



BRIEFING

Agreement to minor regulatory amendment to implement Immigration Response

Date:	3 February 2020	Priority:	High
Security classification:	In Confidence	Tracking number:	2215 19-20

Action sought		
	Action sought	Deadline
Hon Iain Lees-Galloway Minister of Immigration	Approve the attached paper and regulation for circulation to Ministers with Power to Act and consideration by Executive Council	3 February 2020
Prime Minister , Rt Hon Jacinda Ardern Minister of Foreign Affairs and Trade , Rt Hon Winston Peters Minister of Tourism , Hon Kelvin Davis Minister of Finance , Hon Grant Robertson Minister of Health , Hon David Clark Minister of Education , Hon Chris Hipkins	Approve the attached paper and regulation for consideration by Executive Council	3 February 2020
Minister of Transport Minister of Customs	For information	

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Siân Roguski	Manager, Immigration Policy	04 901 3855	Privacy of natural persons	✓
Christine Hyndman	Principal Policy Advisor	04 901 8575		

The following departments/agencies have been consulted
Ministry of Justice, DPMC

Minister's office to complete:

☐ Approved

☐ Declined

☐ Noted

☐ Needs change

☐ Seen

☐ Overtaken by Events

☐ See Minister's Notes

☐ Withdrawn

Comments



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Purpose

As discussed with the Minister of Immigration on 3 February 2020, a paper is attached which seeks agreement to a regulation change to enable Immigration New Zealand to require carriers to seek information from intending travellers before embarkation. This minor regulatory amendment implements part of the Immigration response to the current coronavirus (2019-nCoV) situation.

The agreement of Ministers with Power to Act is sought to the regulation change. If those Ministers agree to the change, the regulation will be considered by Executive Council today.

Recommended action

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

Minister of Immigration:

- a **Agree** to require carriers to provide to the Ministry of Business, Innovation and Employment information about every person who intends to board a craft, and who has been in a place of concern within the 14-day period before checking in, before boarding that person, to manage the risk of spread of 2019-nCoV;

Agree / Disagree

- b **Note** that, on 1 February 2020, Cabinet authorised a group of Ministers, comprising the Prime Minister, the Minister of Foreign Affairs, Minister of Tourism, Minister of Finance, Minister of Education, Minister of Health and Minister for Trade and Export Growth to have Power to Act to take decisions on New Zealand's response to the novel coronavirus outbreak and proposed enhanced border measures [CAB-20-MIN-0015];

Noted

- c **Agree** to circulate the attached paper and amendment regulation to Ministers with Power to Act;

Agree / Disagree

Ministers with Power to Act

- d **Approve** the recommendations set out in the attached paper *Minor Regulatory Amendment to Implement Immigration Response* and the attached *Immigration (Carriers' Information Obligations) Amendment Regulations 2020*; as below:

- 1 **note** that the Prime Minister has announced a range of short term changes to our border settings to manage risks arising from the novel coronavirus (2019-nCoV);
- 2 **agree** to require carriers to provide to the Ministry of Business, Innovation and Employment information about every person who intends to board a craft, and who has been in a place of concern within the 14-day period before checking in, before boarding that person, to manage the risk of spread of 2019-nCoV;
- 3 **invite** the Minister of Immigration to issue drafting Instructions to Parliamentary Counsel Office to amend the *Immigration (Carriers' Information Obligations) Regulations 2010* to implement the decision above;

- 4 **authorise** Ministers with Power to Act to:
- 4.1 approve the amended regulations;
 - 4.2 agree to any further changes required which are consistent with the policy outcomes sought;
- 5 **agree** to waive the 28-day rule in order that the amendments can come into effect on the day they are made; and
- 6 **agree** that, unless extended, this amendment will be automatically repealed on 30 April 2020.

Approved / Not approved

Rt Hon Jacinda Ardern
Prime Minister

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

03 / 02 / 2020
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Rt Hon Winston Peters
Minister of Foreign Affairs

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Hon Iain Lees-Galloway
Minister of Immigration

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Hon Kelvin Davis
Minister of Tourism

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Hon Grant Robertson
Minister of Finance

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Hon David Clark
Minister of Health

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Hon Chris Hipkins
Minister of Education

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**Annex One: Paper to Ministers with Power to Act: *Minor
Regulatory Amendment to Implement Immigration Response***

Proactively Released