

Version
as at 27 February 2022



**COVID-19 Public Health Response (Exemptions and
Conditions for Quarantine-free Travel) Amendment
Notice (No 3) 2021**
(LI 2021/135)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 3) 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.

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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 (No 3) 2021.

2 Commencement

This notice comes into force at 11.59 pm on 4 June 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 replaced (Meaning of Air Border Order)

Replace clause 3 with:

3 Interpretation

In this notice,—

Air Border Order means the COVID-19 Public Health Response (Air Border) Order (No 2) 2020

qualifying pre-departure test, for a person, means a negative result, or a certificate, that would satisfy clause 8(2B)(a) of the Air Border Order.

5 Clause 7 amended (Person must have made required statement before boarding)

In clause 7(3), revoke the definition of **qualifying pre-departure test**.

6 Clause 10 amended (Person must not have been in State of Victoria, Australia at or after specified time)

(1) In the heading to clause 10, replace “**State of Victoria, Australia**” with “**Greater Melbourne**”.

(2) Replace clause 10(2) with:

(2) The condition is that the person has not been in Greater Melbourne at or after 11.59 pm on 27 May 2021 (New Zealand time).

- (2A) The condition does not apply to an aircrew member.
- (3) After clause 10(3), insert:
- (4) In this clause, **Greater Melbourne** means any of the municipal districts in the State of Victoria, Australia specified in Schedule 2.

7 Clause 10A replaced (Evidence of qualifying pre-departure test if person has been in State of Victoria, Australia during specified period)

Replace clause 10A with:

10A Evidence of qualifying pre-departure test if person has 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 if the person has been in the relevant State at any time at or after 7.59 pm on 25 May 2021 (New Zealand time).
- (2) The condition is that, before the person boarded the aircraft, a statement was made by, or on behalf of, the person that they have evidence of a qualifying pre-departure test.
- (3) The condition applies only in relation to a relevant flight.
- (4) The condition does not apply to—
- (a) an aircrew member; or
 - (b) a person who has already complied with the condition in connection with other relevant flights but only if, after the most recent of those flights, they have not returned to the relevant State; or
 - (c) a person who is younger than 2 years old.
- (5) In this clause,—
- relevant flight** means a QFT flight that departs on or after the commencement of this clause
- relevant State** means the State of Victoria, Australia.

8 New clause 10B inserted (Aircrew members: evidence of qualifying pre-departure test)

After clause 10A, insert:

10B Aircrew members: evidence of qualifying pre-departure test

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause if the person—
- (a) is an aircrew member; and
 - (b) has been in the relevant State at or after 7.59 pm on 25 May 2021 (New Zealand time).

- (2) The condition is that, before the aircrew member boarded the aircraft, a statement was made by, or on behalf of, the aircrew member that they have evidence of a qualifying pre-departure test.
- (3) The condition applies only in relation to a relevant flight.
- (4) The condition does not apply to an aircrew member who has already complied with the condition in connection with other relevant flights but only if, after the most recent of those flights, they—
 - (a) have not returned to the relevant State; or
 - (b) have returned to the relevant State by aircraft and, until departing from that State, remained on the airside of the airport at which that aircraft landed in that State.
- (5) In this clause, **relevant flight** and **relevant State** have the meanings given by clause 10A.

9 New Schedule 2 inserted

After Schedule 1, insert the Schedule 2 set out in the Schedule of this notice.

**Schedule
New Schedule 2 inserted**

cl 9

**Schedule 2
Greater Melbourne**

cl 10

Banyule
Bayside
Boroondara
Brimbank
Cardinia
Casey
Darebin
Frankston
Glen Eira
Greater Dandenong
Hobsons Bay
Hume
Kingston
Knox
Manningham
Maribyrnong
Maroondah
Melbourne
Melton
Monash
Moonee Valley
Moreland
Mornington Peninsula
Nillumbik
Port Phillip
Stonnington
Whitehorse
Whittlesea

Wyndham (except Little River)

Yarra

Yarra Ranges

Dated at Wellington this 4th day of June 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 (Exemptions and Conditions for Quarantine-free Travel) Notice 2021 (the **principal notice**). It comes into force at 11.59 pm on 4 June 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 an aircraft undertaking 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 that arrival. This notice alters conditions imposed on the exemption in response to the recent community outbreak of COVID-19 in the State of Victoria, Australia. As a result, generally—

- it is a condition that the person has not been in Greater Melbourne at or after 11.59 pm on 27 May 2021 (New Zealand time); and
- it is a condition for a person who has been anywhere in the State of Victoria at or after 7.59 pm on 25 May 2021 (New Zealand time) that, before they boarded the aircraft, a statement was made by them, or on their behalf, that they have evidence of a qualifying pre-departure test.

The first of those conditions (relating to having been in Greater Melbourne) does not apply to an aircrew member.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 4 June 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 3) 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)