



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



Travel “Bubble” Date Announcement – April 6

New Zealand Prime Minister Jacinda Ardern has now confirmed that on April 6, her Government intends to announce the date when a trans-Tasman travel “bubble” will commence.

The Prime Minister provided the pending notice during a post-Cabinet press conference on March 22.

“This week marks one year since New Zealand went into Level 4 lockdown,” stated the Prime Minister.

“We, I believe, met the crisis of a global pandemic head on. We went hard and early, and we succeeded in doing what we set out to do, which was to eliminate the virus. That was 2020, one of the most challenging years we’d faced as a country.

“One year on, New Zealand’s overall COVID strategy remains the same – elimination – but how we eliminate is shifting. The vaccine is allowing us to move our COVID defences away from what has essentially been a collective barricade in the form of border controls, managed quarantine facilities and isolation, to individual armour that we each can carry around with us in the form of a vaccine.

“We intend to vaccinate everyone who can be vaccinated before the end of 2021, because this offers the same safety of an elimination strategy, but with far greater freedoms and less risk. As a result of the vaccine, 2021 is the year when possibilities begin to open up, when we get to lock in the gains that everyone worked so hard for in 2020.

“A key opportunity that has arisen as a result of our strategy is quarantine-free travel with Australia. There’s been much speculation over this. Our position has always been clear. Opening up our borders to our nearest neighbour is a priority not only for tourism and business but also in terms of reuniting friends and families. We know what it would mean for people.

“But we also know that many New Zealanders are nervous. They don’t want to put everything we’ve fought so hard for at risk, and they want us to proceed in the same vein as our overall COVID response, and that is with caution.

“We also know people want certainty. They want certainty about what lies ahead, certainty to make plans, certainty about what the future looks like. What we haven’t wanted to do is enter a situation in which New Zealanders’ health or lives are at risk once more, or we were unable to offer that certainty.

“It goes without saying that opening up a green travel zone with Australia, without quarantine, is highly complex. Officials have been considering and working through these complexities for months. Cabinet today received an update on this work.

“But before any final decision is made by Cabinet, we’ll need to be satisfied that the following conditions have been met:

- (1) that our response framework for when there are cases in Australia is fit for purpose and ready
- (2) we have measures in place to effectively contact trace travellers from Australia should we need to
- (3) all technical issues are resolved, including transiting passengers and managed isolation fees when, for instance, passengers arrive in either Australia or New Zealand but their ultimate destination is different

- (4) that we have the appropriate regulatory mechanisms in place
- (5) that airlines, airports and agencies are ready – much work has already been done here with issues like crew separation from high-risk areas and for when they would fly in a quarantine zone, and red and green zones at our airports – much work has been done there, given we already have quarantine-free travel inward from the likes of the Cook Islands
- (6) and, finally, that the Director-General of Health has provided an up-to-date health assessment

“Once we’ve met these criteria, we anticipate we’ll be in a position to open the bubble. We understand the need for planning and certainty, and talks with airlines and airports has been ongoing.

“We intend to announce the commencement date for the trans-Tasman travel bubble on April 6. Just to be clear, we intend to announce the commencement date for trans-Tasman travel on April 6.”

Australian Position

Prime Minister Ardern’s statement has come less than two weeks after COVID-19 Response Minister Chris Hipkins advised of a disconnect in bubble negotiations between the two countries.

On March 16, Minister Hipkins reportedly stated that after nine months of talks officials had been close to reaching an agreement at the start of February before Australia apparently “changed its mind” and sought to make independent decisions.

“We were relatively comfortable with where things were heading, we were sort of on track,” the Minister reportedly said.

“Since then, Australia’s position shifted so we’ve had to recalibrate.”

At that time, Minister Hipkins elaborated that the “independent approach” being sought by Australia required further processing work by officials.

“Issues that we’re working through include understanding the circumstances that could lead to a suspension of green zone travel on either side of the Tasman; what we would do with those whose travel is disrupted by the suspension of a green zone; testing requirements that may be put in place on either side; Australia’s current exit visa restriction that prevents Australians travelling to New Zealand without a visa; the state-by-state differences in decision making in Australia; decision making around expansion to other countries outside of the safe travel zone and who would make those, and whether New Zealand would have any input into that process; and contact tracing system interoperability, in the event that we needed to do contact tracing for people who had been in one country, and were then identified as being more at risk after they had travelled to another country.”

It is understood that the current approach to a potential trans-Tasman bubble is on a unitary basis, being worked through with each individual Australian state.

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