

**Version
as at 20 October 2022**



COVID-19 Public Health Response (Air Border) Order 2021

(SL 2021/427)

COVID-19 Public Health Response (Air Border) Order 2021: revoked, at 12.01 am on 20 October 2022, by clause 3 of the COVID-19 Public Health Response (Air Border) Order Revocation Order 2022 (SL 2022/275).

This order is made by the Minister for COVID-19 Response under section 11 of the COVID-19 Public Health Response Act 2020 in accordance with section 9 of that Act.

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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.

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This order is administered by the Ministry of Health.

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Order

1 Title

This order is the COVID-19 Public Health Response (Air Border) Order 2021.

2 Commencement

This order comes into force at 11.59 pm on 27 February 2022.

Clause 2: amended, at 11.58 pm on 16 January 2022, by clause 16 of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

3 Purpose

The purpose of this order is to support a public health response to COVID-19 that furthers the purpose of the Act by imposing requirements and restrictions in relation to persons who arrive in New Zealand by air.

4 Interpretation

In this order, unless the context otherwise requires,—

Act means the COVID-19 Public Health Response Act 2020

aircrew member means an overseas-based aircrew member or a New Zealand-based aircrew member

airport, in relation to an airport in New Zealand, means an aerodrome (as defined in section 2(1) of the Civil Aviation Act 1990)

airside, in relation to an airport, means any part of the airport that is—

- (a) inaccessible to the general public; but
- (b) accessible to international arriving or international transiting passengers who have not entered the country where the airport is located

approved system means any system that is—

- (a) specified by a Director-General notice; and
- (b) approved by the Director-General for the purpose of a COVID-19 provision

arrive in New Zealand, in relation to a person who arrives on an aircraft, means to be on board the craft when it lands or stops at any place within New Zealand

authorised officer means—

- (a) an authorised enforcement person;
- (b) a health protection officer;
- (c) an immigration officer (as defined in section 4 of the Immigration Act 2009);
- (d) a medical officer of health

carrier, in relation to a craft (but not a foreign military craft),—

- (a) means the owner or charterer of the craft; 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 craft

connecting flight, in relation to a person other than an aircrew member, means any of the 2 or more flights that—

- (a) carry the person to New Zealand from another country; and
- (b) are ticketed with a specified departure and arrival place, date, and time for each flight; and
- (c) are not separated by a stopover

country—

- (a) means all or part of a country or a territory; and
- (b) includes Antarctica

COVID-19 border requirements schedule has the meaning given in clause 7(5)

COVID-19 provision has the meaning given in clause 7(1)

craft has the meaning given in section 4 of the Immigration Act 2009

direct flight, in relation to a person, means a flight that carries the person to New Zealand from another country and is not a connecting flight

Director-General notice means a notice made under clause 59
enter,—

- (a) in relation to New Zealand, means to enter New Zealand in accordance with the Immigration Act 2009; and
- (b) in relation to any other country, has a corresponding meaning

health protection officer has the meaning given by section 2(1) of the Health Act 1956

low risk infringement offence means the low risk class of infringement offence prescribed by regulation 5(1) of the COVID-19 Public Health Response (Infringement Offences) Regulations 2021

medical officer of health has the meaning given by section 2(1) of the Health Act 1956

military craft—

- (a) means a craft (as defined in section 4 of the Immigration Act 2009) that travels for a military purpose or as part of a military operation; and
- (b) includes a commercial craft (as defined in section 4 of the Immigration Act 2009) that is chartered for a military purpose or as part of a military operation

New Zealand-based aircrew member means a person who—

- (a) is ordinarily resident in New Zealand; and
- (b) arrives in New Zealand—
 - (i) on an aircraft on which they are working as crew (as defined in section 4 of the Immigration Act 2009); or
 - (ii) for repositioning purposes (that is, for the purpose of connecting with another aircraft on which they are working as crew); or
 - (iii) for the purpose of returning to New Zealand after having left New Zealand to complete training that they were directed by their employer to undertake and that the Civil Aviation Authority, or an equivalent international regulator, requires aircrew members to complete

NZTD system has the meaning given in clause 60

NZTD traveller pass has the meaning given in clause 12(2B)

overseas-based aircrew member means a person who—

- (a) is not ordinarily resident in New Zealand; and
- (b) arrives in New Zealand—

- (i) on an aircraft on which they are working as crew (as defined in section 4 of the Immigration Act 2009); or
- (ii) for repositioning purposes (that is, for the purpose of connecting with another aircraft on which they are working as crew); and

(c) *[Revoked]*

port of arrival, in relation to a person or aircraft, means the airport at which the person or aircraft arrives in New Zealand

stopover, in relation to a person whose journey to New Zealand includes more than 1 flight, means entry into any country at which any of those flights arrives (other than New Zealand)

transit-only arrival means a person described in clause 1 of Schedule 6

transit passenger, in relation to a country, means a person who—

- (a) arrives in that country by air; and
- (b) does not enter that country but remains, until they depart from that country, on the airside of—
 - (i) the airport at which they arrived in that country; and
 - (ii) any other airport through which they transit.

Clause 4 **aircrew member**: amended, at 11.58 pm on 16 January 2022, by clause 17(1) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Clause 4 **associate**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **board a flight**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **category A person**: revoked, at 11.58 pm on 27 February 2022, by clause 4(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 **category B person**: revoked, at 11.58 pm on 27 February 2022, by clause 4(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 **category C person**: revoked, at 11.58 pm on 27 February 2022, by clause 4(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 **category Z person**: revoked, at 11.58 pm on 27 February 2022, by clause 4(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 **COVID-19 test**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **group 1 country**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **group 2 country**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **group 3 country**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **health practitioner**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 high risk infringement offence: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 international aircrew member: revoked, at 11.58 pm on 16 January 2022, by clause 17(2) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Clause 4 Isolation and Quarantine Order: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 key safety standards: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 landside: revoked, at 11.58 pm on 27 February 2022, by clause 4(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 low risk infringement offence: inserted, at 11.58 pm on 27 February 2022, by clause 4(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 medical attendant: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 medical practitioner: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 medium risk infringement offence: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 New Zealand-based aircrew member paragraph (b): replaced, at 11.58 pm on 27 February 2022, by clause 4(3) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 New Zealand citizen: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 NZTD system: inserted, at 11.00 am on 25 March 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 4 NZTD traveller pass: inserted, at 11.00 am on 25 March 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 4 overseas-based aircrew member: inserted, at 11.58 pm on 16 January 2022, by clause 17(3) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Clause 4 overseas-based aircrew member paragraph (c): revoked, at 11.58 pm on 27 February 2022, by clause 4(4) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 overseas-qualified health practitioner: revoked, at 11.58 pm on 27 February 2022, by clause 4(5) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 4 overseas-qualified medical practitioner: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 place of isolation or quarantine: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 place of self-isolation: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **Police escort**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **relevant family member**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **relevant worker**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **route safety plan**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **scheduled international air service**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 4 **specified 14-day period**: revoked, at 11.59 pm on 12 September 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

