



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
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Electronic Travel Authority (ETA)

Summary of Submissions Report

August 2018

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Overview of submissions

Public consultation on the proposed ETA, alongside consultation on the proposed immigration fee and levy changes, and the International Visitor and Conservation Levy (IVL), opened on 15 June 2018 and closed on 22 July 2018.

MBIE received a total of 18* external submissions on the proposed introduction of an Electronic Travel Authority (ETA). Of these, the majority were from industry stakeholders, with a total of seven submissions from the airline and cruise industry and three from the tourism industry. We also received two submissions from the English language sector, one from local government and one from the Australia and New Zealand Leadership Forum. A total of four submissions were from private individuals.

Some further comments were also received via submissions on the IVL. Feedback was also received from some overseas Commissions and Consulates via the Ministry of Foreign Affairs and Trade.

Comments made at stakeholder meetings are also been reflected in this document.

** Note: A submission from NZ Marine has been excluded as it did not answer any of the questions or make any comments except to request that the “payment system is easy for people on visiting yachts”.*

1. Introduction and impact of ETA

Most submitters supported, or conditionally supported, the introduction of an ETA. The importance of keeping the ETA application “light touch” (ie not modelled on ESTA) was emphasized, with ease and flexibility of application (multiple device friendly, last minute applications) – seen as critical.

At a meeting with BARNZ, the benefits of the ETA and how it would work in practical terms was questioned. MBIE advised:

- Approval for ETA will be automated (generally within a few minutes) in most cases;
- The ETA should lead to fewer turnarounds at the New Zealand border;
- It is envisaged that (subject to privacy, technical and legal considerations) carriers will be able to ping the INZ database ahead of time to check passengers are authorised to travel;
- The APP system will advise at check-in whether traveller holds an ETA;
- It will be possible to apply for an urgent ETA at check-in;
- Integration with airline apps (subject to privacy, technical and legal considerations) could provide more assurance and facilitation for customers;
- The aim is that travellers will provide information once but have it used many times;
- Carriers will be provided with information to push out to passengers and crew so that people are aware of the requirements;
- In terms of awareness, a big spend on communications is envisaged in the first two years, together with increased staff availability to resolve any issues.

Cruise and airline industries were strongly opposed to an ETA being applied to their crew, on the basis that this would involve logistical challenges and high costs. Additionally, BARNZ commented that an ETA requirement could have a negative impact on some airlines flying on the same routes (ie. those with a high number of non-NZ and non-Australian air crew).

Some submissions suggested exemption is extended to Australian permanent residents, although one submitter felt that Australians and Pacific Islanders, as they are the main source of visitors to New Zealand, should be ETA required.

The travel industry expressed concern that New Zealand is already seen as a high cost destination and additional costs could affect destination choices. One submitter commented:

“Charges could cumulatively reach a level that sees a material dampening of demand ... We encourage the government to ... be mindful of the value tourists deliver ... it would be very disappointing if we applied so many taxes and charges that this tourism revenue declined and made New Zealand worse off overall”.

2. Validity

The majority of submitters supported the proposal of a two year validity period, with some suggesting that this should start from the date of entry into New Zealand. Airline and cruise industries requested a longer validity period if ETA is to be applied to crew. An airline industry representative also commented on the impracticality of an ETA expiring if not used.

There was no real consensus on the question of whether an ETA should expire when a passport expires, although one submitter suggested that the ETA should be valid for the life of a passport.

3. Functions

Most submitters agreed with the proposed functions of the ETA, although there was some scepticism from the travel industry that it is being introduced mainly as a collection tool for IVL.

There were few, but thoughtful, submissions about information which could be provided to travellers via the ETA, with tourism industry keen to provide key tourism messaging. One submitter commented:

“It may be possible to provide travellers with information regarding NZ biosecurity requirements before they travel - ideally in their preferred language.”

4. Risks

The major risks identified by submitters were poor implementation, leading to a lack of awareness seeing travellers arriving without an ETA. Other submitters cited perception of the ETA as a barrier to travel, and the risk of private operators “springing up to on-sell” the ETA at inflated prices, causing a negative perception of New Zealand.

Industry stakeholders were keen to see a lengthy timeframe for ETA introduction, to provide for comprehensive communication to the travel industry and travelling public.

The cruise industry was concerned that its members do not have access to information about passengers’ travel documentation and about the possibility of passengers arriving in New Zealand without an ETA.

5. Cost

The Tourism Industry Association was interested in the ETA budget. While this information was not public at that point, MBIE confirmed that it would be a reasonably substantial IT project. Revenue was expected to be around \$12m per annum (based on 1.3m people per year at around \$9 per head). The variable costs of the ETA are expected to be quite low due to the automated nature of most of the decisions.

