



# Briefing

## ADVICE ON PRE-DEPARTURE TESTING FOR ARRIVALS FROM THE UK

To: Hon Chris Hipkins Minister for COVID-19 Response			
Date	23/12/2020	Priority	High
Deadline	23/12/2020	Briefing Number	DPMC-2020/21-406


### Purpose

1. Ministers with Power to Act agreed on 23 December 2020 in principle that pre-departure testing would be introduced for people coming from the United Kingdom, and subsequently from other identified high-risk countries to New Zealand, subject to Ministry of Health, and Crown Law advice.
2. This briefing provides that advice, as well as advice on the implementation of a pre-departure regime.

### Recommendations

3. **Note** that while there some advantages to pre-departure testing in terms of preventing people with detectable COVID-19 virus from travelling from the United Kingdom, agencies advise taking until mid-January to ensure that any legal requirement on arrivals can be implemented and communicated clearly.
4. **Note** that public health advice is that day zero/one testing could be implemented by 31 December 2020 and that it is the more reliable approach for identifying any additional infections from the UK.
5. **Note** the 9(2)(h) [REDACTED]
6. **Agree** to delay any announcement of pre-departure testing until officials can provide further advice on the risk that would be mitigated in this way, how it could be implemented and clear messages can be developed for affected travellers.

YES / NO

  
 Arati Waldegrave  
 Head of Strategy and Policy

23/12/2020

Hon Chris Hipkins  
 Minister for COVID-19 Response

...../...../2020

Contact for telephone discussion if required:

Name	Position	Telephone		1st contact
Arati Waldegrave	Head of Strategy and Policy, COVID-19 Group, DPMC	s9(2)(a)	s9(2)(a)	✓
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Minister's office comments:

- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to



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## Purpose

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7. Ministers with Power to Act agreed on 23 December 2020 in principle that pre-departure testing would be introduced for people coming from the United Kingdom, and subsequently from other identified high-risk countries to New Zealand subject to Ministry of Health, and Crown Law advice.
8. This briefing provides that advice, as well as advice on the implementation of a pre-departure regime.
9. In response to the preliminary evidence from the UK, officials recommend introducing day zero testing for incoming travellers from the UK. This can be announced tomorrow and implemented by 31 December 2020.

## Executive summary

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10. A new variant of SARS-COV-2 is circulating in the UK. There is evidence that this strain may have higher transmissibility, and is becoming more prevalent in within the UK, and potentially elsewhere.
11. The latest information is that passengers originating in the UK face increasingly significant hurdles in reaching New Zealand due to the policies of intermediate countries. Of the common routings to New Zealand, Hong Kong and Singapore have stopped direct flights from the United Kingdom. The UAE (Emirates and Etihad) already require pre-departure testing. Qatar does not currently require testing, but officials anticipate that this would change with increased risk. Other routings (e.g. Japan and United States) may be possible, but have small numbers of transiting passengers and are affected by changing requirements in those countries.
12. So, while we understand Ministers are concerned about the risks of infection arriving in New Zealand, the numbers are likely to be quite small, and the legal and other measures needed to give effect to this change are quite significant. We therefore suggest an alternative approach of proceeding with day 0/day 1 testing on arrival, with work to be done on how pre-departure testing could be implemented. Adding this measure can reduce risk with immediate effect while maintaining a proportionate response to risk for returning New Zealanders.

## Pre-departure testing has some benefits as a supplementary measure

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13. The World Health Organisation recognises the incubation period of COVID-19 as up to 14 days. Therefore, a person that has been exposed may not have virus detected on PCR for up to 12 days. It can take around 2 -3 days to become symptomatic (and for a test to read positive) after being infected with COVID-19. This means that any pre-

departure test, no matter how accurate, could give a negative result immediately upon departure, with the traveller becoming infectious during the flight or on arrival.

14. Pre-departure testing, as a supplementary measure, would reduce (but not eliminate) the chance that passengers are infected with COVID-19. A pre-departure requirement may also influence the behaviours of those seeking to travel, reducing their risk of contracting the virus in the period leading up to their scheduled pre-departure test.
15. Pre-departure testing can help identify people who have COVID-19. This relies on them having detectable COVID-19 virus at the time they are tested. To increase the effectiveness of pre-departure testing, the Ministry of Health recommends that only RT-PCR be used to test people, as others test do not offer the same confidence in results. This should be conducted within 72 hours prior to travelling. To be clear, the Ministry of Health does not believe that any other testing approaches should be used due to concerns about reliability of results.
16. The current testing technology does not sufficiently rule out the possibility that someone with a negative test doesn't have COVID-19. In particular, we cannot be confident they are COVID-19 free based on one negative result. For example, the Ministry of Health used pre-departure testing for some groups of travellers such as sporting teams. This experience has found it to be of limited utility. It did detect an historical infection in one member of the English Roses team (which would have posed no risk to others). The Pakistan cricket team undertook pre-departure testing, yet 6 players subsequently tested positive on arrival (4 at day 1 testing) or shortly after arrival in New Zealand.
17. The Ministry of Health's advice is in line with that of the World Health Organization (WHO) and the International Civil Aviation Organization. Pre-departure testing is currently not recommended by the WHO as travellers may still be exposed to COVID-19 between testing and arrival. Instead, the WHO encourages a combination of measures similar to those applied in New Zealand.

#### Implementation

18. 9(2)(h)

9(2)(h)

19. 9(2)(h)

20. 9(2)(h)



21. 9(2)(h)



22. 9(2)(h)



*Private testing is available*

23. Travellers leaving the UK can seek private tests there if their destination country requires one. Private testing processes, their accuracy, and the formats in which results are conveyed can vary. In addition, the UK Government does not certify providers and test results are not independently verified.

