

## In-Confidence

Office of the Minister for COVID-19 Response

Cabinet

## Reconnecting New Zealanders with the World: Self-Isolation Pilot

### Proposal

- 1 This paper reports back on the design of the self-isolation pilot agreed by Cabinet as part of the Reconnecting New Zealanders work programme [CAB-21-MIN-0305 refers]. The purpose of the pilot is to explore some parts of the border, health, and Managed Isolation and Quarantine (MIQ) systems that will be needed to roll out self-isolation as one entry pathway for medium risk travellers.
- 2 This paper seeks:
  - 2.1 Agreement to elements of the design of the pilot, with final operational plans approved by me and significant operational decisions delegated to Reconnecting New Zealand Ministers, and
  - 2.2 Approval for costs of the pilot.

### Relation to government priorities

- 3 This paper supports the ongoing response to COVID-19 by setting out a pilot of one new travel pathway under the Reconnecting New Zealanders approach.

### Executive Summary

- 4 In August, Cabinet endorsed an approach that would introduce low, medium and high-risk pathways for travellers based on their COVID-19 risk under the Reconnecting New Zealanders with the World work programme. Cabinet also agreed to a self-isolation pilot.
- 5 Self-isolation, as part of a medium risk pathway, would allow more people to enter New Zealand and isolate either at home or in suitable rented accommodation. This would allow for greater freedoms for travellers, potentially lower costs, and reduce demand for places in MIQ.
- 6 A pilot is proposed to operate from October to December 2021.
- 7 The pilot is intended to test the systems and processes that would be needed to run self-isolation under the medium risk pathway. The pilot will operate under a lower domestic vaccination rate than will be in place at the time of a wider roll-out of self-isolation, and potentially while parts of New Zealand are still in Alert Level 2 or above. This means that the pilot must have strict public health-driven protocols in place to minimise the risk of introducing COVID-19 into the community, but still provide valuable insights into our options for the future.
- 8 The primary public health risk of the pilot is that self-isolation may increase the risk of spread of COVID-19 into the community, compared to the risk associated with participants entering MIQ.

- 9 I am proposing that the pilot seek to balance the objectives of Reconnecting New Zealanders, and the constraints on border, health and MIQ systems due to the current outbreak.

*Pilot design*

- 10 I propose that the pilot run between October and December, with a total cap of 150 participants. The pilot will only run where the region in which it is located is at an Alert Level of 2 or lower. Due to the current outbreak in Auckland, I consider that Christchurch is the most appropriate location for the pilot. However, I seek Cabinet's agreement to delegate decision-making on the inclusion of Auckland in the pilot, at a later date, to the Prime Minister and myself.
- 11 Officials advise that the strain on the health workforce in Auckland and the operational complexity of standing up and running the pilot across two regions in the proposed timeframes would risk the feasibility of the pilot, and increase the risk of COVID-19 to the public.
- 12 I also propose that Cabinet agree in principle to allow travel to all countries that are not designated very high risk. Although country risk is an important consideration, we also need to take into account both the risk of travel, and the viability of the pilot, in considering countries where New Zealanders are able to travel to. Moreover, the purpose of the pilot is to test onshore systems and processes, rather than our ability to accurately assess risk offshore. Officials will consider the overall risks posed by travellers and propose suitable mitigations.

*Participant selection*

- 13 I recommend that Cabinet confirm its previous in-principle decisions on the criteria for participant selection – fully vaccinated New Zealand citizens and residents (who are able to leave and re-enter), travelling to approved countries (ie non very high risk countries), with a self-isolation plan in place - aside from the criterion that requires participants to travel for less than 3 weeks.
- 14 I propose that the primary participants of the pilot are businesses, and seek Cabinet's views on the inclusion of Ministers, officials, and other individuals attending overseas events as New Zealand delegates.
- 15 Business participants will be selected through a public expressions of interest (EOI) process run centrally by MBIE. Places will be balloted by MBIE in a way that ensures an even spread across the travel window. MBIE will engage with stakeholders to ensure a diverse range of businesses are aware of the opportunity to submit EOIs for balloting.

*Requirements for participants*

- 16 When in self-isolation, participants will be required to remain at their accommodation for 14 days, not allow visitors, and comply with testing and monitoring requirements. Participants will need to have accommodation arrangements consistent with agreed guidance, and can only isolate alone, or with other participants in the same travelling party. To meet these requirements, participants may need to rent accommodation for the period of their self-isolation.
- 17 I am proposing that all participants agree to a compliance monitoring regime. There are three options for Cabinet to consider, including ankle or wrist bracelet electronic

monitoring technology, app-based monitoring technology, or random spot checks. I consider that the app-based technology is the best fit for the long-term operation of the pilot.

#### *Evaluation*

- 18** I will report back to Cabinet in February on provisional evaluation findings of the pilot. I expect the pilot to test a number of operational matters across the border system, delivery of services to people self-isolating, and the compliance monitoring regime. I also expect to evaluate participants' experience in travel and self-isolation, and those of other stakeholders (eg employers).
- 19** Due to the strict requirements of participants in self-isolation, the pilot will not necessarily test the efficacy of self-isolation at large in preventing transmission of COVID-19 into the community.

#### *Funding*

- 20** MBIE seeks funding of \$3.769 million in new operating funding for the self-isolation pilot (based on 150 participants).

#### **Background**

- 21** In August, Cabinet endorsed a risk based approach to Reconnecting New Zealanders based on three entry pathways for low, medium and higher-risk travellers, and invited the Minister for COVID-19 Response to report back on the design of a self-isolation pilot under the medium risk pathway [CAB-21-MIN-0305].
- 22** The ability to connect with the rest of the world is critical for our business links, and social connections. The Reconnecting New Zealanders work programme will seek to improve outcomes for New Zealanders by increasing our opportunities for travel, while aiming to preserve the gains that we have achieved through our Elimination Strategy.
- 23** Self-isolation would allow for more people who have a lower risk of COVID-19 to isolate in their own homes or suitable rented accommodation instead of entering MIQ. This would reduce the demand for MIQ, potentially reduce costs for travellers, and increase the freedoms and benefits that New Zealanders enjoy through travel.

#### *Purpose of the Pilot*

- 24** The purpose of the pilot is to test parts of the border, health, and MIQ systems that will be needed to inform the roll-out of self-isolation as one entry pathway for medium risk travellers. The pilot will allow us to test operational readiness and identify areas where further work is required to scale up the approach.
- 25** The pilot will not be able to tell us everything we need to know about the medium risk pathway. By its nature, the pilot is smaller in scale and operating in advance of the systems needed to deliver the medium risk pathway. Critically, it is a first step away from full MIQ for people entering New Zealand. However, conducting the pilot now will enable officials to glean lessons and test processes in advance of substantive policy or operational decisions in 2022.
- 26** The pilot is not intended to assess our ability to accurately assess risk offshore, nor is it intended to have a significant impact on the demand for MIQ places in 2021.

- 27 The pilot is part of a wider approach to informing the Reconnecting risk-based pathways, which has a number of concurrent workstreams. For example, New Zealand Customs is leading the development of the traveller health declaration system, and the Future Borders sprint process, which will enable the verification of travellers' health information, and the operationalisation of changes to border processes, respectively.
- 28 The Ministry of Health is piloting point of arrival testing, which may be used in conjunction with the self-isolation pilot to inform the logistics of delivering tests on arrival for medium risk travellers. Day 6/7 testing is also being rolled out in MIQ, and will be implemented for all returnees arriving after 30 September to inform the relative risks of different managed isolation lengths.
- 29 I consider that there will be further opportunities to test different aspects of risk-based pathways at different scales and locations in early 2022. Lessons can also be gleaned from self-isolation for people coming under one-way Quarantine-Free Travel (QFT) from the Pacific.