6 Application of this order

- (1) This order applies to the whole of New Zealand.
- (2) This order also specifies criteria that must be satisfied from a place outside New Zealand before a person enters New Zealand.

Part 1

COVID-19 provisions for persons who arrive in New Zealand

- 7 **COVID-19 provisions apply to person if specified in COVID-19 border requirements schedule that applies to them**
 - (1) This Part sets out the provisions (**COVID-19 provisions**) that may apply to a person who arrives in New Zealand by air.
 - (2) A COVID-19 provision applies to a person only if it is specified in a COVID-19 border requirements schedule that applies to that person.
 - (3) *[Revoked]*
 - (4) A COVID-19 provision applies to a person subject to—
 - (a) any modifications specified in the schedule that applies it to that person; and
 - (b) any exemptions that apply to that person (see Part 3, which provides for exemptions to be granted, and Schedule 3, which sets out class exemptions from some COVID-19 provisions).
- (5) The following schedules are **COVID-19 border requirements schedules**, which apply generally as follows:
 - (a) Schedule 4 is for New Zealand-based aircrew members;
 - (b) Schedule 5 is for overseas-based aircrew members;

- (c) Schedule 6 is for transit-only arrivals (persons who arrive in but do not enter New Zealand):
- (d) *[Revoked]*
- (e) *[Revoked]*
- (f) *[Revoked]*
- (g) Schedule 10 is for arrivals on aircraft turned back to New Zealand:
- (h) Schedule 14 is for general travellers.

(6) Part 1 of each schedule defines the class of persons to whom the schedule applies and specifies which COVID-19 provisions apply to them.

(7) If a COVID-19 provision is not specified in any COVID-19 border requirements schedule, it has no effect.

Clause 7(2): replaced, at 11.59 pm on 12 September 2022, by clause 5(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(3): revoked, at 11.59 pm on 12 September 2022, by clause 5(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(4)(a): amended, at 11.59 pm on 12 September 2022, by clause 5(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(5)(b): amended, at 11.58 pm on 16 January 2022, by clause 18(1) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Clause 7(5)(d): revoked, at 11.59 pm on 12 September 2022, by clause 5(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(5)(e): revoked, at 11.59 pm on 12 September 2022, by clause 5(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(5)(f): revoked, at 11.59 pm on 20 June 2022, by clause 4 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Clause 7(5)(h): replaced, at 11.59 pm on 12 September 2022, by clause 5(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(6): amended, at 11.59 pm on 12 September 2022, by clause 5(5) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 7(6): amended, at 11.58 pm on 16 January 2022, by clause 18(2) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Subpart 1—Consequences

[Revoked]

Subpart 1: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

8 No isolation or quarantine required

[Revoked]

Clause 8: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

9 Must self-isolate under specified Part of Isolation and Quarantine Order and in qualifying place

[Revoked]

Clause 9: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

10 Must enter managed isolation or quarantine under Part 1 of Isolation and Quarantine Order

[Revoked]

Clause 10: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

10A May be authorised to isolate at MIQF

[Revoked]

Clause 10A: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

11 Must not arrive in New Zealand

[Revoked]

Clause 11: revoked, at 11.59 pm on 12 September 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Subpart 2—Conditions

Before arrival

12 Must have traveller pass

- (1) A person must, before they arrive in New Zealand, have a traveller pass.
- (2) The traveller pass must be an NZTD traveller pass.
- (2A) However, in the circumstances specified by a Director-General notice, the traveller pass may be an alternate traveller pass.
- (2B) In this clause,—

alternate traveller pass means a traveller pass in the form that is specified by a Director-General notice

NZTD traveller pass means a traveller pass issued to the person under clause 60 after they make, or someone makes on their behalf, a traveller declaration using the NZTD system.

- (3) A breach of subclause (1) is a low risk infringement offence for the purposes of section 26(3) of the Act.

Clause 12(2): replaced, at 11.00 am on 25 March 2022, by clause 5 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 12(2A): inserted, at 11.00 am on 25 March 2022, by clause 5 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 12(2B): inserted, at 11.00 am on 25 March 2022, by clause 5 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 12(3): inserted, at 11.58 pm on 27 February 2022, by clause 6 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

13 Must be vaccinated (or be excused or exempt)

[Revoked]

Clause 13: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

14 Must have pre-departure test for COVID-19 or be excused by certificate (unless under 2 years of age)

[Revoked]

Clause 14: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

15 Must have negative result from pre-departure test for COVID-19 (or certificate)

[Revoked]

Clause 15: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

16 Must not be waiting for test results

[Revoked]

Clause 16: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

16A Must not exhibit COVID-19 symptoms (or must be excused or exempt)

[Revoked]

Clause 16A: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

17 Must not be subject to public health direction in another country

[Revoked]

Clause 17: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

18 Must not have prematurely ended period of isolation or quarantine

[Revoked]

Clause 18: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

19 Must fly with specified carrier

[Revoked]

Clause 19: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

20 Must travel on scheduled international air service

[Revoked]

Clause 20: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

21 Must have confirmed allocation for managed isolation or quarantine

[Revoked]

Clause 21: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

22 Must comply with key safety standards or route safety plan while outside New Zealand

[Revoked]

Clause 22: revoked, at 11.59 pm on 12 September 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Before, on, or after arrival

23 Must make traveller declaration at certain times

- (1) A person must make, or someone must make on their behalf, a traveller declaration.
- (2) The declaration must include the information and confirm the matters that are specified by a Director-General notice.
- (3) The declaration must be made using the NZTD system—
 - (a) during the specified period (as specified by a Director-General notice); and
 - (b) when requested by an authorised officer.
- (3A) However, in the circumstances specified by a Director-General notice, the declaration may instead be made using an alternate system—
 - (a) during the period specified by that notice; and
 - (b) when requested by an authorised officer.
- (3B) An **alternate system** for the purposes of subclause (3A) must be an approved system for the purposes of this clause.
- (4) A breach of this clause is a low risk infringement offence for the purposes of section 26(3) of the Act.

