

Grounded Kiwis advocates for the interests of Kiwis at home and abroad who are impacted by the Managed Isolation and Quarantine (MIQ) system. Through social media and other means, our network is now more than 5,500 strong. We write this submission to highlight issues affecting many of our members, as well as hundreds of thousands of other Kiwis living overseas who are currently unable to return to New Zealand due to the MIQ system.

The COVID-19 Response (Management Measures) Legislation Bill (the Omnibus Bill) provides an opportunity for Parliament to address critical issues Kiwis abroad are facing due to COVID-19 and their inability to return to New Zealand due to insufficient MIQ supply.

In this submission, we are commenting on three key issues which impact Grounded Kiwis members and Kiwis abroad:

### **1) Voting rights for overseas Kiwis**

Under section 80 of the Electoral Act 1993, the following persons are disqualified from voting:

- (a) a New Zealand citizen who (subject to subsection (3)) is outside New Zealand and has not been in New Zealand within the last 3 years:
- (b) a permanent resident of New Zealand (not being a New Zealand citizen) who (subject to subsection (3)) is outside New Zealand and has not been in New Zealand within the last 12 months.

Due to the COVID-19 pandemic and the Government's MIQ policy, many New Zealand citizens and permanent residents have been or will be unable to return to New Zealand during the 3 year and 12 month periods above, rendering them ineligible to vote. Many of them want to return to New Zealand, but can't. There is no principled reason to deny such people their right to vote. In many cases, their lives are being severely impacted by New Zealand government policy, so they should have a say in electing the representatives who set such policy. Whatever reasons may have been given in the past for the time limits, those reasons do not hold up in the current circumstances. Many New Zealand citizens and residents abroad have lived through challenging pandemic-era experiences in other countries and have faced difficult challenges in trying to return to New Zealand. Depriving them of their right to vote would be another blow, and a source of frustration and distress. So we call on Parliament to recognize the fundamental rights of New Zealand citizens and residents by extending the voting eligibility period.

### **2) Pension payments for those outside of New Zealand for more than 26 weeks**

Under sections 21 - 24 of the New Zealand Superannuation and Retirement Income Act 2001, persons who receive superannuation can only be outside of New Zealand for 26 weeks before becoming ineligible to receive superannuation, and if they remain overseas for more than 30 weeks, are required to pay back those 26 weeks' payments.

Many pensioners are currently unable to return to New Zealand due to New Zealand's border policy and have, or will soon become, ineligible to receive superannuation payments and/or be required to pay back payments received. This requirement needs to be temporarily suspended for pensioners who are unable to return due to MIQ. It is fundamentally unfair to penalize them for staying outside New Zealand when this is beyond their control and instead due to governmental policy.

### **3) Payment of benefits to those in financial distress overseas**

Under section 219 of the Social Security Act 2018, payments of benefits are not payable while a beneficiary is absent from New Zealand.

Many New Zealanders are stuck overseas and experiencing financial distress due to being unable to return to New Zealand. Grounded Kiwis has been contacted by Kiwis who are living in cars, who are hungry and unable to afford food, who are unable to work due to expired visas, and unable to receive any form of benefit payment from New Zealand. These are Kiwis who want and need to get home, but are prevented from doing so because of the MIQ system. They should be entitled to receive benefits while they are overseas, in the same manner they would be if they were able to get back to New Zealand. This is not a matter of choice, it is a policy imposed by the Government, and the Government should accept responsibility for supporting such individuals.

Grounded Kiwis urges Parliament to take the opportunity to address these three key areas in its Omnibus Bill.

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#### **ABOUT GROUNDED KIWIS**

*Grounded Kiwis is a network of New Zealanders, and those who call Aotearoa New Zealand home, seeking to change the Managed Isolation and Quarantine (MIQ) system. We are a diverse and politically-neutral group, living inside and outside New Zealand, and we are all affected by the Government's border policy. Coordination of resources and the group's activities is overseen by a steering group of volunteers, comprising Kiwis from diverse professional disciplines - law, business, science, media and public service, from New Zealand, Europe, UK, North America and Australia.*

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