#### *Risk context*

- 30 The pilot will operate when vaccination levels are lower than they will be for the wider roll out of a medium risk entry pathway. The design of the pilot attends to this additional risk, inasmuch as possible, however it will increase the risk of introducing COVID-19 into the community. While I consider that on the whole this risk is acceptable, mitigations are required.
- 31 Accordingly, there are some limitations to the pilot that will cause it to look different than a future medium risk pathway. The design is more restrictive than what is intended for self-isolation in the future, but we will still learn critical information about the border system and processes, the delivery of services in self-isolation (eg testing), compliance monitoring, enforcement, and the participant experience.

#### **Self-Isolation Pilot Design Parameters**

- 32 Given the inherent risk associated with running a pilot of this nature, the design parameters of the pilot seek to balance the objectives of Reconnecting New Zealanders, the purpose of the pilot, and the constraints on border, health, and MIQ systems.
- 33 The design parameters are grouped across:
- 33.1 The overall pilot settings,
  - 33.2 The selection process for participants,
  - 33.3 The requirements placed on participants, and
  - 33.4 The approach to evaluating the pilot.

#### **Decision Making**

- 34 This pilot is a complex undertaking and requires that detailed operational plans be made. I am proposing that Cabinet agree the high-level parameters for the design of the pilot, that some significant operational decisions are delegated to the Reconnecting New Zealanders Ministerial Group (RNZMG), and that I will approve final operational plans undertaken by agencies.

- 35 MBIE is the lead agency for the pilot. The Ministry of Health and New Zealand Customs will also be required to support its design and delivery.
- 36 Officials will provide regular reporting on operational decisions (that are not otherwise delegated) to the RNZMG. The first report to RNZMG will be after the proposed Expressions of Interest (EOI) process has closed.

**Overall pilot settings.**

*Pilot dates*

- 37 I propose that the pilot take place from the end of October to December 2021.
- 38 Indicative timeframes are provided below. These dates are subject to change, and will not be finalised until completion of the pilot design.

EOI process goes live	Thursday 30 September
EOI process closes	Saturday 9 October
Ballot completed	Thursday 14 October
Successful applicants advised	Friday 15 October
Final approval of participants	At least one week before departure
Arrival window opens	Saturday 30 October
Final arrivals in New Zealand	Wednesday 8 December
Final travellers exit self-isolation	Wednesday 22 December

- 39 Given that these timeframes are extremely tight, any delay risks delivery of the pilot.

*Overall cap on participants*

- 40 I propose to cap the total number of participants in the pilot to 150. This cap reflects operational feasibility for border, health, and MIQ systems at this juncture.
- 41 I consider that there needs to be an even spread of participant arrivals across the pilot period (particularly given MIQ will be used as contingency in the event of the pilot being paused). Customs advise that Christchurch and Auckland Airports can accommodate a maximum of 10 pilot participants per flight under their current settings, which would allow for participants to be processed separately from other passengers after arrival (though further work may determine some degree of flexibility).
- 42 Additionally, 150 participants will be sufficient to fulfil the pilot's intended purpose, which is to test the systems and processes needed to run self-isolation. The 150-participant cap is considerably larger than the first tranche of the South Australia self-isolation pilot, which involved 50 Defence Force staff.

*Alert Levels*

- 43 The pilot will not go ahead if the region in which the pilot is located is at Alert Level 3 or higher. In the event of an Alert Level change to 3 or higher during the pilot, the pilot will be suspended. Pilot participants self-isolating during an Alert Level change to 3 or higher will remain self-isolating. Other participants would be guaranteed MIQ entry on return (including those participants offshore and those yet to depart).
- 44 The suspension of the pilot and having participants return into MIQ will reduce the strain on the local workforce to support people who are self-isolating. During a community outbreak there will be an increase in the number of people self-isolating,

which will draw on the same resources as the pilot, so I do not consider it appropriate to have more people entering self-isolation at that time.

*Location requirements*

- 45 I have considered different options for the location of the pilot. Pertinent considerations include proximity to airports with direct international connections, proximity to MIQ facilities, and proximity to health services.
- 46 I recommend that the pilot is located in Christchurch. While Auckland has the most international connections, I have significant concerns about the health and MIQ workforces in Auckland currently dealing with the domestic COVID-19 outbreak. Wellington Airport does not currently receive 'red' travellers, and so does not have the direct international connections required to support the pilot.
- 47 Christchurch has direct international links with Singapore (currently four Singapore Airlines flights arrive per week), so it is feasible that the participants in the pilot could organise to transit through Singapore.
- 48 I consider that participants' place of self-isolation should be limited to within 50km travel of Christchurch International Airport. Appendix 1 provides an indicative map of this boundary. This distance accounts for:
- 48.1 Proximity to MIQFs (in the event a participant tests positive for COVID-19),
  - 48.2 Proximity to health services (if required due to a COVID-19 or non-COVID-19 related medical event),
  - 48.3 MBIE-arranged transportation logistics (including mitigating against the need to stop before arriving at participants' places of self-isolation),
  - 48.4 Travel time required to conduct COVID-19 testing,
  - 48.5 District Health Board boundaries (so as to avoid cutting across them), and
  - 48.6 Likely availability of food delivery services (noting that participants will be required to confirm their ability to procure food via contactless delivery in their self-isolation plans).
- 49 Locating the pilot in Christchurch, with this distance requirement, and in concert with accommodation requirements (eg dwellings without shared ventilation or other household members – discussed further under 'self-isolation requirements'), may reduce EOIs, because participants will likely need to secure temporary rental accommodation. However, these constraints would likely be true of other locations.
- 50 In the future, people entering New Zealand to undertake self-isolation will likely do so via Auckland Airport given its greater international connections. It is also likely that there are a greater number of businesses interested in the pilot that are located in Auckland.
- 51 For these reasons, Cabinet could consider including Auckland in the pilot once it has returned to Alert Level 2 or lower.

52 s9(2)(g)(i)

s9(2)(g)(i)

- 53 My officials also advise that setting up and running the pilot in more than one location at the same time would risk delivery of the pilot in the current tight timeframes. Doing so would require doubling efforts related to consultation with key stakeholders (eg Iwi), logistics (eg arranging transportation, designing airport procedures), and procurement (eg of monitoring technologies). It would also be a significant drain on the health workforce – particularly in Auckland – to set up multiple testing and health check processes while the system is already under significant pressure. Given the range of circumstances under which participants may be required to enter MIQ (outlined under ‘contingency planning’), MIQ workers across numerous sites would need to be briefed on new procedures.
- 54 If Cabinet chooses to include both Auckland and Christchurch in the pilot, officials advise there is a high chance that stated timeframes for the pilot will not be achievable, that there will be operational disruption across health and MIQ workforces, and that the risk of spreading of COVID-19 to the community would increase.
- 55 At this time, I consider it appropriate for Cabinet to delegate decision-making on the inclusion of Auckland in the pilot to the Prime Minister and myself. Officials will undertake planning for expanding the pilot once Auckland has moved to Alert Level 2.

*Approved countries*

- 56 In order to limit the risk that participants are infected with COVID-19 while travelling, I consider that the risk of countries they travel to should be taken into account. However, in order for the pilot to be viable we also need to take into account what ability New Zealanders have to enter different countries or territories, and the health measures or quarantine they may face upon entry.
- 57 I propose that Cabinet agrees to approve travel for the purposes of the pilot to any country that is not considered very high risk. I consider that the combination of pre-departure testing, the selection process for participants (including the support of their employer), and the requirements for self-isolation are sufficient to minimise risk from all other countries.
- 58 In addition, before applications receive final approval, officials will consider the overall risks posed by travellers based on their itineraries, and propose suitable mitigations.

*Pacific QFT*

- 59 Officials note that in considering Pacific one-way QFT, CBC authorised the Prime Minister, Attorney-General, Minister for COVID-19 Response and the Minister of Immigration to have Power to Act to take further decisions if necessary on requiring New Zealand citizens returning from Samoa, Tokelau, Tonga and Vanuatu to submit a seven day self-isolation plan to the Ministry of Health, including meeting the requirements of having an COVID-19 test on arrival and on day five (CBC-21-MIN-0089).
- 60 As Samoa, Tokelau, Tonga and Vanuatu have all been assessed by the Director-General of Health as meeting the health requirements for QFT, and this arrangement

is currently in the implementation phase, I propose that arrivals from these countries not be included in the self-isolation pilot. Advice on any self-isolation measures to be applied to arrivals from these low-risk countries will be provided separately.