Clause 23(3): replaced, at 11.00 am on 25 March 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 23(3A): inserted, at 11.00 am on 25 March 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 23(3B): inserted, at 11.00 am on 25 March 2022, by clause 7 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Clause 23(4): inserted, at 11.58 pm on 27 February 2022, by clause 15 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

24 Must provide, at certain times, information necessary to support public health response to COVID-19

(1) The purpose of this clause is to enable the Director-General to collect information to support a public health response to COVID-19 that is consistent with the purpose of the Act.

(2) A person must provide, or someone must provide on their behalf,—

- (a) a telephone number and email address that may be used to easily contact the person or someone who acts on their behalf; and
- (b) any other information that is specified by a Director-General notice.

(3) The Director-General notice may specify any information that the Director-General is satisfied is necessary for the purpose of this clause.

(4) The specified information must—

- (a) be provided, using the approved system, before the person boards their direct flight or first connecting flight to New Zealand; and
- (b) be provided to an authorised officer on request.

(5) A breach of this clause is a low risk infringement offence for the purposes of section 26(3) of the Act.

Clause 24(2)(a): amended, at 11.58 pm on 27 February 2022, by clause 16(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Clause 24(5): inserted, at 11.58 pm on 27 February 2022, by clause 16(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

25 Must provide self-isolation information at certain times

[Revoked]

Clause 25: revoked, at 11.59 pm on 12 September 2022, by clause 8 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

26 Must not exhibit COVID-19 symptoms at certain times

[Revoked]

Clause 26: revoked, at 11.58 pm on 27 February 2022, by clause 18 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

27 Must be considered at negligible risk of having been exposed to COVID-19

[Revoked]

Clause 27: revoked, at 11.59 pm on 12 September 2022, by clause 9 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

28 Must wear face covering in certain places or circumstances

[Revoked]

Clause 28: revoked, at 11.59 pm on 12 September 2022, by clause 9 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

29 Must answer to authorised officers

A person must answer any question that an authorised officer asks them, to the extent that the question is reasonably asked for the purpose of establishing whether a COVID-19 provision applies to the person and whether they have complied with it.

30 Must produce evidence of compliance with COVID-19 provisions

- (1) A person must produce the following evidence for any authorised officer who requests it:
 - (a) satisfactory evidence of the person's compliance with any COVID-19 provision that applies to them;
 - (b) satisfactory evidence that the person qualifies for an exception or exemption from any COVID-19 provision.
- (2) The authorised officer may require the person to produce the evidence by way of the approved system.
- (3) For the purpose of this clause, evidence is **satisfactory** if—
 - (a) it is produced in the form that is specified by a Director-General notice and confirms the details that are specified by a Director-General notice; or
 - (b) it is produced in a form, and confirms the details, that the authorised officer considers to be satisfactory in the circumstances.
- (4) *See section 34B of the Act (protection of evidence collected or obtained for purpose of determining whether person is vaccinated or has complied with Act or COVID-19 order).*
- (5) *[Revoked]*

Clause 30(5): revoked, at 11.59 pm on 12 September 2022, by clause 10 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

31 Must not provide false or misleading information or evidence

A person must not provide or produce, whether by way of the approved system or to an authorised officer, any information or evidence that the person knows is false or misleading in any material particular.

Clause 31: amended, at 11.59 pm on 4 March 2022, by clause 5 of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).

On or after arrival

[Revoked]

Heading: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

32 Must report for and undergo COVID-19 screening

[Revoked]

Clause 32: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

33 Must report for and undergo COVID-19 test

[Revoked]

Clause 33: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

34 Must be considered at low risk of having or transmitting COVID-19

[Revoked]

Clause 34: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

35 Must comply with directions while travelling to place of isolation or quarantine or self-isolation

[Revoked]

Clause 35: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

36 Must maintain physical distancing

[Revoked]

Clause 36: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

37 Must wear personal protective equipment as directed

[Revoked]

Clause 37: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

38 Must comply with key safety standards while in Green area in New Zealand

[Revoked]

Clause 38: revoked, at 11.59 pm on 12 September 2022, by clause 11 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Subpart 3—Breach of conditions

[Revoked]

Subpart 3: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

39 Subpart 3 applies if person breaches COVID-19 provision that applies to them

[Revoked]

Clause 39: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

40 Breach of requirement not to arrive in New Zealand

[Revoked]

Clause 40: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

41 Failure to produce evidence of being vaccinated

[Revoked]

Clause 41: revoked, at 11.59 pm on 18 March 2022, by clause 5 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 2) 2022 (SL 2022/75).

42 Failure to produce evidence of pre-departure test or negative result

[Revoked]

Clause 42: revoked, at 11.58 pm on 27 February 2022, by clause 25 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

43 Failure to comply with key safety standards or route safety plan outside New Zealand

[Revoked]

Clause 43: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

44 Failure to provide details of qualifying place to self-isolate

[Revoked]

Clause 44: revoked, at 11.58 pm on 27 February 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

45 Exhibiting symptoms of COVID-19 on arrival

[Revoked]

Clause 45: revoked, at 11.58 pm on 27 February 2022, by clause 27 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

46 Considered not at low risk of having or transmitting COVID-19

[Revoked]

Clause 46: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

47 Failure to comply with key safety standards while in New Zealand

[Revoked]

Clause 47: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

48 Must report for and undergo assessment and comply with decision of assessing officer

[Revoked]

Clause 48: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

49 Breach of order may be infringement offence

[Revoked]

Clause 49: revoked, at 11.59 pm on 12 September 2022, by clause 12 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 2
Provisions that apply to carriers

[Revoked]

Part 2: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

50 Aircraft must arrive at specified airport

[Revoked]

