

Hon Chris Hipkins

MP for Remutaka

Minister for COVID-19 Response

Minister of Education

Minister for the Public Service

Leader of the House



16 May 2022

Chuck Schooner
fyi-request-18907-09d99746@requests.fyi.org.nz

Ref: OIA0687

Dear Chuck Schooner

Official Information Act request for documents relating to proof of vaccination for non-New Zealand citizens

Thank you for your Official Information Act 1982 (the Act) request, transferred to this office on 12 April 2022. You requested:

“ Just a follow up on this - as per Government policy

- non-New Zealand citizens including New Zealand permanent residents need proof of vaccination to enter NZ*
- non-New Zealand citizens who are transiting New Zealand require proof of vaccination*
- foreign air crew arriving in New Zealand require proof of vaccination*

Proof of vaccination is not required for refugees or people entering from Ukraine amongst other groups - can you please provide all documentation collaborating with The Ministry of Health relating to the following

- Documents, reporting, risk assessments and recommendations as to why the above groups are required to have proof of vaccination - is it a perceived higher risk? Please provide the public health recommendation for this group of people requiring vaccination*
- Documents, reporting, risk assessments and recommendations as to why refugees and people from Ukraine ARE NOT required to have proof of vaccination - is it a perceived lower risk? Please provide the public health recommendation for this group of people and why they don't require vaccination.*

If the above has not been done then why not? Surely refugees and people from Ukraine would then fall under the category of non-New Zealand citizens entering in New Zealand who require vaccination.”

As you will be aware, since 1 November 2021, vaccination requirements have been in place for non-New Zealand citizens entering New Zealand by air. Unlike other travellers, New Zealand citizens have a right to enter New Zealand under the New Zealand Bill of Rights Act 1990. That right does not extend to Permanent Residents of New Zealand.

Vaccination has played a key role in our COVID-19 response. Vaccination helps protect travellers against severe illness (or death). Vaccination requirements also help to reduce the pressure on our health system. In keeping with the Government's longstanding

approach to the COVID-19 response, border settings, including vaccination requirements, are kept under constant review and informed by public health advice.

On Tuesday 3 May 2022, I announced that the Government is broadening the ability for residence class visa holders to re-enter New Zealand by allowing these visa holders who are not vaccinated against COVID-19 entry to New Zealand from 6 May 2022.

This broadened criteria for return is being enabled initially by the Director-General of Health signing a class exemption which allows unvaccinated travellers holding either a Permanent Resident Visa or a Resident Visa, and Australian citizens ordinarily resident in New Zealand, to enter the country. This class exemption will not prevent people in other groups from continuing to apply for exemptions based on their individual circumstances.

Currently, travellers entering New Zealand by air must have proof of vaccination unless they:

- are a New Zealand citizen
- have a New Zealand residence class visa
- are an Australian citizen ordinarily resident in New Zealand
- are a child aged 16 years and under
- cannot be vaccinated for medical reasons —electronic or paper evidence from a health practitioner is required
- are a refugee arriving in New Zealand for the first time
- are a citizen of Afghanistan and they are being evacuated
- are arriving from Antarctica
- have been granted a visa under the 2022 Special Ukraine Visa Policy; or if they are or were ordinarily resident in Ukraine at any point on or after 1 January 2022.

With regard to your request for certain documents, the following three documents have been identified as being within scope of this part of your request. These documents will be published shortly on the Unite Against COVID-19 website:

<https://covid19.govt.nz/about-our-covid-response/proactive-releases/border/>

Date	Title
10 September 2021	<i>Advice on Requiring Non-New Zealand citizens entering managed isolation facilities to be vaccinated</i>
4 October 2021	<i>Cabinet Minute: COVID-19 Vaccination requirements for non-New Zealand citizens entering New Zealand</i>
14 March 2022	<i>Cabinet Paper: Reconnecting New Zealanders: Further Changes to International Border Settings</i>

This part of your request is therefore refused under section 18(d) of the Act as the information requested is soon to be publicly available.

I am advised that the Department of the Prime Minister and Cabinet (DPMC) does not undertake risk assessments or provide public health recommendations regarding the requirement for non-New Zealand citizens to be vaccinated before being able to enter New Zealand. Public health advice on this issue is provided by the Ministry of Health and I understand you have sent this same request to the Ministry.

Additionally, I am advised that DPMC does not undertake risk assessments or provide public health recommendations which outline or ascertain the risk of those granted a 2022 Special Ukraine visa or refugees who are unvaccinated against COVID-19.

New Zealand's resettlement of quota refugees reflects the Government's commitments and contribution to global humanitarian crises. Quota refugees have been granted exemptions from vaccination requirements on humanitarian grounds due to their specific circumstances such as not having access to vaccines approved by the New Zealand Government and the urgency in which they had to travel to New Zealand.

I am advised that my colleague, Minister Faafoi in his response to your initial request dated 17 March 2022 confirmed details of the 2022 Special Ukraine visa category are contained within a Cabinet paper which is soon to be proactively released by the Ministry of Business, Innovation and Employment. This part of your request therefore is also refused under section 18(d) of the Act, as the information requested will soon be publicly available.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CHIPKINS', with a stylized flourish at the end.

Chris Hipkins
Minister for COVID-19 Response