



BRIEFING

COVID-19: Request for exemption to border restrictions for an essential worker in the tissue paper manufacturing sector

Date:	12 June 2020	Priority:	High
Security classification:	In Confidence	Tracking number:	3431 19-20

Action sought		
	Action sought	Deadline
Hon Phil Twyford Minister for Economic Development	Agree that the s 9(2)(a) described in this briefing is an 'other essential worker', for the purpose of exceptions to border restrictions.	15 June 2020
Hon Ian Lees-Galloway Minister of Immigration	Copy for information only.	N/A

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Siân Roguski	Manager, Immigration Policy	s 9(2)(a)	
Iain Southall	Policy Director, Economic Development and Transitions		✓

The following departments/agencies have been consulted

Minister's office to complete:

☐ Approved

☐ Declined

☐ Noted

☐ Needs change

☐ Seen

☐ Overtaken by Events

☐ See Minister's Notes

☐ Withdrawn

Comments



BRIEFING

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Date:	12 June 2020	Priority:	High
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Purpose

This briefing seeks your agreement that an s 9(2)(a) in the tissue paper manufacturing sector is an essential worker for the purpose of an exemption from temporary border restrictions.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that on 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand and high-level parameters for case-by-case exemptions to these restrictions, including for 'other essential workers' identified by the Group of Ministers with Power to Act on COVID-19 matters [CAB-20-MIN-0122 refers].
- Noted*
- b **Note** that on 21 April 2020, the Group of Ministers with Power to Act agreed to delegate decision making on whether a worker is an "other essential worker", for the purpose of exceptions to border restrictions, to the Minister for Economic Development and the relevant portfolio Minister [Unnumbered Cabinet Minute]¹.
- Noted*
- c **Note** that officials have received a request from the tissue paper manufacturer, Asaleo Care New Zealand Limited, to allow a worker and his partner to enter New Zealand to perform the following essential tasks:
- a. Maintain and upgrade machinery to manufacture products such as tissue paper, consumer tissue, incontinence products, feminine hygiene products, and baby nappies at the Asaleo Care manufacturing plant in Kawerau, the only company in New Zealand that manufactures these goods.
- Noted*
- d **Note** that this requests are supported by the Ministry of Business, Innovation and Employment, as the worker is critical to ensure the continued supply of essential products.
- Noted*
- e **Agree** that the s 9(2)(a) is an essential worker for the purposes of an exception to border restrictions.
- Agree / ~~Disagree~~*
- f **Agree** that, due to the length of time the worker will be in New Zealand to perform the critical work, the partner of the worker may be considered for an exception to border restrictions.
- Agree / ~~Disagree~~*

¹ Unnumbered Minute from Meeting of the COVID-19 Ministerial Group, entitled *COVID-19: Request for Exemption to Temporary Border Restrictions for Essential Worker, and Proposal to Delegate Decision Making to Joint Ministers*.

- g **Note** that, on arrival in New Zealand, the worker and his partner will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days.

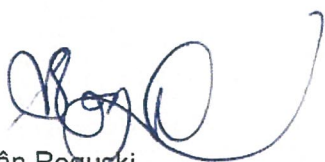
Noted

- h **Note** that all costs associated with the worker and his partner's accommodation and support in New Zealand, including quarantine or managed isolation will be met by Asaleo Care New Zealand Limited.

Noted

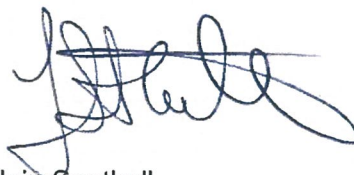
- i **Forward** this briefing to the Minister of Immigration for his information.

Agree / ~~Disagree~~



Siân Roguski
Manager Immigration Policy
Labour, Science and Enterprise Group
MBIE

11 / 06 / 20



Iain Southall
Policy Director
Economic Development and Transitions
MBIE

11 / 06 / 20



Hon Phil Twyford
Minister for Economic Development

15 / 6 / 20

Background

1. On 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand and high level parameters for case-by-case exemptions to these COVID-19 border restrictions including for 'other essential workers' identified by the Group of Ministers with Power to Act on COVID-19 matters [CAB-20-MIN-0122 refers].
2. On 21 April 2020, the Group of Ministers with Power to Act agreed to delegate decision making on whether a worker is an "other essential worker", for the purpose of exceptions to border restrictions, to the Minister for Economic Development and the relevant portfolio Minister [Unnumbered Cabinet Minute]²

We recommend that the s 9(2)(a) is classified as an essential worker

3. Officials have received a request from Asaleo Care New Zealand Limited (Asaleo Care), to enable an essential worker in the tissue paper manufacturing sector (and his partner) to enter New Zealand to provide critical capability for manufacturing key consumer goods. Asaleo Care is the only company in New Zealand that manufactures tissue paper, including toilet paper.

Assessment of information supporting classification as an essential worker

4. As requested by you, we have applied the following test to determine whether the worker is an essential worker:

- a. ***Whether individuals from overseas are critical for delivery of time critical projects or programmes that are of strategic economic importance***

The production of toilet paper and other sanitary products is of strategic economic importance to New Zealand, both to maintain supply locally and to maintain exports. New Zealand exports around s 9(2)(of toilet paper annually, around s 9(2)(of which is to Australia (Source, Stats NZ). Asaleo Care is the only company in New Zealand that manufactures toilet paper.

- b. **Whether international expertise, technical requirements or a unique talent is critical for success:**

s 9(2)(b)(ii)

- c. **Whether it is possible to redeploy workers already in New Zealand (or fill the position within New Zealand:**

s 9(2)(b)(ii)

² Unnumbered Minute from Meeting of the COVID-19 Ministerial Group, entitled *COVID-19: Request for Exemption to Temporary Border Restrictions for Essential Worker, and Proposal to Delegate Decision Making to Joint Ministers*.

s 9(2)(b)(ii)

d. **Whether there are already people performing these roles:**

Asaleo Care is currently operating the machines with caretaker managers and crews.

s 9(2)(b)(ii)

e. **The length of time the workers are likely to be in New Zealand:**

The role is an ongoing role.

5. Based on the above analysis, we recommend that you agree that the worker is essential for the functioning of the tissue paper manufacturing sector.
6. This request is supported by the Ministry of Business, Innovation and Employment as the worker is deemed to be critical to the provision of a range of essential goods and is critical for the supply chain of tissue paper.

We also support an exemption for the partner of the worker

7. Family members of essential workers may also be included for consideration for an exception to border restrictions on a case-by-case basis. The key matters for consideration in allowing exemptions for family members are:
 - a. the length of the time the worker is required for – requests should only include family members if the essential worker was expected to be in New Zealand for a significant period of time;
 - b. the number of family members an exemption is sought for – the starting point for consideration would be immediate family members – the partner and dependent children of the worker;
 - c. the long-term accommodation situation of the family – the worker and family may be returning to New Zealand to an established household in New Zealand.
8. Due to the length of time the worker is required in New Zealand we support an exemption for the partner of the essential worker.

The worker and partner will be quarantined on arrival in New Zealand in accordance with established procedures

9. On arrival in Auckland, the worker will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days.
10. All costs associated with the worker's and his partner's international and domestic travel, and managed isolation costs, will be met by Asaleo Care NZ Limited.

Next steps

11. If this request is approved, in accordance with Immigration Instructions, *H5: COVID-19 Support Restricted Temporary Entry Instructions*, the worker and his partner will be invited to apply for supported temporary visas or variations of conditions as essential workers.