6. Future Opportunities

Feedback from the tourism industry included further reducing or streamlining of requirements for some travellers, particularly the Chinese market. Some submitters commented on opportunities for closer alignment with Australia, with one submitter suggesting a trans-Tasman visa.

On proposed future facilitation opportunities, such as digital arrival declaration enabling targeted biosecurity questions, Federated Farmers commented that biosecurity was a big issue for farmers and they would not want it to be “too easy” to arrive without checks. They would want screening on arrival to continue.

Summary of submissions

Summary of comments	Submitter(s)	MBIE response	Recommended action
1. Scope			
1.1 Paper arrivals card should now only require passport number, other information retrieved via information sharing.	Private citizen	The ETA is part of a planned strategy towards removal of paper-based passenger movement cards. Note that arrival card is also a customs and biosecurity declaration and (in some cases) an application for a visa – the current ETA design does not include those functions.	Proceed with current project.
1.2 NZ needs to adopt facial recognition technology.	Tourism Export Council	This is a potential future option for border facilitation.	Proceed with current project.
1.3 Use ETA to deliver efficiencies through the immigration system (eg by reducing need to stop passengers at the border).	BARNZ	This is one of the arguments for introduction of an ETA.	Proceed with current project.
1.4 ETA should not be a “mini-visa” for data gathering purposes.	English NZ Executive	The ETA is not to intended to gather data for its own sake, but to enable INZ decision making (and potentially to provide information to intending travellers).	Proceed with current project.
1.5 Increase in pre-travel form filling is prejudicial to tourism industry.	NZ Cruise Association	The design will seek to reduce potential compliance burdens. However, we note that Australia has an almost-universal visa regime and a healthy tourism industry.	Proceed with current project.
1.6 Passengers who arrive at airports without an ETA need to be able to apply on the spot online.	ANZLF, Tourism Export Council, Worldwide School Ltd, NZ Cruise Association, English NZ Executive, CLIA	This is part of the ETA design brief.	Proceed with current project

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1.7 Anticipate introduction of ETA for Australian residents will generate a large number of calls from member of the public and travel agents, resource for this needs to be considered and we suggest a permanent free-call number to handle queries.	NZ Consulate General, Sydney	We will take this into account in communications planning.	Consider in communications plan.
2. Application and validity			
2.1 Two year validity should be from first entry into New Zealand.	Private citizen, BARNZ, Tourism Export Council	We considered this, but it would mean having to impose a “must be used before” condition on the ETA. It could also complicate IVL validity calculations.	Not progressed.
2.2 Air crew/cruise crew should be exempt. ^{1,2,3,4}	BARNZ, Air NZ, Emirates, IATA, Carnival Australia, CLIA	NZ is seeking advance information on all people planning to travel to NZ. However we note the concerns about the compliance costs to carriers.	Propose extending validity for crew to five years.
2.3 ETA should be valid for the life of passport (Cruise passengers book travel up to two years in advance and are likely to forget to apply for the ETA).	Carnival Australia, NZ Cruise Association	We note that this proposal (ETA valid for either two years or for length of passport, whichever is less) is standard in other countries.	This is being looked at as the project development progresses.
2.5 ETA should be able to be transferred to new passport.	BARNZ, Tourism Export Council, private citizen	We note that this would be facilitative for intending travellers, but could introduce issues (such as data entry issues).	This is being looked at as the project development progresses.
2.6 ETA should be optional so people only apply for the obvious benefits.	Private citizen	We consider that the border security benefits support making it compulsory.	Proceed with current project.

¹ Cruise ships already provide Advance Passenger Information for passengers and crew up to 48 hours prior to arrival as required by Customs; therefore government already holds this information for cruise arrivals (and departures), and the introduction of the ETA would duplicate this process. Unless the ETA is extended to everyone, no matter what nationality, cruise passengers and crew should be exempt because of this duplication. (New Zealand Cruise Association)

² If ETA is to be applied to aircrew the time period should be 4-5 years and there should be no charge. (BARNZ)

³ BARNZ would like to work with MBIE to test if there are other mechanisms that can be used to provide required information to INZ. Key parts of the ETA declaration relate to criminal records and reason for travel. Air crew travel reason is obvious. Airlines generally have a policy not to recruit persons with criminal records as air crew so may be able to provide a declaration on this to INZ. BARNZ would be happy to discuss options like these in more detail. (BARNZ)

⁴ In relation to the proposed application of the ETA to maritime crew, Carnival Australia believes this to be unnecessary given the relevant information could be shared between Australia and New Zealand (submission by Carnival Australia).