Clause 50: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

51 Carrier may have route safety plans

[Revoked]

Clause 51: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

52 Carrier must notify changes affecting route safety plan

[Revoked]

Clause 52: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

53 Carrier must promote compliance with route safety plan or key safety standards

[Revoked]

Clause 53: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

54 Carrier must check compliance with COVID-19 provisions

[Revoked]

Clause 54: revoked, at 11.59 pm on 12 September 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 3

Exemptions and other powers

Exemptions

55 General provisions about exemptions

- (1) This clause applies to any exemption that may be granted by the Minister under clause 57 or the Director-General under clause 58.
- (2) The Minister or Director-General must not grant the exemption unless they are satisfied that—
 - (a) the exemption is necessary or desirable in order to promote the purposes of the Act or the purposes of this order; and
 - (b) the extent of the exemption is not broader than is reasonably necessary to address the matters giving rise to the exemption.
- (3) The exemption may be granted from a provision as a whole or from any aspect of how it is applied by a COVID-19 border requirements schedule.
- (4) If the exemption is for a class of persons, the class may be identified or limited by reference to any matter, including, for example, any of the following matters:
 - (a) the country or airport from which they departed for New Zealand;
 - (b) the port of arrival or scheduled port of arrival;
 - (c) the carrier of the aircraft undertaking the flight by which they arrive in New Zealand;
 - (d) other particulars of the flight by which they arrive in New Zealand (such as its flight number and scheduled departure or arrival times);
 - (e) whether they were in certain places at or after a certain time before departing for or arriving in New Zealand.
- (5) The Minister or Director-General may impose conditions on the exemption as they consider necessary.

56 How exemptions are notified or published

- (1) An exemption granted under this Part is secondary legislation (see Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons.
- (2) An exemption granted under this Part for 1 or more named persons (an **individual exemption**) must be notified in writing to the applicant and the named person or persons.
- (3) An exemption, or an amendment to an exemption, must be published (for secondary legislation) or notified to the named person or persons (for individual exemptions) as soon as practicable after it is made.
- (4) An exemption, or an amendment to an exemption, may come into force before it is published (for secondary legislation) or notified (for individual exemptions) if the maker is satisfied that the exemption or amendment should come into force urgently.
- (5) In that case,—
 - (a) the effect of the exemption (or amendment) must be publicly announced before it comes into force; and
 - (b) the exemption or amendment must be published under the Legislation Act 2019 (for secondary legislation) or notified by the maker (for individual exemptions) as soon as practicable after it comes into force.
- (6) In this clause, **maker** has the meaning given in section 5(1) of the Legislation Act 2019.

Legislation Act 2019 requirements for secondary legislation referred to subclause (1)

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.

57 Minister may grant exemptions

- (1) The Minister may, by notice, exempt a person or class of persons from any provision of this order.
- (2) The Minister must take into account the advice of the Director-General when deciding—
 - (a) whether to grant an exemption; and
 - (b) what (if any) conditions to impose on an exemption.
- (3) *See also* clauses 55 and 56.

58 Director-General may grant exemptions

- (1) The Director-General may, by notice,—

- (aaa) *[Revoked]*
- (a) *[Revoked]*
- (b) *[Revoked]*
- (c) *[Revoked]*
- (d) exempt from any COVID-19 provision—
 - (i) an aircrew member or a class of aircrew members;
 - (ii) any other person or class of persons whose work is essential to the safe operation of a flight or port of arrival;
- (e) exempt a person or class of persons, or a carrier or class of carriers, from any provision of this order to assist with the response to an emergency.

(2) *See also* clauses 55 and 56.

(3) In this clause, **emergency**—

- (a) has the meaning given by section 4 of the Civil Defence Emergency Management Act 2002; and
- (b) includes an emergency that may occur.

Clause 58(1)(aaa): revoked, at 11.59 pm on 12 September 2022, by clause 14 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 58(1)(a): revoked, at 11.59 pm on 12 September 2022, by clause 14 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 58(1)(b): revoked, at 11.59 pm on 12 September 2022, by clause 14 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 58(1)(c): revoked, at 11.59 pm on 12 September 2022, by clause 14 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 58(1)(e): replaced, at 11.58 pm on 27 February 2022, by clause 29(5) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Director-General notices

59 Director-General may specify matters by notice

- (1) The Director-General may, by notice, specify anything that this order says may or must be specified by notice.
- (2) A notice made under this clause is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons, places, or things.
- (3) A notice made under this clause for 1 or more named persons (an **individual notice**) must be notified in writing to the applicant and any named person or persons.
- (4) A notice, or an amendment to a notice, must be published (for secondary legislation) or notified (for individual notices) as soon as practicable after it is made.

- (5) A notice, or an amendment to a notice, may come into force before it is published (for secondary legislation) or notified (for individual notices) if the Director-General is satisfied that the notice or amendment should come into force urgently.
- (6) In that case,—
 - (a) the effect of the notice (or the amendment) must be publicly announced before it comes into force; and
 - (b) the notice or amendment must be published under the Legislation Act 2019 (for secondary legislation) or notified (for individual notices) as soon as practicable after it comes into force.

Legislation Act 2019 requirements for secondary legislation made under this clause

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.

Clause 59(4): amended, at 11.59 pm on 12 September 2022, by clause 15(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(5): amended, at 11.59 pm on 12 September 2022, by clause 15(2)(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(5): amended, at 11.59 pm on 12 September 2022, by clause 15(2)(b) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(5): amended, at 11.59 pm on 12 September 2022, by clause 15(2)(c) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(5): amended, at 11.59 pm on 12 September 2022, by clause 15(2)(d) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(6)(a): amended, at 11.59 pm on 12 September 2022, by clause 15(3)(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(6)(b): amended, at 11.59 pm on 12 September 2022, by clause 15(3)(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause 59(6)(b): amended, at 11.59 pm on 12 September 2022, by clause 15(3)(b) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 4

New Zealand traveller declaration system

Part 4: inserted, at 11.00 am on 25 March 2022, by clause 8 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

60 New Zealand traveller declaration system

- (1) The New Zealand traveller declaration system (the **NZTD system**) is a system that is established and administered by the chief executive and has the following features:

- (a) features to enable the chief executive to identify which COVID-19 provisions are likely to apply to a person who travels to New Zealand before, on, and after the person's arrival in New Zealand:
- (b) features to enable the chief executive to collect evidence of the person's compliance with the COVID-19 provisions that apply to the person:
- (c) features to enable the person to make a traveller declaration for the purposes of clause 23(3):
- (d) features to enable the chief executive to issue NZTD traveller passes for the purposes of clause 12.