### *Contingency planning*

- 61** MIQ contingency will be reserved for all participants. MIQ contingency may be required in the event of an Alert Level change (and the pilot's suspension), change to a country's risk status (rendering it a very high risk country), if a participant presents as symptomatic upon arrival to New Zealand, if a participant breaches self-isolation requirements, or if the person tests positive for COVID-19. For this reason, officials will seek to stagger the arrival of participants across the pilot period. This contingency will not affect the availability of MIAS vouchers.

### **Selection process for participants**

#### *Eligibility*

- 62** Eligibility for the pilot is one of our key levers for mitigating risk.
- 63** I recommend that Cabinet confirm its previous in principle decisions on the criteria for participant selection:
- 63.1** New Zealand citizens and residents<sup>1</sup> who have been fully vaccinated in New Zealand with Cominarty (Pfizer-BioNTech COVID-19 vaccine) and have made a short trip away from New Zealand;
  - 63.2** Travelling to one of an approved list of countries (ie not a very high risk country);
  - 63.3** Able to supply a self-isolation plan as part of their application that meets the Ministry of Health's requirements.
- 64** Participants will be required to supply their self-isolation plan following balloting, and prior to their final verification (having indicated in their EOI that they will be able to do so).
- 65** I no longer consider that we need to limit the trip length to 3 weeks. This requirement is unnecessary from a public health perspective as individuals infected more than two weeks prior to returning to New Zealand are likely to have recovered prior to travel, resulting in the duration of time overseas not influencing the risk of infection on arrival in New Zealand.
- 66** In rescinding this requirement, and for an abundance of clarity, I seek Cabinet's confirmation that eligibility be limited to people who are in New Zealand at their time of application (as opposed to people who otherwise meet eligibility criteria, but are outside of New Zealand at that time).
- 67** I propose that the primary participants of the pilot are businesses with employees required to travel internationally for business purposes. I therefore expect the majority of places to be allocated to businesses.
- 68** I seek Cabinet's view as to whether we should also extend participation to Ministers, officials, and other individuals (eg iwi representatives, businesses, youth

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<sup>1</sup> Who have the ability to leave and re-enter New Zealand



representatives, non-government organisations) attending overseas events (examples listed in Appendix 2) as New Zealand Government delegates.

- 69** Prioritising places for business is consistent with the objectives of Reconnecting New Zealanders. The New Zealand business community is significantly invested in ensuring that travel connections with the rest of the world can be increased, while also minimising disruptions from community spread and lockdowns. Accordingly, I expect high levels of compliance with self-isolation requirements. I also seek Cabinet's view as to whether we should impose a duty on employers to take all reasonable steps to ensure their employees comply with self-isolation requirements. Failure to do so could result in employers being charged with an offence (see 'legal analysis' section for further discussion).
- 70** Affording a smaller allocation to Ministers, officials, and other individuals engaging in global events as New Zealand Government delegates is also consistent with the objectives of Reconnecting New Zealanders, in being at the table as the world begins to open up.

*Selection process*

**71** Officials have advised that there is significant interest in the pilot, with DPMC receiving over 1100 subscriptions for updates about the pilot. However, it is unclear whether demand for the pilot will exceed the cap of 150 places, noting that eligibility criteria and self-isolation requirements could dampen demand.

**72** Given the very tight timeframes for the pilot, officials are limited in their ability to run an assessment and prioritisation process. s9(2)(h)

**73** I propose that a public EOI process be run centrally by MBIE, whereby employers apply on behalf of their employees. Eligible EOIs would be balloted by MBIE, in a way that ensures an even spread across the travel window (ie by week). MBIE would engage with stakeholders to ensure a diverse range of businesses (eg iwi-led businesses) were aware of the opportunity to submit EOIs for balloting.

**74** s9(2)(h)

**75** Business NZ has expressed comfort with the proposed option to ballot eligible EOIs.

**76** I expect that employers will be required to provide a range of declarations in their applications (eg that employee travel is for legitimate business purposes, and needs to be conducted overseas).<sup>2</sup> If sole traders are eligible to submit an EOI, they will need to complete declarations on their own behalf, which removes a layer of assurance.

<sup>2</sup> A false declaration, made pursuant to the Oaths and Declarations Act 1957, provided in the context of an application constitutes an offence under the Crimes Act 1961.

- 77 Should Cabinet decide to extend participation to Ministers, officials, and other individuals attending overseas events as New Zealand Government delegates, I would invite Cabinet to specify how many pilot places should be reserved for these participants, and delegate selection of these participants to the Prime Minister and myself.
- 78 Once MBIE has completed requisite approval processes, it will report the final list of participants to the RNZMG for their information.

### **Operationalisation of end-to-end journey**

#### *Transit*

- 79 Officials will need to consider how the pilot participants will safely travel en route, enter the red pathway at the airport and partially move through that process before being separated off from other 'red' travellers, collect their luggage, and safely move through the airport to their transportation that will take them to their accommodation. This will require working with airlines and airports on how to do this feasibly and safely.

#### *Transportation*

- 80 Given the risks associated with the pilot, I recommend that transportation to participants' place of self-isolation be arranged by MBIE. I do not consider that allowing passengers to use their own transport is appropriate at this time.
- 81 I also do not recommend domestic transfers by air or land to other parts of the country, as this increases the risk, complexity and cost of the pilot, especially to support participants outside of main centres where there are MIQ facilities. This option could be reconsidered as part of the medium risk pathway next year. Chartering domestic red flights from other airports (eg Auckland to Christchurch) would involve logistical challenge s9(2)(b)(ii)

### **Requirements for participants in self-isolation**

- 82 Participants will be legally required to comply with self-isolation requirements. I propose that Cabinet agree the high-level requirements of participants in self-isolation, with final detail to be determined by me, on the advice of MBIE and MoH.
- 83 In order to participate in the pilot, participants must:
- 83.1 have travel arrangements consistent with agreed guidance, and
  - 83.2 have accommodation arrangements either at home or in temporary rental accommodation consistent with agreed guidance (eg private dwelling, no shared ventilation).
- 84 Whilst in self-isolation, participants will be required to:
- 84.1 remain in their place of self-isolation for 14 days,
  - 84.2 be alone, or with other participants from the same travelling party,

- 84.3 not allow any visitors to enter the premises, aside from medical staff for testing purposes, and emergency or other essential services if required (eg fire, ambulance, New Zealand Police, plumbing)<sup>3</sup>
- 84.4 comply with all testing requirements set out by MoH, and
- 84.5 comply with all monitoring requirements.
- 85** If a participant fails to comply with self-isolation requirements, they could be a) required to enter MIQ (at their own cost), and b) charged under existing COVID-19 legislation. I also seek Cabinet's view as to whether we should impose a duty on employers to take all reasonable steps to ensure their employees comply with self-isolation requirements.

*Isolating with household members*

- 86** I consider that permitting participants to self-isolate with others who haven't travelled with them could make the pilot more accessible, particularly for those who usually live with other household members.
- 87** However, there is an increased risk of exposure to COVID-19 in household members (approximately 50% in the current outbreak), and of non-compliance (insofar as all household members would be subject to the same requirements as participants). Additional MIQ contingency would need to be reserved for household members. For these reasons, I do not recommend allowing participants to self-isolate with household members. They could, however, be permitted to isolate with members of the same traveling party.

*Testing, health, and welfare checks*

- 88** Given that participants fall under the purview of the COVID-19 Public Health Response (Air Border Order) 2020, they will be required to complete pre-departure testing, unless they are travelling from a country exempted from that requirement.
- 89** Once in self-isolation, testing requirements will be no less frequent than those of people in MIQ.
- 90** Health and welfare checks will be conducted on people in self-isolation, to be agreed by MoH. These checks may be conducted through technology (email or app) rather than by phone or in person.

