

Version
as at 26 November 2022



COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021

(SL 2021/417)

COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021: revoked, on 26 November 2022, pursuant to section 34 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

Cindy Kiro, Governor-General

Order in Council

At Wellington this 13th day of December 2021

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under sections 32F and 33A of the COVID-19 Public Health Response Act 2020—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for COVID-19 Response made after being satisfied that—
 - (i) the prescribed charges relate to managed isolation or quarantine facility (MIQF) costs; and

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.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

- (ii) the prescribed charges recover from any class of persons no more than an estimate of the actual and reasonable MIQF costs incurred in relation to that class (including both direct and indirect costs); and
- (iii) there is appropriate provision to grant relief from the payment of the prescribed charges in circumstances where payment of the charges would cause undue financial hardship; and
- (iv) the prescribed charges do not limit or are justified limits on the rights and freedoms in the New Zealand Bill of Rights Act 1990.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 New regulation 10C inserted (Minister may waive charges for persons being resettled from Afghanistan)	2
10C Minister may waive charges for persons being resettled from Afghanistan	2

Regulations

1 Title

These regulations are the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 2021.

2 Commencement

These regulations come into force on 15 December 2021.

3 Principal regulations

These regulations amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020.

4 New regulation 10C inserted (Minister may waive charges for persons being resettled from Afghanistan)

After regulation 10B, insert:

10C Minister may waive charges for persons being resettled from Afghanistan

- (1) This regulation applies to any class of persons being resettled from Afghanistan who arrive in New Zealand and are required to stay at an MIQF.

- (2) The Minister may waive, in whole or in part, the payment of charges payable by that class of persons if the Minister is satisfied that the waiver is appropriate.
- (3) The Minister may impose conditions on the waiver as they consider necessary.
- (4) A waiver granted under this regulation is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this regulation

Publication	The maker must publish it in accordance with the Legislation (Publication) Regulations 2021	LA19 s 74(1)(aa)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 15 December 2021, amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 (the **principal regulations**).

The principal regulations prescribe charges to recover the costs of a person's stay in a managed isolation or quarantine facility (an **MIQF**).

These regulations give the Minister a new power to waive the charges for any class of persons being resettled from Afghanistan who arrive in New Zealand and are required to stay at an MIQF.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 14 December 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Amendment Regulations (No 5) 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 (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66): section 34