Summary of comments	Submitter(s)	MBIE response	Recommended action
2.7 The exemption for Australian citizens should be extended to Australian permanent residents.	BARNZ ANZLF	This would require access to Australian immigration systems to verify and we do not consider it to be warranted. In addition, this reflects that under the Trans-Tasman Travel Arrangement, Australia only provides visa concessions to New Zealand citizens.	Proceed with current project.
2.8 Australians, as the main travellers to NZ, should be ETA required. ⁵	NZ Cruise Association, Tourism Export Council	This would not be in line with the provisions of the Trans-Tasman Travel Arrangement.	Proceed with current project.
3. Information to be collected from travellers			
3.1 Information collected should be minimal: name, DOB and passport number should be sufficient.	Worldwide School Ltd	The information collected will be information (including declarations) required to make a decision about whether people are eligible to travel to New Zealand visa-waiver.	Proceed with current project.
3.2 Air crew will not necessarily be able to provide information on dates of travel. ⁶	BARNZ	We are considering a crew variant, which might not require dates of travel.	Consider a special portal for crew.
4. Functions			
4.1 The INZ Annual Border Report 2016/2017 shows 6.5m arrivals into NZ and 4,790 either refused boarding or entry. Of the 1.3m visitor waiver individuals and 1m Australians, an extremely small number have been refused entry but this is one of the key reasons for introducing the ETA.	English NZ	A reduction in the numbers of people refused entry at the border is one of the benefits of the ETA, but it is not the main reason for introducing an ETA (which is to get better information about a larger range of people intending to travel to NZ and to be a platform for further developments).	Proceed with current project.

⁵ Australians and Pacific Islanders are frequent and regular visitors to New Zealand, using the resources and infrastructure - why shouldn't they pay? Cutting out a HUGE collection pool which if included could keep the fee at a lower point, a more meaningful collection amount and more equitable for all. (Tourism Export Council)

⁶ We feel this is a good opportunity to resolve an outstanding problem in relation to 'positioning crew' (crew brought to NZ as passengers to work as crew on outgoing flight). Current requirements (which treat positioning crew as a normal passenger) are onerous, create costs for airlines and are out of step with the process in Australia. Australian requirements for positioning crew are (a) valid passport (b) CTA (crew travel authority) and (c) letter from employing airline confirming positioning arrangements. We request NZ government look to develop similar arrangements for positioning crew entering NZ. This could fit well with creation of a crew-specific ETA. We would be happy to work with MBIE further on this improvement. (BARNZ)

Summary of comments	Submitter(s)	MBIE response	Recommended action
4.2 Industry scepticism that ETA is primarily to collect the IVL / reasons of national security are not convincing.	Tourism Export Council, TIA, NZ Cruise Association	The case for the ETA stands on its own and is not dependent on the ability to collect the IVL. Countries generally are moving towards seeking better advance information about non-citizens planning to travel to them.	Proceed with current project.
4.3 BCL cost should be reduced through the use of this shared information.	CLIA, Emirates	The impacts of efficiencies will be able to taken into account in future immigration fee and levy reviews, and (if appropriate) reviews of the BCL.	Proceed with current project.
4.4 ETA should be linked with current APP process.	IATA, TIA	This is intended. Information in INZ systems about ETAs will drive APP messaging in the same way that visa information currently does.	Proceed with current project.
4.5 ETA should not be used to provide information	Worldwide School Ltd	We do not seek to provide unnecessary or unwanted information to intending travellers. There may be a case for some information to be provided (eg about biosecurity requirements or – if necessary - natural disasters)	Proceed with current project.
4.6 ETA website could be used to promote key tourism messages	TIA	We do not seek to provide unnecessary or unwanted information to intending travellers but note that there may be a case for some information to be provided (via the ETA or its portal).	Proceed with current project.
4.7 Provide travellers with NZ biosecurity requirements prior to travel – ideally in their preferred language.	BARNZ	We agree that this is a potential benefit for travellers.	Proceed with current project.
4.8 Information programme to reduce issues on arrival; a significant number will still have to be processed at the airport with an increase in NZ staffing costs.	NZ Cruise Association	The planning for implementation includes a communications programme to reach as many intending travellers as possible.	Proceed with current project.

Summary of comments	Submitter(s)	MBIE response	Recommended action
4.9 Information sharing should be limited to those government agencies that require it for inbound passenger screening. Standard data protection and privacy requirements should apply. ⁷	BARNZ, Private citizen	We agree with those points (including the footnote around the potential for future facilitation).	Proceed with current project.
4.10 Information from ETA should be leveraged to further improve passenger experience through reduced intervention and faster clearance times.	CLIA	This is an aim of the project, including the potential for future facilitation.	Proceed with current project.
4.11 International data protection laws of the relevant states should be followed re information use and sharing.	IATA	We are mindful of this.	Proceed with current project.
5. Cost of ETA			
5.1 Travellers are likely to visit NZ and Australia on same itinerary. Some may regard separate ETAs as a hassle / bad value.	Private citizen	The design will seek to reduce potential compliance burdens.	Proceed with current project.
5.2 If airlines offer ETA they must clearly present their mark-up for providing the service to avoid negative impact.	Private citizen	This is a good point, and we are thinking about how we could reduce the potential for high mark ups (noting that NZ's power to enforce overseas would be limited).	Consider issue in initiative design.
5.3 Cost benefit analysis should be done.	IATA	This is part of the project's business plan development.	Proceed with current project.
5.4 Cost of ETA should be kept as low as possible or be decreased if over-collecting. ⁸	IATA, TIA, BARNZ	We will track revenue and costs, and take this into account in future fee-setting (fees can only recover costs and cannot be used for other purposes).	Proceed with current project.