*Interface with pilot of point of arrival rapid testing*

- 91** MoH is investigating how point of arrival testing can be established. As an initial step, I have agreed that MoH will establish a small-scale trial of rapid testing methods at the point of arrival into New Zealand. The intention is to test a subset of participants in the self-isolation pilot using point of arrival testing trial, however it is unknown whether it will be feasible to incorporate point of arrival testing into this pilot.

*Compliance mechanisms*

- 92** I consider that some form of compliance monitoring of participants is required due to the level of risk involved in the pilot. As there is a risk that participants have COVID-

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<sup>3</sup> Protocols are to be developed regarding a) alerting emergency services to the fact that people are participants in the self-isolation pilot, and b) requirements of people performing other essential services (eg vaccination and testing).

19, and the population is still vulnerable to outbreaks, it is important to monitor participants' movements.

**93** I propose that all participants are required to comply with a monitoring regime. There are three monitoring options for Cabinet to consider:

93.1 **Option 1: Electronic monitoring using a lightweight wrist or ankle bracelet** capable of GPS tracking if the participant moves outside a set range from their self-isolation location. This option provides a high level of assurance, insofar as it monitors the location of the person wearing the bracelet at all times. However, this option requires more 'hands on' management (ie to fit and remove the device), may be of limited acceptability to participants, and is likely to be more resource-intensive to scale (beyond the pilot).

93.2 **Option 2: Electronic monitoring using a smartphone app** that uses GPS monitoring and biometric facial recognition to verify the participant is at their self-isolation location. This option would provide a medium level of assurance, insofar as a participant's location would only be verified at the time of a 'ping' to their phone. If a participant left their place of self-isolation without their phone, their movements would not be immediately known. Such breach would only be determined if their phone was 'pinged' during the time the participant was away and failed to respond in the required timeframe.

93.3 **Option 3: Conducting regular and random phone-based checks.** This option would provide a low level of assurance, insofar as there would be no certainty that a participant is where they say they are, or if they have remained in their place of self-isolation, except when field-based checks are made. Whilst this option may be easiest to pursue at pace, it would be resource-intensive, and therefore potentially limited in its scalability.

**94** Officials also considered investigating the capabilities of the Emergency Caller Location Information (ECLI) Service – currently used to locate 111 callers – to monitor the location of each participant's mobile device. This option was disregarded due to time constraints of the pilot.

**95** None of the above options would be able to monitor for visitors to the residence, nor are there implementable technologies that could monitor for this.

**96** Any electronic monitoring technology chosen would need to meet stringent government security, data handling and privacy requirements.

**97** It is difficult to make a direct comparison with current 'monitoring' costs in MIQ. The per-participant costs of each electronic monitoring option are expected to be ~\$2,000 for the ankle or bracelet option and ~\$2,760 for the app (based on 150 participants all being monitored by the same option). These costs are relatively high because quotes are based on a small-scale pilot (whereas costs may reduce considerably at scale).

**98** I recommend that we pursue electronic monitoring using a smartphone app for the purposes of the pilot. Whilst electronic monitoring using a lightweight wrist or ankle bracelet may provide a greater level of assurance, officials consider that app-based technology (whether the specific app used for the purposes of this pilot, or another app) has greater scalability.

- 99 The phone-based app would be supplied by the current providers of Corrections' home detention monitoring service. Breaches would be escalated to the New Zealand Police as necessary.
- 100 It is important that Cabinet is aware that the smartphone app option carries implementation risks. The app has not yet being published on any New Zealand app stores (eg Apple App Store, Google Play). To date, it has only been published in North America. s9(2)(g)(i)
- 101 The provider of the app-based option is seeking to publish the app so that it is available through a recognised app store in New Zealand. In the event this is not possible in required timeframes, mobile devices with the app already loaded by the provider could be given to participants at the airport for their period of self-isolation (noting this measure would involve additional cost).
- 102 I invite Cabinet to rank its preferred monitoring options, in the event the smartphone app option cannot be finalised in time for participants' return. I understand Cabinet may also wish to pursue multiple monitoring options. It is important to note, however, that doing so will place pressure on MBIE's ability to stand-up compliance monitoring within the pilot's tight timeframes, and increase costs (due to loss of scale).

Further information is available on the MIQ website: <https://www.miq.govt.nz/travel-to-new-zealand/self-isolation-pilot/>

#### *Participant fees*

- 103 I do not intend to recover costs from pilot participants. Due to the nature of self-isolation, and accommodation requirements for the pilot, costs will be shifted to participants (eg accommodation if rental property is used, food costs). Given these potential costs, I consider that charging for participation may reduce EOIs.
- 104 However, should Cabinet seek to recover costs from participants, my officials advise that relevant costs could include:
- 104.1 Monitoring: ~\$2,760,
  - 104.2 Transport: ~\$310, and
  - 104.3 Consumables (such as personal protective equipment, sanitiser, signage, information packs): ~\$550.
- 105 These three costs total ~\$3,620 (excluding GST) per participant. These costs would likely reduce at scale (ie in the course of a future rollout of self-isolation). In any event, this combined cost is greater than the MIQ fee of \$2,696 (excluding GST) for liable New Zealand citizens and Permanent Residents (which does not reflect full cost recovery).
- 106 Alternatively, Cabinet could decide to combine some of these costs. Cost recovering \$1000 (the approximate costs of transport and consumables) may be an appropriate alternative. These costs would be recovered by MBIE on a contractual basis, outside of the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020.
- 107 I propose that in the event a participant is required to enter MIQ:
- 107.1 Because they breach conditions of their self-isolation – they **will** be liable for MIQ fees

- 107.2 Because they test positive for COVID-19 – they **will not** be liable for MIQ fees (analogous to treatment of community cases, and in the interests of ensuring participants are not dissuaded from disclosing symptoms)
- 107.3 Because the pilot is suspended prior to their departure or while they are overseas due to an Alert Level change – they **will** be liable for MIQ fees
- 107.4 For other contingency-related reasons beyond participants' control – decisions will be taken as context demands.

## Evaluation

- 108 I propose that an evaluation and reporting approach be developed by MBIE in consultation with MoH for my agreement. This will include the specifics of what is being evaluated and any associated metrics.
- 109 Due to the limitations of scale and design of the pilot to ensure the public's safety, I do not expect to assess every aspect of the self-isolation in the pilot for readiness for rollout as a medium risk entry pathway.
- 110 I expect that the pilot will test the operational readiness of the system for self-isolation, and inform where processes will need to change for a wider scale roll-out. This includes processes at the border, services required for people in self-isolation including things like transit to their accommodation, and delivery of testing services.
- 111 I also expect to test the participants' experience in self-isolation. We will be informed by the ease by which participants can either isolate at home, compared to those isolating in rented accommodation, and their experience with access to contactless delivery services for things like food. We will also be able to determine the effectiveness of the agreed monitoring technology, and the experience for the user.
- 112 I will report back to Cabinet in February on provisional evaluation findings, and further work required to investigate the roll out of self-isolation to the general public.
- 113 I will report back on:
  - 113.1 The border system and processes,
  - 113.2 The delivery of services in self-isolation,
  - 113.3 Monitoring, compliance and enforcement,
  - 113.4 The participant experience, and
  - 113.5 The experience of other stakeholders.

## Limitations of the pilot

- 114 As New Zealand is in the process of vaccinating the public, and maintains an elimination strategy, our priority for the design of the pilot is to limit the risk of COVID-19 further entering the New Zealand public.
- 115 The timing of the pilot means that infrastructure key to the wider rollout of self-isolation as a medium risk entry pathway will not be fully instituted in time (eg the traveller health declaration system).