(2) The chief executive must issue an NZTD traveller pass, in the form that is specified by a Director-General notice, to a person who makes a traveller declaration using the NZTD system.

(3) However, the chief executive may decline to issue an NZTD traveller pass to a person, or cancel a person's NZTD traveller pass before they enter New Zealand, if—

- (a) the person's traveller declaration does not meet the requirements of clause 23; or
- (b) the person has not produced satisfactory evidence of compliance with a COVID-19 provision; or
- (c) the chief executive reasonably believes that the person's traveller declaration includes information, or the person has produced evidence, that is false or misleading in any material particular.

(4) In subclause (3)(b), evidence is **satisfactory** if it is produced in the form that is specified by a Director-General notice and confirms the details that are specified by a Director-General notice.

(5) In this clause, **chief executive** means the chief executive of the New Zealand Customs Service.

Clause 60: inserted, at 11.00 am on 25 March 2022, by clause 8 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Part 4

Infringement offences

[Revoked]

Part 4: revoked, at 11.58 pm on 27 February 2022, by clause 30 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

60 Breaches of this order that are infringement offences

[Revoked]

Clause 60: revoked, at 11.58 pm on 27 February 2022, by clause 30 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Part 5 Revocations

61 Revocations

Secondary legislation

(1) The following instruments are revoked:

- (a) COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (LI 2020/239);
- (b) COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Notice 2021 (LI 2021/96).

Other instruments

(2) The following instruments are revoked:

- (a) COVID-19 Public Health Response (Air Border) Order (No 2) 2020—Designation of Specified Places (*Gazette* 2021-go205);
- (b) COVID-19 Public Health Response (Exemption for Quarantine-free Travel) Notice (No 2) 2021 (*Gazette* 2021-go1571);
- (c) Exemption of Persons From Clause 8(2B) of the COVID-19 Public Health Response Air Border Order (No 2) 2020 (*Gazette* 2021-go1592);
- (d) Exemption of Persons From Clause 8(2B) of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go1593);
- (e) Specification of Examination or Test for COVID-19—COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go1678);
- (f) Specification of Appropriate Evidence Relating to a COVID-19 Test—COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go1679);
- (g) Exemption of Specified Aircrew Members From Clause 22 of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go2433);
- (h) Exemption of Persons From Clause 8(3) of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go2627);
- (i) Designation of Higher-risk Routes—COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go2830);
- (j) Exemption of Persons from Clause 8(2B) of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go3543);

- (k) Exemption of Persons from Clause 8(2A), (3) and (4) of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go3656):
- (l) Exemption of Persons From Pre-departure Testing Requirements Before Arriving in New Zealand by Air (*Gazette* 2021-go4737):
- (m) Exemption of Persons From Clause 8(3) of the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (*Gazette* 2021-go4851):
- (n) Revocation and Replacement—Specification of COVID-19 Vaccines for the Purposes of the Vaccination Requirement in Clause 7E of the COVID-19 Public Health Response (Air Border) Order (No 2) Amendment Order (No 11) (*Gazette* 2021-go5339):
- (o) any other instrument made under the COVID-19 Public Health Response (Air Border) Order (No 2) 2020, including any exemption granted under that order to any person or class of persons.

Schedule 1

Transitional, savings, and related provisions

cl 5

Part 1

Provisions relating to this order as made

1 Order does not apply to persons or flights that depart before order commences

- (1) This clause applies if a person arrives in New Zealand on or after the commencement of this order—
 - (a) on a direct flight, if it departed for New Zealand before the commencement of this order; or
 - (b) on connecting flights to New Zealand, if the first connecting flight departed before the commencement of this order.
- (2) The COVID-19 Public Health Response (Air Border) Order (No 2) 2020 and any legislation or instrument made under it, as in force immediately before the commencement of this order, continue to apply to that person or flight.

2 Amendments to order do not apply to persons or flights that depart before amendment commences

[Revoked]

Schedule 1 clause 2: revoked, at 11.59 pm on 2 March 2022, by clause 6(1) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).

Part 2

Provisions relating to COVID-19 Public Health Response (Air Border) Amendment Order 2022

Schedule 1 Part 2: inserted, at 11.59 pm on 2 March 2022, by clause 6(2)(a) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).

3 Order as amended applies to persons or flights that depart before relevant amendments commence

- (1) To the extent that the first amendments remove a requirement that a person comply with clause 21 before they arrive in New Zealand, the person is not required to comply with that clause if they arrive at or after 11.59 pm on 2 March 2022—
 - (a) on a direct flight, if it departed for New Zealand before that time; or
 - (b) on connecting flights to New Zealand, if the first connecting flight departed before that time.

(2) To the extent that the second amendments remove a requirement that a person comply with clause 21 before they arrive in New Zealand, the person is not required to comply with that clause if they arrive at or after 11.59 pm on 4 March 2022—

- (a) on a direct flight, if it departed for New Zealand before that time; or
- (b) on connecting flights to New Zealand, if the first connecting flight departed before that time.

(3) In this clause,—

Amendment Order means the COVID-19 Public Health Response (Air Border) Amendment Order 2022

first amendment means an amendment made by a provision of the Amendment Order that commences at 11.59 pm on 2 March 2022

second amendment means an amendment made by a provision of the Amendment Order that commences at 11.59 pm on 4 March 2022.

Schedule 1 clause 3: inserted, at 11.59 pm on 2 March 2022, by clause 6(2)(a) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).

Part 3

Provisions relating to COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022

Schedule 1 Part 3: inserted, at 11.59 pm on 20 June 2022, by clause 9(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

4 Order as amended does not apply to persons or flights that depart before relevant amendments commence

(1) This clause applies to a person if they arrive in New Zealand at or after 11.59 pm on 20 June 2022—

- (a) on a direct flight, if it departed for New Zealand before that time; or
- (b) on a multi-leg journey to New Zealand, if the first flight of the journey departed before that time.

