

Version  
as at 27 February 2022



# COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 9) 2021

(LI 2021/183)

COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 9) 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 9) 2021.

### 2 Commencement

This notice comes into force at 11.59 pm on 9 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), definition of **affected Australian State**, revoke paragraphs (c) and (d).

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

(1) Replace clause 10(2) with:

(2) The condition is that the person was not in—

- (a) the State of New South Wales, Australia at or after 10.30 pm on 26 June 2021 (New Zealand time); or
- (b) the State of Queensland, Australia at or after 10.30 pm on 26 June 2021 (New Zealand time).

(2) Replace clause 10(3) with:

(3) The condition does not apply to a person who is an aircrew member.

(4) The condition also does not apply to a person described in subclause (2)(b) and who—

- (a) is a New Zealand citizen or the holder of a residence class visa; or
- (b) last departed from New Zealand on or after 6 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
- (c) is a relevant family member of a person referred to in paragraph (a) or (b).

(5) In this clause,—

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

**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.

**6 Cross-heading above clause 10C amended**

In the cross-heading above clause 10C, replace “*flights*” with “*flights*”.

**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 7 inserted into Schedule 1

cl 7

#### Part 7

#### Provision relating to COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Amendment Notice (No 9) 2021

##### 13 QFT flights departing on or after commencement of Amendment Notice

(1) New clause 10(4) applies only in relation to a QFT flight that departs for New Zealand on or after 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 9) 2021

**new clause 10(4)** means clause 10(4) as in force on the commencement of the Amendment Notice.

Dated at Wellington this 9th day of July 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 9 July 2021.

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 for isolation or quarantine after that arrival. The exemption is subject to certain conditions, including the condition that a person has not been in New South Wales, Queensland, Western Australia, or the Northern Territory on or after certain times and dates.

This notice changes that condition so that the condition does not now apply to—

- persons who are or have been in Western Australia or the Northern Territory;  
and
- New Zealand citizens and certain other classes of persons, unless they have  
been in New South Wales at or after 10.30 pm on 26 June 2021.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 9 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 9) 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)