- 116** The pilot is limited in its scalability for the medium risk entry pathway. What is operationally feasible for a capped number of participants may not necessarily reflect what is operationally feasible for a higher number of travellers in some areas.
- 117** The pilot is also limited in its replicability. Business participants will not necessarily be representative of the general public.

### **Legal Analysis**

#### *Adding a Part to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020*

- 118** To give legal effect to the pilot, a new part will be added to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020. This part will effectively:
- 118.1 Exempt a person from MIQ,
  - 118.2 Set out self-isolation requirements for participants (eg to remain at their place of self-isolation for 14 days, submit to COVID-19 testing),
  - 118.3 Require a participant who fails to comply with these requirements to enter MIQ, at their own cost, and
  - 118.4 Prohibit unauthorised persons (eg members of the public) from entering a pilot participant's place of self-isolation.
- 119** I seek Cabinet's view as to whether we should also impose a duty on employers to take all reasonable steps to ensure their employees comply with self-isolation requirements. There is a comparable duty on PCBUs in the COVID-19 Public Health Response (Required Testing) Order 2020 to facilitate the compliance of affected persons employed or engaged by the PCBU with testing and medical examination requirements. Breaching this duty is an infringement offence.
- 120** Under this new part, a person (whether that be a participant, an unauthorised person, or an employer) would commit an offence if they intentionally failed to comply with a requirement or duty. They would be liable on conviction to imprisonment for a term not exceeding six months, or a fine not exceeding \$4,000.
- 121** If we elect to recover costs from participants, such requirement would also be set out in this part, and recovered on a contractual basis by MBIE.
- 122** Consequential amendments to the COVID-19 Public Health Response (Air Border) Order 2020 may also be required to give legal effect to the pilot (eg exempting participants from the requirement to have a confirmed MIAS allocation on arrival).
- 123** My officials advise that amending Orders in this way will require significant work at pace. Any delay in Cabinet's decision-making will constrict policy development and drafting and risks the pilot commencing without legal effect. In this situation, participants would need to be granted exemptions to MIQ, with conditions imposed on that exemption (ie self-isolation requirements). There would be no recourse to offence provisions for unauthorised persons entering a place of self-isolation, nor a duty placed on employers.

## Privacy Analysis

- 124** Officials are exploring the pilot's information sharing and privacy implications. The key privacy issues are likely to arise in two areas; as part of self-isolation plans, and in relation to compliance monitoring.
- 125** Self-isolation plans may require that participants share details of their homes and households, including family members if they are able to isolate with the participants.
- 126** Compliance monitoring options require contact with participants at unknown times of the day. This could also require a geo-location to be provided during the spot check. The alternative option of using the full-time ankle bracelet monitoring technology would be significantly more invasive than spot-checks for compliance.
- 127** There are a number of Privacy Act obligations to be met by relevant government agencies as the detailed design of the pilot is progressed. For example, participants will need to be told in advance of any collection of their personal information, the purpose(s) for which their personal information will be used, and the intended recipients of their personal information. Officials will consider the consequences if all/ any part of the required information is not provided.
- 128** The provision of personal information is a mandatory element of participation in the pilot, which will be based on voluntary participation. This means that the personal information required will be given by consent of the participants. s9(2)(h)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## Financial Implications

- 129** The overall cost of the pilot for 150 participants is estimated to be \$3.769 million (excluding health-related costs). These costs include:

Personnel and related costs	2.884m
Monitoring (based on app option, excluding cost of mobile devices)	0.414m
Transport	0.047m
Participant related consumables (eg PPE)	0.083m
One Off Charges (eg web forms)	0.342m
Total	3.769m

- 130** These costs are subject to change as the design of the pilot is finalised, and will need to be adjusted if Cabinet decides on other monitoring options.
- 131** MBIE is seeking a total of \$3.769 million<sup>4</sup> in new operating funding to fund the self-isolation pilot within the current financial year ending June 2022 from the COVID-19 Response and Recovery Fund established as part of Budget 2020.
- 132** The funding sought does not include health-related costs (eg for testing, health checks), because those elements of the pilot design have not yet been finalised.

<sup>4</sup> Assuming Cabinet agrees to a cap of 150 participants



Officials may need to seek further funding for health-related costs on completion of pilot design.

### **Legislative Implications**

- 133** An amendment to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 will be required to give legal effect to the self-isolation pilot.

### **Impact Analysis**

- 134** There are no legislative implications, therefore a regulatory impact statement is not required.

### **Population Impacts**

- 135** The use of a pilot will inform the wider reconnection approach for New Zealanders, and contribute to further the availability of safe international travel for all New Zealanders in the future.
- 136** Through its design the pilot will have inequitable access. Some of the principal impacts will be caused by the selection of participants, the cost of participation, and the self-isolation requirements.

#### *Selection of participants*

- 137** The selection criteria for participants in the trial is very limiting in terms of accessibility. The business travel focus will exclude much of the population from selection, insofar as the pilot will not be open for personal and family travel. Moreover, most employers will not need to have employees travelling internationally.

#### *Pilot requirements*

- 138** The recommended location of the pilot is restrictive. This will either restrict access to those outside of Christchurch, or increase the costs to those who will need to rent accommodation in Christchurch.
- 139** The inclusion of Auckland in the pilot would increase its accessibility, but it will also increase the impact on the local health and MIQ workforces. It could potentially impact the public should there be community transmission as a result of pilot. Auckland has been disproportionately impacted in health and economic terms by domestic outbreaks since August 2020.
- 140** The restrictiveness of the self-isolation requirements will likely be limiting. Some employers will be able to rent accommodation that fits the requirements for the pilot, but at a higher cost that may exclude some.

#### *Differences in cost to people arriving via MIQ versus self-isolation pilot*

- 141** Given that it is proposed participants not be charged, those people who enter New Zealand via MIQ will be treated differently from participants in terms of cost recovery (by virtue of needing to pay MIQ fees, unless eligible for a waiver).

### **Treaty Analysis**

- 142** Officials will ensure Māori and Māori business are aware of the opportunity to submit EOI for participating in the pilot.

### **Human Rights**

143 s9(2)(h) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**Consultation**

148 The Ministry of Health, New Zealand Customs, Crown Law, Treasury, New Zealand Police, the Ministry of Foreign Affairs and Trade, the Ministry of Transport, the Ministry of Justice, the Ministry of Social Development have been consulted in the development of this paper.

149 The paper was prepared jointly by DPMC and MBIE.

**Communications**

150 Public communications and engagement will be jointly agreed and undertaken between MBIE and DPMC. Participation interest in the pilot is very high. Timing of official announcements will need to be carefully synchronised with the ability to deliver supporting communications and engagement so as to keep stakeholders and the public well informed and reassured about the purpose and processes of the pilot.

**Proactive Release**

151 We intend to proactively release this paper and its associated minute within the standard 30 business days from the decision being made by Cabinet, with any appropriate redaction where information would have been withheld under the Official Information Act 1982.