(2) This order, as in force immediately before the commencement of the amendment order, continues to apply to the person.

(3) In this clause,—

amendment order means the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022

multi-leg journey, in relation to a person, means the 2 or more flights that—

- (a) carry the person to New Zealand from another country; and
- (b) are each ticketed with a specified departure and arrival place, date, and time for each flight; and

(c) are not separated by more than 72 hours (as measured from the arrival time of a flight and the departure time of the next flight in the journey).

Schedule 1 clause 4: inserted, at 11.59 pm on 20 June 2022, by clause 9(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 4

Provisions relating to COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022

Schedule 1 Part 4: inserted, at 11.59 pm on 12 September 2022, by clause 16(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

5 Order as amended does not apply to persons or flights that depart before relevant amendments commence

(1) This clause applies if a person arrives in New Zealand at or after 11.59 pm on 12 September 2022—

- (a) on a direct flight, if it departed for New Zealand before that time; or
- (b) on connecting flights to New Zealand, if the first connecting flight departed before that time.

(2) This order, as in force immediately before the commencement of the amendment order, continues to apply to that person or flight until immediately after the person arrives in New Zealand.

(3) In this clause, **amendment order** means the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022.

Schedule 1 clause 5: inserted, at 11.59 pm on 12 September 2022, by clause 16(a) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Schedule 2
Groups of countries***[Revoked]*

cl 4

Schedule 2: revoked, at 11.59 pm on 12 September 2022, by clause 17 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Schedule 3

Exemptions from some COVID-19 provisions

cl 7(4)

The persons identified in the first column, and described in the second column, of the table below are exempt from the COVID-19 provisions specified in the third column of the table in the corresponding row.

Class of person	Description of class	Exemptions
New Zealand Defence Force members returning from service	Any person who is a member of the New Zealand Defence Force and is returning from service outside New Zealand	All COVID-19 provisions except for— (a) cl 12 (must have traveller pass); and (b) cl 23 (must make traveller declaration at certain times)
Persons arriving for unplanned emergency reasons	Any person who arrives in New Zealand due to an unplanned landing because of an emergency, such as a mechanical fault or a deep sea rescue	cl 12 (Must have traveller pass) cl 23 (Must make traveller declaration at certain times)

Schedule 3: amended, at 11.59 pm on 12 September 2022, by clause 18 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Schedule 3: amended, at 11.59 pm on 20 June 2022, by clause 10 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 3: amended, at 11.59 pm on 31 March 2022, by clause 9(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Schedule 3: amended, at 11.59 pm on 31 March 2022, by clause 9(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76).

Schedule 3: amended, at 11.58 pm on 27 February 2022, by clause 32(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 4

New Zealand-based aircrew members

cl 7

Part 1

Application

1 Application of this schedule

(1) This schedule applies to a New Zealand-based aircrew member who arrives in New Zealand by air, whether or not they enter New Zealand.

(2) *[Revoked]*

(3) This schedule does not apply to a New Zealand-based aircrew member if Schedule 10 (arrivals on aircraft turned back to New Zealand) applies to them.

Schedule 4 clause 1(2): revoked, at 11.59 pm on 20 June 2022, by clause 11(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 4 clause 1(3): inserted, at 11.58 pm on 27 February 2022, by clause 33(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

2 Part 2 of this schedule applies to all New Zealand-based aircrew members

Part 2 of this schedule specifies the COVID-19 provisions that apply to any New Zealand-based aircrew member.

Part 2

All New Zealand-based aircrew members

Clause	Brief description	Modification
	<i>Conditions to satisfy before, on, or after arrival</i>	
cl 29	Must answer to authorised officers	Schedule 4 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 19(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 30	Must produce evidence of compliance with COVID-19 provisions	Schedule 4 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 19(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 31	Must not provide false or misleading information or evidence	Schedule 4 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 19(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 4 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 19(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 4 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 19(5) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 4 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 11(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 4 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 11(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 4 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 11(6) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 4 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 11(8) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 4 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 8 of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).

Schedule 4 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 33(6) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 5

Overseas-based aircrew members

cl 7

Schedule 5 heading: replaced, at 11.58 pm on 16 January 2022, by clause 22(1) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Part 1

Application

1 Application of this schedule

- (1) This schedule applies to an overseas-based aircrew member who arrives in New Zealand by air, whether or not they enter New Zealand.
- (2) However, this schedule applies to them only if they are scheduled to depart from New Zealand as soon as is reasonably practicable after they arrive (and after they complete any stand-down time required by the Civil Aviation Authority of New Zealand or an equivalent international regulator for safety and well-being purposes).
- (3) This schedule does not apply to an overseas-based aircrew member if Schedule 10 (arrivals on aircraft turned back to New Zealand) applies to them.

Schedule 5 clause 1(1): amended, at 11.58 pm on 16 January 2022, by clause 22(2) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Schedule 5 clause 1(1): amended, at 11.58 pm on 16 January 2022, by clause 22(3) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Schedule 5 clause 1(2): inserted, at 11.58 pm on 27 February 2022, by clause 34(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 5 clause 1(3): inserted, at 11.58 pm on 27 February 2022, by clause 34(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

2 Part 2 of this schedule applies to all overseas-based aircrew members

Part 2 of this schedule specifies the COVID-19 provisions that apply to an overseas-based aircrew member to whom this schedule applies.

Schedule 5 clause 2: replaced, at 11.59 pm on 20 June 2022, by clause 12(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

3 Part 3 of this schedule applies to overseas-based aircrew members who have been in other countries

[Revoked]

Schedule 5 clause 3: revoked, at 11.59 pm on 20 June 2022, by clause 12(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 2

All overseas-based aircrew members

Schedule 5 Part 2 heading: replaced, at 11.59 pm on 20 June 2022, by clause 12(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Clause	Brief description	Modification
<i>Conditions to satisfy before, on, or after arrival</i>		
cl 24	Must provide, at certain times, information necessary to support public health response to COVID-19	Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 29	Must answer to authorised officers	Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 30	Must produce evidence of compliance with COVID-19 provisions	Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 31	Must not provide false or misleading information or evidence	Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(5) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 5 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 20(6) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 5 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 12(6) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 5 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 12(8) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 5 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 12(10) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 5 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 12(11) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 5 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 12(13) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 5 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 9(1) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 5 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 34(7) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Part 3

Overseas-based aircrew members who have been in other countries

[Revoked]

Schedule 5 Part 3: revoked, at 11.59 pm on 20 June 2022, by clause 12(14) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 6

Transit-only arrivals

cl 7

Part 1

Application

1 Application of this schedule

(1) This schedule applies to a person (a **transit-only arrival**) who—

- (a) arrives in New Zealand by air; and
- (b) does not enter New Zealand but remains, until they depart from New Zealand, on the airside of—
 - (i) their port of arrival; and
 - (ii) any other airport through which they transit.

