

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

4 Clause 1 amended (Title)

In clause 1, replace “Exemption” with “Exemptions”.

5 Cross-heading above clause 6 replaced

Replace the cross-heading above clause 6 with:

Exemptions relating to QFT flights

6 Cross-heading above clause 7 replaced

Replace the cross-heading above clause 7 with:

Conditions of general application for QFT flights

7 New clauses 10 and 11 and cross-headings inserted

After clause 9, insert:

Condition for QFT flights relating to State of Victoria, Australia

10 Person must not have been in State of Victoria, Australia at or after specified time

- (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 the State of Victoria, Australia at or after 7.59 pm on 25 May 2021 (New Zealand time).

- (3) The condition applies only in relation to a QFT flight that departs for New Zealand on or after the commencement of this clause.

Exemptions relating to relocating flights from State of Victoria, Australia

11 Exemptions for aircrew members and others on relocating flights

- (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 the State of Victoria, 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 QFT carrier.
- (2) It is a condition of the exemption from clause 8(3) of the Air Border Order that a suitably qualified health practitioner responsible for the medical examination and testing of the relevant worker under clause 8(2) of that order is satisfied that the worker is at no more than a low risk of having or transmitting COVID-19.
- (3) An exemption under this clause applies only in relation to a flight that departs for New Zealand on or after the commencement of this clause.
- (4) See clauses 20 and 21 of the Air Border Order, which set out exemptions for specified aircrew members, including exemptions from clause 8(2A) and (3) of that order.
- (5) In this clause,—
- QFT carrier** has the meaning given by clause 4A(2) of the Air Border Order
- 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 QFT carrier for which they work.

Dated at Wellington this 25th day of May 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 (Exemption and Conditions for Quarantine-free Travel) Notice 2021 (the **principal notice**). It comes into force at 7.59 pm on 25 May 2021 and applies only in relation to a flight that departs at or after that time.

The principal notice exempts a person who arrives in New Zealand on 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 arrival in New Zealand.

This notice imposes an additional condition on the exemption. The condition is that the person has not been in the State of Victoria, Australia at or after 7.59 pm on 25 May 2021 (New Zealand time).

This notice also exempts relevant workers from the requirement for isolation or quarantine if they arrive in New Zealand from the State of Victoria, Australia on a flight undertaken by a QFT carrier to relocate the aircraft or those workers. The relevant workers are—

- aircrew members who are not ordinarily resident in New Zealand; or
- persons, other than aircrew members, who work for the QFT carrier.

An exemption for aircrew members who are ordinarily resident in New Zealand from the requirement to isolate or quarantine is provided for by the Air Border Order.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 25 May 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice 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)