**Recommendations**

The Minister for COVID-19 Response recommends that Cabinet:

- 1 Note the purpose of the self-isolation pilot is to explore some parts of the border, health, and MIQ systems that will be needed to roll out self-isolation as one entry pathway for medium risk travellers

- 2 Note the pilot will increase the risk of introducing COVID-19 into the community, compared to the risk associated with participants entering MIQ

### **Self-Isolation Pilot Design Parameters**

- 152 Note given the inherent risk associated with running a pilot of this nature, the design parameters of the pilot may be more restrictive than those used for a wider scale roll-out of self-isolation
- 153 Note MBIE is the lead agency for the pilot
- 154 Note the Ministry of Health and New Zealand Customs will also be required to support its design and delivery
- 155 Agree significant operational decisions are delegated to the Reconnecting New Zealanders Ministerial Group
- 156 Agree final operational plans be approved by the Minister for COVID-19 Response
- 157 Note officials will provide regular reporting on operational decisions (that are not otherwise delegated) to the Reconnecting New Zealand Ministerial Group

### *Overall pilot design*

- 158 Agree the pilot will operate from late October to December 2021
- 159 Note the Minister for COVID-19 Response recommends the pilot be limited to Christchurch due to the impacts of the current outbreak on the health and MIQ workforces and public in Auckland
- 160 Note that if Cabinet chooses to include both Christchurch and Auckland in the pilot at this time, officials advise the strain on the Auckland public health workforce and the operational difficulty of running the pilot in two regions concurrently could undermine the pilot and increase risk to the public
- 161 Agree that the pilot be located in Christchurch
- 162 Note that officials will undertake planning for expanding the pilot once Auckland has moved to Alert Level 2
- 163 Agree to delegate decision-making on the inclusion of Auckland in the pilot to the Prime Minister and the Minister for COVID-19 Response
- 164 Note that MIQ contingency will be reserved for pilot participants
- 165 Agree the pilot will be suspended in the event of an Alert Level change to 3 or higher in the region the pilot is located
- 166 Agree that pilot participants self-isolating during an Alert Level change to 3 or higher will remain self-isolating
- 167 Agree that other participants overseas or yet to depart during an Alert Level change to 3 or higher be guaranteed MIQ entry on return
- 168 Note that the arrival of participants must be staggered across the pilot period because MIQ contingency needs to be reserved and Christchurch and Auckland Airports can only accommodate 10 participants per flight
- 169 Agree that the number of participants be capped at 150

- 170 Agree to allow travel to all countries except very high risk countries
- 171 Note Samoa, Tokelau, Tonga and Vanuatu are not included in the self-isolation pilot as one-way Quarantine Free Travel is in the implementation phase

*Eligibility and selection process*

- 172 Confirm Cabinet's previous in principle decisions on the criteria for participant selection, that participants must be:
  - 172.1 New Zealand citizens and residents (who have the ability to leave and re-enter) who have been fully vaccinated in New Zealand with Cominarty (Pfizer-BioTNeCh COVID-19 vaccine) and have made a short trip away from New Zealand;
  - 172.2 Travelling to one of an approved list of countries (eg not a very high risk country);
  - 172.3 Able to supply a self-quarantine plan as part of their application that meets the Ministry of Health's requirements
- 173 Rescind Cabinet's in principle decision that trip length be no longer than 3 weeks
- 174 Confirm that eligibility be limited to people who are in New Zealand at their time of application for the pilot
- 175 Agree that the primary participants of the pilot are businesses with employees required to travel internationally for business purposes
- 176 Agree to include sole traders
- 177 Agree to extend participation to Ministers, officials, and other individuals (eg iwi representatives, businesses, youth representatives, non-government organisations) attending overseas events as New Zealand Government delegates
- 178 Indicate how many pilot places should be reserved for official delegation participants
- 179 Agree to delegate selection of official delegation participants to the Prime Minister and the Minister for COVID-19 Response
- 180 Agree that in selecting participants a public EOI process be run centrally by MBIE, whereby employers apply on behalf of their employees
- 181 Agree that MBIE ballot eligible EOIs in a way that ensures an even spread across the travel window
- 182 Note that MBIE will report the final list of participants to the to the Reconnecting New Zealand Ministerial Group when final approval processes are complete for its information

*Transportation*

- 183 Agree that MBIE arrange transportation to participants' place of self-isolation

*Requirements in self-isolation*

- 184 Agree that, in order to obtain final approval to participate in the pilot, participants must:

- 184.1 have travel arrangements consistent with agreed guidance, and
- 184.2 have accommodation arrangements consistent with agreed guidance (eg dwelling house with no shared ventilation), and

**185** Agree that, in self-isolation, participants be required to:

- 185.1 remain on the premises of their isolation accommodation for 14 days, and
- 185.2 isolate alone, or with other participants from the same travelling party, and
- 185.3 not allow any visitors to enter the premises, aside from medical staff for testing purposes, and emergency or other essential services if required (eg fire, ambulance, police, plumbing) and
- 185.4 comply with all testing requirements set out by MoH, and
- 185.5 comply with all monitoring requirements

*Isolating with household members*

**186** Agree that participants not be allowed to self-isolate with household members

*Compliance mechanisms*

**187** Note that pursuing multiple monitoring options will place pressure on MBIE's ability to stand-up compliance monitoring within the pilot's tight timeframes, and increase costs

**188** Agree to rank its preference for participants to either:

- 188.1 Wear a lightweight ankle or wrist bracelet capable of GPS tracing,

**And / or**

- 188.2 Comply with electronic monitoring using a smartphone app (recommended)

**And / or**

- 188.3 Comply with regular and random phone-based checks

*Participant fees*

**189** Agree to either:

- 189.1 Not recover costs from participants (recommended)

**Or**

- 189.2 Agree to cost recover \$1000 from participants (the approximate costs of transport and consumables)

**190** Agree that participants who enter MIQ:

- 190.1 Because they breach conditions of their self-isolation will be liable for MIQ fees
- 190.2 Because they test positive for COVID-19 will not be liable for MIQ fees
- 190.3 Because the pilot is suspended prior to their departure or while they are overseas will be liable for MIQ fees

- 190.4 Because of other contingency-related reasons will be exempt or liable for MIQ fees, subject to decision making as context demands

### **Evaluation**

- 191** Invite the Minister for COVID-19 Response to report to Cabinet on provisional evaluation findings in February
- 192** Note the design of the pilot will limit the value of the evaluation approach due to the risk measures required
- 193** Agree that the following aspects of the approach to self-isolation are evaluated:
- 193.1 The border system and processes,
  - 193.2 The delivery of services in self-isolation (eg testing),
  - 193.3 Monitoring, compliance and enforcement,
  - 193.4 The participant experience, and
  - 193.5 The experience of other stakeholders

### **Legal Analysis**

- 194** Note that an amendment to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 and consequential amendments to the will be required at pace to give legal effect to the pilot
- 195** Indicate whether a duty should be imposed on employers to take all reasonable steps to ensure their employees comply with self-isolation requirements
- 196** Note that any person would commit an offence if they intentionally failed to comply with a self-isolation requirement or duty in the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020
- 197** Note that such person would be liable on conviction to imprisonment for a term not exceeding six months, or a fine not exceeding \$4,000
- 198** Note that consequential amendments to the COVID-19 Public Health Response (Air Border) Order 2020 may also be required to give legal effect to the pilot
- 199** Note that any delay in Cabinet's decision-making will constrict policy development and drafting, and risks the pilot commencing without legal effect

### **Financial Implications**

- 200** Note that MBIE is seeking a total of \$3.769 million in new operating funding to fund the self-isolation pilot within the current financial year ending June 2022
- 201** Note that officials may need to seek further funding for health-related costs once the pilot design has been finalised
- 202** Approve the following changes to appropriations to provide for and give effect to the policy and recommendations above, with a corresponding impact on the operating balance and net core Crown debt:

Vote Building and Construction Minister for COVID-19 Response	\$m – increase /(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure: Isolation and Quarantine Management MCA					
Departmental Output Expenses: Operational Support (funded by revenue Crown)	3.301	-	-	-	-
Non-departmental Output Expenses: Delivery of Services	0.468	-	-	-	-
<b>Total Operating</b>	<b>3.769</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

- 203** Agree that any under-expenditure in the *Isolation and Quarantine Management* multi-category appropriation for MIQ be carried forward to the following financial year to recognise the uncertain timing of subsequent expenditure, with the final amount to be transferred confirmed as part of the baseline update process following the presentation of MBIE's audited financial statements
- 204** Note that funding is ring-fenced to MIQ and cannot be transferred to other appropriations, and that once MIQ winds down, any remaining funding is to be returned to the Crown
- 205** Agree that the proposed changes to all appropriations above be included in the 2021/22 Supplementary Estimates and that, in the interim, the increase be met from Imprest Supply
- 206** Agree that the expenses incurred in the above recommendations be charged to the COVID-19 Response and Recovery Fund established as part of Budget 2020

**Human rights**

- 207** s9(2)(h) [Redacted]