(2) However, the person is not a **transit-only arrival** if either of the following applies to them:

- (a) Schedule 4 (New Zealand-based aircrew members);
- (b) Schedule 5 (overseas-based aircrew members);
- (c) Schedule 10 (arrivals on aircraft turned back to New Zealand).

Guidance note

A person who enters New Zealand ceases to be a transit-only arrival. They become subject to whichever of the other COVID-19 border requirements schedule applies to them.

Schedule 6 clause 1(2) guidance note: inserted, at 11.58 pm on 27 February 2022, by clause 35(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 6 clause 1(2) guidance note: amended, at 11.59 pm on 12 September 2022, by clause 21(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Schedule 6 clause 1(2)(b): amended, at 11.58 pm on 16 January 2022, by clause 23(a) of the COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2).

Schedule 6 clause 1(2)(c): inserted, at 11.58 pm on 27 February 2022, by clause 35(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

2 Part 2 of this schedule applies to all transit-only arrivals

Part 2 of this schedule specifies the COVID-19 provisions that apply to any transit-only arrival.

Part 2

All transit-only arrivals

Clause	Brief description	Modification
<i>Conditions to satisfy before, on, or after arrival</i>		
cl 29	Must answer to authorised officers	Schedule 6 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 21(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 30	Must produce evidence of compliance with COVID-19 provisions	Schedule 6 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 21(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 31	Must not provide false or misleading information or evidence	Schedule 6 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 21(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 6 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 13(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 6 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 13(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 6 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 35(4) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).
		Schedule 6 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 35(6) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 7 Relevant workers

[Revoked]

cl 7

Schedule 7: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 1 Application

[Revoked]

Schedule 7 Part 1: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

1 Application of this schedule

[Revoked]

Schedule 7 clause 1: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Part 2 of this schedule applies to relevant workers who have been in group 1 countries only

[Revoked]

Schedule 7 clause 2: revoked, at 11.59 pm on 20 June 2022, by clause 14(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

3 Part 3 of this schedule applies to relevant workers who have been in group 1 or 2 countries only

[Revoked]

Schedule 7 clause 3: revoked, at 11.59 pm on 20 June 2022, by clause 14(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

4 Part 4 of this schedule applies to relevant workers who have been in group 3 country

[Revoked]

Schedule 7 clause 4: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

5 Part 5 of this schedule applies to other relevant workers

[Revoked]

Schedule 7 clause 5: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 2
Relevant workers—A
[Revoked]

Schedule 7 Part 2: revoked, at 11.59 pm on 20 June 2022, by clause 14(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 3
Relevant workers—B
[Revoked]

Schedule 7 Part 3: revoked, at 11.59 pm on 20 June 2022, by clause 14(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 4
Relevant workers who have been in group 3 country
[Revoked]

Schedule 7 Part 4: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 5
Other relevant workers
[Revoked]

Schedule 7 Part 5: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Schedule 8
Arrivals from Antarctica***[Revoked]*

cl 7

Schedule 8: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Part 1
Application***[Revoked]*

Schedule 8 Part 1: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

1 Application of this schedule*[Revoked]*

Schedule 8 clause 1: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Part 2 of this schedule applies to all arrivals from Antarctica*[Revoked]*

Schedule 8 clause 2: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Part 2
Arrivals from Antarctica***[Revoked]*

Schedule 8 Part 2: revoked, at 11.59 pm on 12 September 2022, by clause 22 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Schedule 9 Ship crew members arriving to join ship

[Revoked]

cl 7

Schedule 9: revoked, at 11.59 pm on 20 June 2022, by clause 16 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 1 Application

[Revoked]

Schedule 9 Part 1: revoked, at 11.59 pm on 20 June 2022, by clause 16 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

1 Application of this schedule

[Revoked]

Schedule 9 clause 1: revoked, at 11.59 pm on 20 June 2022, by clause 16 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

2 Part 2 of this schedule applies to all persons

[Revoked]

Schedule 9 clause 2: revoked, at 11.59 pm on 20 June 2022, by clause 16 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 2 Ship crew members arriving to join ship

[Revoked]

Schedule 9 Part 2: revoked, at 11.59 pm on 20 June 2022, by clause 16 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 10

Arrivals on aircraft turned back to New Zealand

cl 7

Part 1

Application

1 Application of this schedule

This schedule applies to a person if—

- (a) they arrive in New Zealand by air; and
- (b) the aircraft on which they arrive did not land in a place outside New Zealand after it most recently departed from New Zealand (for example, it may have been necessary for the aircraft to return to New Zealand because of a mechanical fault).
- (c) *[Revoked]*

Schedule 10 clause 1(c): revoked, on 12 September 2022, by clause 23(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 2

Arrivals on aircraft turned back to New Zealand

Clause	Brief description	Modification
<i>Conditions to satisfy before, on, or after arrival</i>		
cl 29	Must answer to authorised officers	Schedule 10 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 23(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 30	Must produce evidence of compliance with COVID-19 provisions	Schedule 10 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 23(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 31	Must not provide false or misleading information or evidence	Schedule 10 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 23(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 10 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 23(5) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 10 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 23(6) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 10 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 17(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 10 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 13 of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 10 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 39 of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 11 General travellers—A

[Revoked]

cl 7

Schedule 11: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 1 Application

[Revoked]

Schedule 11 Part 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

1 Application of this schedule

[Revoked]

Schedule 11 clause 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Part 2 of this schedule applies to all arrivals

[Revoked]

Schedule 11 clause 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

3 Part 3 of this schedule applies to other persons

[Revoked]

