



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

This order is made by the Minister of Health 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 2020.
- 2 Commencement**

This order comes into force on 3 November 2020.
- 3 Principal order**

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

4 Clause 4 amended (Interpretation)

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

air carrier, in relation to an aircraft (but not a foreign military aircraft),—

- (a) means the owner or charterer of the aircraft; and
- (b) if the owner or charterer is not in New Zealand, includes the agent in New Zealand of the owner or charterer; and
- (c) if there is no agent in New Zealand, includes the person in charge of the aircraft

confirmed allocation means a confirmed allocation in the managed isolation allocation system to enter a managed isolation or quarantine facility in New Zealand

evidence of a confirmed allocation means—

- (a) written evidence of a confirmed allocation (for example, a voucher); or
- (b) evidence of a confirmed allocation by any other means, as long as the evidence is supplied by the New Zealand Government

exempt person means a person who is exempted by or under this order or the Isolation and Quarantine Order from a requirement to enter a managed isolation or quarantine facility

managed isolation allocation system means a Web-based managed isolation allocation system operated by or on behalf of the New Zealand Government

5 New Part 1A inserted

After clause 7, insert:

Part 1A
Obligation on air carriers

7A Air carrier must not cause aircraft to arrive in New Zealand without complying with requirement

An air carrier must not cause an aircraft to arrive in New Zealand unless it has taken reasonable steps to ensure that each person on board the aircraft (other than an exempt person) has evidence of a confirmed allocation.

6 Clause 8 amended (Obligations on persons arriving in New Zealand by air)

(1) After clause 8(2), insert:

(2A) The person must (unless they are an exempt person)—

- (a) have a confirmed allocation; and
- (b) produce evidence of a confirmed allocation when requested by—

- (i) a health protection officer or a medical officer of health; or
 - (ii) a staff member or representative of the relevant air carrier; or
 - (iii) an immigration officer (as that term is defined in section 4 of the Immigration Act 2009).
- (2) After clause 8(4), insert:
- (4A) A failure to comply with subclause (2A) is an infringement offence (*see* section 26(3) and (4) of the Act).

Dated at Wellington this 30th day of October 2020.

Hon Chris Hipkins,
Minister of Health.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 3 November 2020, amends the COVID-19 Public Health Response (Air Border) Order (No 2) 2020. The main effect of amendments made by this order is to—

- require a person arriving in New Zealand by aircraft to have a confirmed allocation in the managed isolation allocation system; and
- require the air carrier to take reasonable steps to ensure that all people on board have evidence of their confirmed allocation before the aircraft arrives in New Zealand.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 30 October 2020.
This order is administered by the Ministry of Health.