**Communications**

- 209** Note public communications and engagement will be jointly agreed and undertaken between MBIE and DPMC

- 210** Note timing of official announcements will be need to be carefully synchronised with the ability to deliver supporting communications and engagement so as to keep stakeholders and the public well informed and reassured about the purpose and processes of the pilot.
- 211** Note that any official announcements regarding the pilot will be made by Ministers

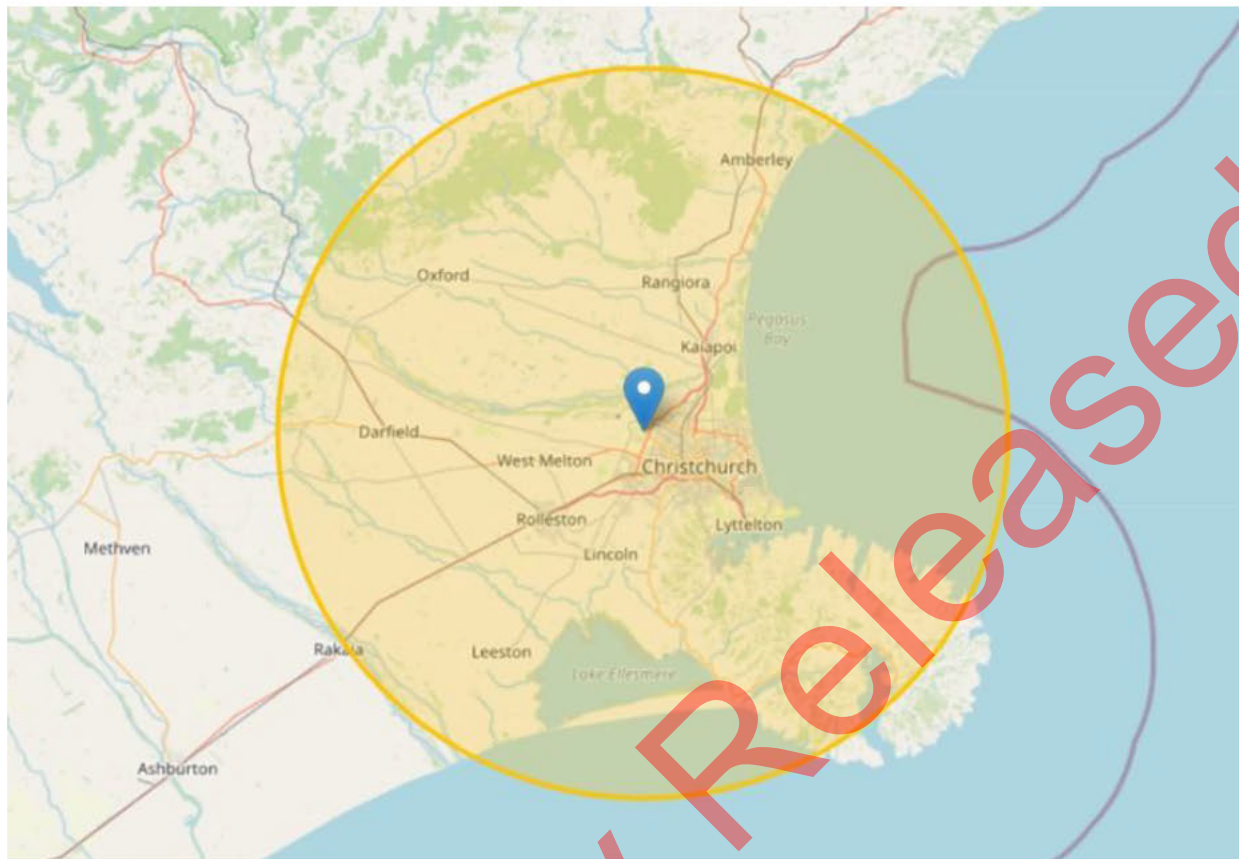
Hon Chris Hipkins  
**Minister for COVID-19 Response**

**212**

Proactively Released



### Appendix 1: 50km radius around Christchurch International Airport



Note: This map is indicative only. I propose that participants' place of self-isolation be limited to within 50km travel from Christchurch International Airport. The 50km radius does not necessarily translate to 50km travel. For example, this radius includes Akaroa, which is approximately 85km travel from Christchurch International Airport. For reference, Amberley is approximately 49km away, and Rakaia is approximately 55km away. **Appendix 2 – Overseas events for possible attendance by official delegations**

Event	Country
Expo 2020 (including possible MFA visit)	United Arab Emirates
COP 26	United Kingdom
Minister for Trade and Export Growth visits to US and Europe	EU, Switzerland, and United States
Aid Programme	Pacific Islands and others
International Law Commission Campaign	United States
World Geothermal Congress	Iceland



# Cabinet Social Wellbeing Committee

## Minute of Decision

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*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

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### Reconnecting New Zealanders with the World: Self-Isolation Pilot

**Portfolio**                      **COVID-19 Response**

On 22 September 2021, the Cabinet Social Wellbeing Committee **referred** the submission under SWC-21-SUB-0139 to Cabinet on 27 September 2021 for further consideration.

Rachel Clarke  
Committee Secretary

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**Present:**

Rt Hon Jacinda Ardern  
Hon Grant Robertson  
Hon Kelvin Davis  
Hon Dr Megan Woods  
Hon Chris Hipkins  
Hon Carmel Sepuloni (Chair)  
Hon Andrew Little  
Hon Nanaia Mahuta  
Hon Damien O'Connor  
Hon Kris Faafoi  
Hon Peeni Henare  
Hon Willie Jackson  
Hon Jan Tinetti  
Hon Dr Ayesha Verrall  
Hon Aupito Williams Sio  
Hon Meka Whaitiri  
Hon Priyanca Radhakrishnan

**Officials present from:**

Office of the Prime Minister  
Office of the SWC Chair  
Officials Committee for SWC



# Cabinet

## Minute of Decision

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### Reconnecting New Zealanders with the World: Self-Isolation Pilot

Portfolio                      COVID-19 Response

On 27 September 2021, Cabinet:

#### Purpose

- 1        **noted** that the purpose of the self-isolation pilot is to explore some parts of the border, health, and MIQ systems that will be needed to roll out self-isolation as one entry pathway for medium risk travellers;
- 2        **noted** that the pilot will increase the risk of introducing COVID-19 into the community, compared to the risk associated with participants entering MIQ;

#### Self-Isolation Pilot Design Parameters

- 3        **noted** that, given the inherent risk associated with running a pilot of this nature, the design parameters of the pilot may be more restrictive than those used for a wider scale roll-out of self-isolation;
- 4        **noted** that MBIE is the lead agency for the pilot;
- 5        **noted** that the Ministry of Health and New Zealand Customs will also be required to support its design and delivery;
- 6        **agreed** that significant operational decisions relating to the pilot are delegated to the Reconnecting New Zealanders Ministerial Group;
- 7        **agreed** that final operational plans for the pilot be approved by the Minister for COVID-19 Response;
- 8        **noted** that officials will provide regular reporting on operational decisions (that are not otherwise delegated) to the Reconnecting New Zealand Ministerial Group;

#### Overall pilot design

- 9        **agreed** that the pilot will operate from late October to December 2021;
- 10       **noted** that the Minister for COVID-19 Response recommends that the pilot be limited to Christchurch due to the impacts of the current outbreak on the health and MIQ workforces and public in Auckland;