**Enforcement**

*Identification of those to be tested*

24. It is difficult to identify all passengers travelling from the UK to New Zealand prior to their arrival in the country. If a passenger has not booked their ticket as a whole journey, then it is very challenging for Immigration to identify those passengers as their initial embarkation point being the UK. Despite these limitations we understand that there are around 50 to 60 passengers entering New Zealand each day who have embarked in the UK.

25. There are no exit controls as such from the UK. In theory passengers can get to the gate of a departing flight without any official checking of their documents (except security). With there being no exit stamps, any questioning of passengers about point of embarkation would rely on passenger honesty which is not likely to be forthcoming if they know the consequence is a deny board.

*Managed Isolation and Quarantine management*

26. The implications of introducing pre-departure testing for travellers from the UK also has a significant flow on effect on the MIQ system. When travellers are unaware of the requirement for pre-departure testing and prevented from travelling, they will be unable to utilise any MIQ bookings, increasing the unused capacity in the system and deferring their use of the MIQ system until a later date. In addition, with the current limitations around MIQ availability, it could be several months until the traveller is able to rebook.

*Clarity around affected routes*

27. There are minimal routes available for those travelling from the UK as people who have been in the UK cannot transit the US. Singapore has stopped any transit from the UK and Hong Kong and China require testing. Therefore, the flights most likely for passengers to arrive on are via Doha and the UAE. This suggest a limited number if arrivals.

*Potential for Unintended Consequences*

28. s6(a)

29. Some other jurisdictions have required pre-departure testing, which has led to transit hubs refusing entry to nationals from those jurisdictions. s9(2)(ba)(i)

#### Ministry of Health comments on Day-0/1 Testing

30. The Ministry of Health considers that ***an additional precautionary step for travellers arriving from the UK to New Zealand could be testing on arrival (i.e. so-called "Day-0/1 testing")***. This Day 0/1 testing could, for example, be required when those passengers arrive at a MIQF. This would not require any change to existing Orders under the COVID Act.
31. Passengers could be asymptomatic when boarding the aircraft and catch COVID-19 in transit. As a result, positive test results would not likely occur until some days after arrival in New Zealand.
32. It might be ***possible to reduce the potential for infection during transit to NZ (which would otherwise render Day-0/1 testing invalid) by doubling physical distancing requirements*** for passengers embarking from the UK. Any Day-0/1 testing would be in addition to the established testing regime for passengers and the agreed risk mitigation measures for air crew.
- Even with Day-0/1 testing ***there is no assurance we have a fully reliable testing net in terms of catching the disease***, particularly if the new strain of COVID-19 has different incubation characteristics (although there is no evidence of this to date). It is difficult to identify all passengers travelling from the UK to New Zealand prior to their arrival in the country. If a passenger has not booked their ticket as a whole journey then it is very challenging for Immigration to identify those passengers as their initial embarkation point being the UK. Based on their best available data, 789 passengers arrived from the UK between 9 December and 23 December 2020 and the majority of these would have been in a Auckland managed isolation facility.
33. The following steps would be required to operationalise this policy:
- Arrivals who have been in the UK for the previous 14 days would be required to undertake a PCR test within 24 hours of arrival. They would also still be required to have day 3 and day 12 testing.
  - The Ministry of Health could introduce the following additional screening question to health screening at airport 'Have you been in the UK for the past 14 days?' If the answer is yes, they will be identified by health staff at the border in the Border Net system as part of the UK management plan. This will enable MIF staff to identify them and ensure they receive a test within 24 hours of arrival and we will be able to report compliance with this.



- In addition, the arrival card requires returnees to indicate all countries they have been in within past 30 days and this would provide a secondary check by Customs.
- To operationalise this, the Ministry of Health would need to:
  - Update Border Net to enable this group to be identified at the airport.
  - Communicate the updated requirements to staff and returnees
  - Update guidance.
  - The Ministry considers that these operations could commence by 31 December 2020.

**Crown Law Advice**

9(2)(h)

34. 9(2)(h)

35. 9(2)(h)

36. 9(2)(h)

37. 9(2)(h)

38. 9(2)(h)

[REDACTED]

39. 9(2)(h)

[REDACTED]

40. 9(2)(h)

[REDACTED]

41. 9(2)(h)

[REDACTED]

42. 9(2)(h)

[REDACTED]

9(2)(h)

43. 9(2)(h)

[REDACTED]

44. 9(2)(h)

[REDACTED]



9(2)(h)

45. 9(2)(h)

46. 9(2)(h)

### Next Steps

49. If you agree to day 0/1 testing, the Ministry of Health will clarify next steps on implementation with MBIE MIQ.
50. Further advice would be needed on how to give effect to the pre-departure testing requirement as agreed by Ministers with Power to Act, including legal mechanisms, clarity about testing regimes abroad, how passengers could provide proof of a negative test that would meet the legal requirement etc. Given the complexity, including the need to work with multiple air carriers and foreign governments, we would aim to provide this to you in mid-January 2021.

### Consultation

51. We have developed this advice working with the Ministry of Health, Crown Law Office, Ministry of Transport, Ministry of Foreign Affairs and Trade, MBIE and PAG. However, they have not been formally consulted on this advice, given the timeframes.

### Communications

52. We would advise taking a bit of time around making an announcement to ensure that there is sufficient detail about what is required and how to comply with it. This is particularly important in light of the existing problems arising with flight cancellations and the limited places in MIQ.