

31 January 2022

Dear [REDACTED]

I refer to your request, transferred to us from the Ministry of Business, Innovation and Employment on 19 January 2022, pursuant to the Official Information Act 1982, seeking “[c]opies of any of reports, documents, memoranda, correspondence, legal advice, aide memoires, or emails, both internal and external discussing private jets arriving with passengers for MIQ during the Covid-19 pandemic.”

Under our regulatory scheme, private flights comprise:

- an aircraft with the owner on board as either pilot or passenger
- a company aircraft used exclusively for employees of that company.

The above flights do not require our authorisation and they do not need to be notified to us. While we do, on occasion, learn of such flights, any information we hold is merely incidental and not always complete.

Other flights not requiring authorisation, and of which we do not need to be advised, include ferry/delivery flights, medical retrieval and evacuation flights, and flights stopping for non-traffic purposes, e.g., refuelling.

The Ministry is responsible for authorising non-scheduled commercial flights. A non-scheduled flight is a flight which is not conducted in accordance with a fixed flying schedule, over a specific air route. Since the beginning of the COVID-19 pandemic in early 2020, the Ministry has received a large number of applications for both passenger and cargo non-scheduled flights. The Ministry assessed each of these applications in light of the following guidelines (established by the Minister of Transport):

- that they met all the safety and security requirements of the Director of Civil Aviation
- that they did not circumvent air services agreements to which New Zealand is party.

As part of authorising the flights the Ministry advises the applicants that the flight must only occur subject to compliance with other government requirements such as managed isolation requirements, customs and biosecurity requirements, and standard air navigation requirements.

You should note that, in accordance with the provisions of the Privacy Act 2020, the Ministry cannot release identifying passenger information, where this is held.

Yours sincerely,

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

Tom Forster

Manager, Economic Regulation