Schedule 11 clause 3: revoked, at 11.59 pm on 20 June 2022, by clause 18(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 2 All arrivals (A)

[Revoked]

Schedule 11 Part 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 3 Persons other than New Zealand citizens (A)

[Revoked]

Schedule 11 Part 3: revoked, at 11.59 pm on 20 June 2022, by clause 18(12) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

**Schedule 12
General travellers—B***[Revoked]*

cl 7

Schedule 12: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Part 1
Application***[Revoked]*

Schedule 12 Part 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

1 Application of this schedule*[Revoked]*

Schedule 12 clause 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Part 2 of this schedule applies to all arrivals*[Revoked]*

Schedule 12 clause 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

3 Part 3 of this schedule applies to other persons*[Revoked]*

Schedule 12 clause 3: revoked, at 11.59 pm on 20 June 2022, by clause 19(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

**Part 2
All arrivals (B)***[Revoked]*

Schedule 12 Part 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

**Part 3
Persons other than New Zealand citizens (B)***[Revoked]*

Schedule 12 Part 3: revoked, at 11.59 pm on 20 June 2022, by clause 19(9) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 13 General travellers—C

[Revoked]

cl 7

Schedule 13: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 1 Application of this schedule

[Revoked]

Schedule 13 Part 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

1 Application of this schedule

[Revoked]

Schedule 13 clause 1: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Part 2 of this schedule applies to New Zealand citizens and relevant family members

[Revoked]

Schedule 13 clause 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

3 Part 3 of this schedule applies to other persons

[Revoked]

Schedule 13 clause 3: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 2 New Zealand citizens and relevant family members (C)

[Revoked]

Schedule 13 Part 2: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 3 Persons other than New Zealand citizens and relevant family members (C)

[Revoked]

Schedule 13 Part 3: revoked, on 12 September 2022, by clause 24 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Schedule 14 General travellers

cl 7

Schedule 14 heading: replaced, at 11.58 pm on 27 February 2022, by clause 43(1) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Schedule 14 heading: amended, on 12 September 2022, by clause 25(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Part 1 Application

1 Application of this schedule

This schedule applies to a person if—

- (a) no other COVID-19 border requirements schedule applies to them; and
- (b) they arrive in New Zealand by air.

Schedule 14 clause 1: amended, at 11.58 pm on 27 February 2022, by clause 43(2) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

2 Part 2 of this schedule applies to all arrivals

Part 2 of this schedule specifies the COVID-19 provisions that apply to a person to whom this schedule applies.

Schedule 14 clause 2: replaced, at 11.59 pm on 20 June 2022, by clause 21(1) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

3 Part 3 of this schedule applies to other persons

[Revoked]

Schedule 14 clause 3: revoked, at 11.59 pm on 20 June 2022, by clause 21(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Part 2 All arrivals

Schedule 14 Part 2 heading: replaced, at 11.59 pm on 20 June 2022, by clause 21(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 14 Part 2 heading: amended, on 12 September 2022, by clause 25(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Clause	Brief description	Modification
	<i>Conditions to satisfy before arrival</i>	
cl 12	Must have traveller pass	
	<i>Conditions to satisfy before, on, or after arrival</i>	
cl 23	Must make traveller declaration at certain times	
cl 24	Must provide, at certain times, information necessary to support public health response to COVID-19	

Clause	Brief description	Modification
cl 29	Must answer to authorised officers	Schedule 14 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 25(3) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 30	Must produce evidence of compliance with COVID-19 provisions	Schedule 14 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 25(4) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
cl 31	Must not provide false or misleading information or evidence	Schedule 14 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 25(5) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 14 Part 2: amended, at 11.59 pm on 12 September 2022, by clause 25(6) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).
		Schedule 14 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 21(7) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 14 Part 2: amended, at 11.59 pm on 20 June 2022, by clause 21(10) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).
		Schedule 14 Part 2: amended, at 11.59 pm on 18 March 2022, by clause 9(2) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 2) 2022 (SL 2022/75).
		Schedule 14 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 15(2) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 14 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 15(3) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 14 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 15(4) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 14 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 15(5) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 14 Part 2: amended, at 11.59 pm on 4 March 2022, by clause 15(6) of the COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49).
		Schedule 14 Part 2: amended, at 11.58 pm on 27 February 2022, by clause 43(7) of the COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47).

Part 3

Persons other than New Zealand citizens and relevant family members (Z)

[Revoked]

Schedule 14 Part 3: revoked, at 11.59 pm on 20 June 2022, by clause 21(11) of the COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194).

Schedule 15

Key safety standards

[Revoked]

cls 22, 38

Schedule 15: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

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1 Interpretation

[Revoked]

Schedule 15 clause 1: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

2 Must maintain physical distancing

[Revoked]

Schedule 15 clause 2: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

3 Must wear personal protective equipment

[Revoked]

Schedule 15 clause 3: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

4 Must remain airside in lay-over country unless staying in accommodation

[Revoked]

Schedule 15 clause 4: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

5 Must limit activities and contacts in lay-over country

[Revoked]

Schedule 15 clause 5: revoked, on 12 September 2022, by clause 26 of the COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256).

Dated at Wellington this 21st day of December 2021.

Hon Chris Hipkins,
Minister for COVID-19 Response.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 21 December 2021.

Notes**1 General**

This is a consolidation of the COVID-19 Public Health Response (Air Border) Order 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 Revocation Order 2022 (SL 2022/275): clause 3

COVID-19 Public Health Response (Air Border) Amendment Order (No 6) 2022 (SL 2022/256)

COVID-19 Public Health Response (Air Border) Amendment Order (No 5) 2022 (SL 2022/194)

COVID-19 Public Health Response (Air Border) Amendment Order (No 3) 2022 (SL 2022/76)

COVID-19 Public Health Response (Air Border) Amendment Order (No 2) 2022 (SL 2022/75): Part 1

COVID-19 Public Health Response (Air Border) Amendment Order 2022 (SL 2022/49)

COVID-19 Public Health Response (Air Border) Order 2021 Amendment Order 2022 (SL 2022/47): Part 1

COVID-19 Public Health Response (Air Border and Isolation and Quarantine) Amendment Order 2022 (SL 2022/2): Part 2