- 11 **noted** that if Cabinet chooses to include both Christchurch and Auckland in the pilot at this time, officials advise the strain on the Auckland public health workforce and the operational difficulty of running the pilot in two regions concurrently could undermine the pilot and increase risk to the public;
- 12 **noted** that Ministers expect that the pilot will operate in a way that minimises the pressure on public health units, with the majority of the implementation work falling on other government agencies;
- 13 **agreed** that the pilot be located in Christchurch and Auckland;
- 14 **noted** that MIQ contingency will be reserved for pilot participants;
- 15 **agreed** that pilot participants self-isolating during an Alert Level change to 3 or higher will remain self-isolating;
- 16 **agreed** that other participants overseas or yet to depart during an Alert Level change to 3 or higher be guaranteed MIQ entry on return;
- 17 **noted** that the arrival of participants must be staggered across the pilot period because MIQ contingency needs to be reserved and Christchurch and Auckland Airports can only accommodate 10 participants per flight;
- 18 **agreed** that the number of participants be capped at 150;
- 19 **agreed** to allow travel to all countries except very high risk countries;
- 20 **noted** that Samoa, Tokelau, Tonga and Vanuatu are not included in the self-isolation pilot as one-way Quarantine Free Travel is in the implementation phase;

#### Eligibility and selection process

- 21 **noted** that in August 2021, Cabinet agreed in principle, subject to further advice, that to be eligible for the self-quarantine pilot, participants will need to be:
- 21.1 New Zealand citizens and residents (who have the ability to leave and re-enter) who have been fully vaccinated in New Zealand with Cominarty (Pfizer-BioNTech COVID-19 vaccine) and have made a short trip away from New Zealand;
  - 21.2 travelling to one of an approved list of countries (e.g. not a very high risk country);
  - 21.3 able to supply a self-quarantine plan as part of their application that meets the Ministry of Health's requirements;
  - 21.4 travelling for a period of less than three weeks, with travel to be completed by the end of November 2021;
- 22 **confirmed** the decisions referred to in paragraphs 21.1 to 21.3 above;
- 23 **agreed** that the in principle decision referred to in paragraph 21.4 above **not be** progressed;
- 24 **agreed** that the primary participants of the pilot are businesses with employees required to travel internationally for business purposes;
- 25 **agreed** to include sole traders;

- 26 **agreed** to extend participation to Ministers and government officials attending overseas events as New Zealand government delegates;
- 27 **authorised** the Minister for COVID-19 Response to take decisions on how many pilot places should be reserved for official delegation participants;
- 28 **authorised** the Minister for COVID-19 Response to take decisions on the selection of official delegation participants;
- 29 **agreed** that in selecting participants a public expression of interest (EOI) process be run centrally by the Ministry of Business, Innovation and Employment (MBIE), whereby employers apply on behalf of their employees;
- 30 **agreed** that MBIE ballot eligible EOIs in a way that ensures an even spread across the travel window;
- 31 **authorised** the Minister for COVID-19 Response to take decisions on the criteria to be used by MBIE for prioritising the EOIs;
- 32 **noted** that MBIE will report the final list of participants to the to the Reconnecting New Zealand Ministerial Group when final approval processes are complete for its information;

#### Transportation

- 33 **agreed** that MBIE arrange transportation to participants' place of self-isolation;

#### Requirements in self-isolation

- 34 **agreed** that, in order to obtain final approval to participate in the pilot, participants must:
- 34.1 have travel arrangements consistent with agreed guidance;
  - 34.2 have accommodation arrangements consistent with agreed guidance (eg dwelling house with no shared ventilation);
- 35 **agreed** that, in self-isolation, participants be required to:
- 35.1 remain on the premises of their isolation accommodation for 14 days;
  - 35.2 isolate alone, or with other participants from the same travelling party;
  - 35.3 not allow any visitors to enter the premises, aside from medical staff for testing purposes, and emergency or other essential services if required (eg fire, ambulance, police, plumbing);
  - 35.4 comply with all testing requirements set out by the Ministry of Health;
  - 35.5 comply with all monitoring requirements;

#### Isolating with household members

- 36 **agreed** that participants not be allowed to self-isolate with household members;

#### Compliance mechanisms

- 37 **noted** that pursuing multiple monitoring options will place pressure on MBIE’s ability to stand-up compliance monitoring within the pilot’s tight timeframes, and increase costs;
- 38 **agreed** that to the following options for monitoring the compliance of participants:
- 38.1 comply with electronic monitoring using a smartphone app; and/or
  - 38.2 comply with regular and random phone-based checks;

**Participant fees**

- 39 **agreed** to cost recover \$1000 from participants (the approximate costs of transport and consumables);
- 40 **agreed** that participants who enter MIQ:
- 40.1 because they breach conditions of their self-isolation, will be liable for MIQ fees;
  - 40.2 because they test positive for COVID-19, will not be liable for MIQ fees
  - 40.3 because the pilot is suspended prior to their departure or while they are overseas, will be liable for MIQ fees;
  - 40.4 because of other contingency-related reasons, will be exempt or liable for MIQ fees, subject to decision making as context demands;

**Evaluation**

- 41 **invited** the Minister for COVID-19 Response to report to Cabinet on provisional evaluation findings in February 2022;
- 42 **noted** that the design of the pilot will limit the value of the evaluation approach due to the risk measures required;
- 43 **agreed** that the following aspects of the approach to self-isolation are evaluated:
- 43.1 the border system and processes;
  - 43.2 the delivery of services in self-isolation (eg testing);
  - 43.3 monitoring, compliance and enforcement;
  - 43.4 the participant experience;
  - 43.5 the experience of other stakeholders;

**Legal Analysis**

- 44 **noted** that an amendment to the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020 and consequential amendments will be required at pace to give legal effect to the pilot;
- 45 **agreed** that a duty should be imposed on employers to take all reasonable steps to ensure their employees comply with self-isolation requirements;

46 **noted** that any person would commit an offence if they intentionally failed to comply with a self-isolation requirement or duty in the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020;

47 **noted** that such persons would be liable on conviction to imprisonment for a term not exceeding six months, or a fine not exceeding \$4,000;

48 **noted** that consequential amendments to the COVID-19 Public Health Response (Air Border) Order 2020 may also be required to give legal effect to the pilot;

49 **noted** that any delay in Cabinet’s decision-making will constrict policy development and drafting, and risks the pilot commencing without legal effect;

**Financial Implications**

50 **noted** that MBIE is seeking a total of \$3.769 million in new operating funding to fund the self-isolation pilot within the current financial year ending June 2022;

51 **noted** that officials may need to seek further funding for health-related costs once the pilot design has been finalised;

52 **approved** the following changes to appropriations to provide for and give effect to the policy and decisions above, with a corresponding impact on the operating balance and net core Crown debt:

Vote Building and Construction Minister for COVID-19 Response	\$m – increase /(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure: Isolation and Quarantine Management MCA					
Departmental Output Expenses: Operational Support (funded by revenue Crown)	3.301	-	-	-	-
Non-departmental Output Expenses: Delivery of Services	0.468	-	-	-	-
<b>Total Operating</b>	<b>3.769</b>	-	-	-	-

53 **agreed** that any under-expenditure in the Isolation and Quarantine Management multi-category appropriation for MIQ be carried forward to the following financial year to recognise the uncertain timing of subsequent expenditure, with the final amount to be transferred confirmed as part of the baseline update process following the presentation of MBIE’s audited financial statements;

- 54 **noted** that funding is ring-fenced to MIQ and cannot be transferred to other appropriations, and that once MIQ winds down, any remaining funding is to be returned to the Crown;
- 55 **agreed** that the changes to appropriations above be included in the 2021/22 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 56 **agreed** that the expenses incurred in the above paragraphs be charged to the COVID-19 Response and Recovery Fund established as part of Budget 2020;

### Human rights

57 **noted** s9(2)(h) [REDACTED]

58 **noted** s9(2)(h) [REDACTED]

### Communications

- 59 **noted** that public communications and engagement will be jointly agreed and undertaken between MBIE and DPMC;
- 60 **noted** that the timing of official announcements will need to be carefully synchronised with the ability to deliver supporting communications and engagement so as to keep stakeholders and the public well informed and reassured about the purpose and processes of the pilot.
- 61 **noted** that any official announcements regarding the pilot will be made by Ministers.

Michael Webster  
Secretary of the Cabinet

*Secretary's note: This minute has been revised to clarify the decision on the location of the pilot (paragraphs 12 and 13 refer).*