

Version
as at 27 February 2022



COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 4) 2021

(LI 2021/136)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 4) 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.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal notice	2
4	Clause 10 replaced (Person must not have been in Greater Melbourne at or after specified time)	2
	10 Person must not have been in Greater Melbourne at or after specified time	2
5	Clause 10A amended (Evidence of qualifying pre-departure test if person has been in State of Victoria, Australia at or after specified time)	3
6	Schedule 1 amended	3
	Schedule	4
	New Part 2 inserted into Schedule 1	

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 4) 2021.

2 Commencement

This notice comes into force at 11.59 pm on 8 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 10 replaced (Person must not have been in Greater Melbourne at or after specified time)

Replace clause 10 with:

10 Person must not have been in Greater Melbourne 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 Greater Melbourne at or after 11.59 pm on 27 May 2021 (New Zealand time).
- (3) The condition does not apply to a person who—
 - (a) is an aircrew member; or
 - (b) is a New Zealand citizen or the holder of a residence class visa; or
 - (c) last departed from New Zealand after 5 April 2021 and—
 - (i) is the holder of a temporary visa granted under the Immigration Act 2009; or
 - (ii) is an Australian citizen under Australian law; or
 - (iii) is the holder of a current permanent residence visa (including a resident return visa) issued by the Government of Australia; or
 - (d) is a relevant family member of a person referred to in paragraph (b) or (c).
- (4) The condition applies only in relation to a QFT flight that departs for New Zealand on or after the commencement of this clause.
- (5) In this clause,—

dependent child, in relation to a person, has the meaning given by section 4 of the Immigration Act 2009

Greater Melbourne means any of the municipal districts in the State of Victoria, Australia specified in Schedule 2

holder, in relation to a visa granted under the Immigration Act 2009, has the meaning given by section 4 of that Act

New Zealand citizen has the meaning given by section 4 of the Immigration Act 2009

parent, in relation to a dependent child, means a person on whom the child is dependent

relevant family member, in relation to a person, means—

- (a) a spouse, civil union partner, or de facto partner of the person; or
- (b) a dependent child of the person; or
- (c) if the person is a dependent child, a parent of the person

residence class visa has the meaning given by section 4 of the Immigration Act 2009.

5 Clause 10A amended (Evidence of qualifying pre-departure test if person has been in State of Victoria, Australia at or after specified time)

Replace clause 10A(1) with:

- (1) An exemption under clause 6(1) is subject to the condition set out in this clause if the person—
 - (a) has been in the relevant State at any time at or after 7.59 pm on 25 May 2021 (New Zealand time); and
 - (b) is not a person to whom the condition in clause 10 applies.

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 2 inserted into Schedule 1

cl 6

Part 2

Provision relating to COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 4) 2021

- 3 QFT flights: condition that person must not have been in Greater Melbourne**
- (1) Clause 10, as in force immediately before the commencement of the Amendment Notice, continues to apply in relation to a QFT flight that departed for New Zealand before that commencement.
 - (2) In this clause, **Amendment Notice** means the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 4) 2021.

Dated at Wellington this 8th 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 8 June 2021 (the **commencement 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 for isolation or quarantine after arrival in New Zealand. This notice reinstates an existing condition that the person has not been in Greater Melbourne at or after 11.59 pm on 27 May 2021 (New Zealand time), with modifications. The main modification is that the condition does not apply if the person falls into any of the following categories:

- (a) they are a New Zealand citizen or the holder of a residence class visa granted under the Immigration Act 2009; or

- (b) they last departed from New Zealand after 5 April 2021 and are—
- (i) the holder of a temporary visa granted under the Immigration Act 2009;
or
 - (ii) an Australian citizen; or
 - (iii) the holder of a current permanent residence visa (including a resident return visa) issued by the Government of Australia.

This notice also ensures that the condition does not apply in relation to certain family members of a person falling into any of those categories.

The modified condition applies only in relation to a QFT flight that departs for New Zealand at or after the commencement time. The condition, as in force immediately before the commencement time, continues to apply in relation to a QFT flight departing for New Zealand before then.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 8 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 4) 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)