⁷ However, if there is scope for the data to be used by airlines or airports to facilitate passenger flows through New Zealand airports, there may be a case to share it more widely – if there is an opportunity to use the data in this way, it should be consulted on once a clear proposal is available.

⁸ It is important that the fee is internationally competitive and is not increased in the medium term – a minimum of three years.(TIA)

Summary of comments	Submitter(s)	MBIE response	Recommended action
5.5 If ETA is also used to collect the IVL, visitors will only see the total amount as an additional cost for being granted entry to New Zealand and this may be a deterrent. ⁹	English NZ Executive, Worldwide School Ltd	This risk has been taken into account in IVL development.	Proceed with current project.
5.6 If crew exemption is not accepted, there should be no cost in obtaining crew ETA. ¹⁰ , ¹¹	Carnival Australia, CLIA, BARNZ, Air New Zealand	Disagree. Under the NZ government's fee setting rules, costs must be recovered (and cannot be over recovered) by fees.	Propose extending validity for crew to five years.
5.7 Although final cost is yet to be determined, the estimated \$9 charge, recovering \$11m each year seems excessive.	NZ Airports, Christchurch International Airport	There will be full disclosure of the make-up of the costs of the project.	Proceed with current project.
5.8 ETA would be a more equitable tool to recover INZ's border processing costs than adding cost to BCL as it would target the cost better at passengers that create it.	BARNZ	Noted.	Proceed with current project.
5.9 Any cost associated with not having an ETA should be recovered from ETA-required travellers.	Private citizen	People who do not hold an ETA and who are required to will not be able to travel. As they will be offshore, the costs to the government will be relatively low.	Proceed with current project.
6. Opportunities			
6.1 The tourism industry would welcome a discussion on how the ETA might play a role in reducing / streamlining requirements for some visitors who currently require a visa to enter New Zealand.	TIA, ANZLF	We are keen to continue engaging with stakeholders as we develop this project and future border facilitation initiatives.	Proceed with current project.

⁹ Most visitors will be paying both the \$9 ETA fee and the \$25-\$35 IVL fee. There needs to be a clear explanation of the two charges and what they are for.(TIA)

¹⁰ Follow the Australian precedent and have a separate aircrew ETA that does not carry a charge (BARNZ)

¹¹ There should be an information sharing arrangement with Australia, which already collects Maritime Crew Visa information at no cost.

Summary of comments	Submitter(s)	MBIE response	Recommended action
6.2 Information provided through an ETA is already provided by passengers in several other ways (eg APP and PNR), so we question whether ETA would be as helpful in supporting improvements to passenger flow and passenger services as the consultation paper suggests, because the data should already be available.	BARNZ	APP is only available at the point of check in and provides less information than the ETA (and no declarations). PNR is not accurately tied to traveller identity.	Proceed with current project.
6.3 Information provision requirements should be reduced, to avoid duplicate reporting requirements, which may partially offset the costs of the new system.	BARNZ, NZ Cruise Association	We agree that there is the potential for future data integration for passenger facilitation purposes.	Proceed with current project.
6.4 NZ Government should allow travel agents to charge for the cost of ETA through Global Distribution System systems.	Air NZ, Tourism Export Council	As noted above – we are keen to avoid high mark ups (noting that NZ’s power to enforce overseas would be limited).	Proceed with current project.
6.5 Establish a trans-Tasman visitor visa for travel to both Australia and New Zealand.	ANZLF	We agree that there is the potential for future integration for passenger facilitation purposes. It is not clear whether this would involve a formal trans-Tasman visa.	Proceed with current project.
6.6 Online application, available on multiple devices, with immediate confirmation (approved/declined).	NZ Cruise Association, English NZ Executive, IATA, Private citizen	We are planning for a fast and easy product.	Proceed with current project.
6.7 No optional fields in application process. Optional fields cause confusion, especially to non-English speakers.	Private citizen	Noted.	Will bear in mind in design.

Summary of comments	Submitter(s)	MBIE response	Recommended action
7. Risks			
7.1 Image issue/barrier to travel.	Private citizen x 3, Tourism Export Council, TIA	We are planning for a fast and easy product which will not deter travellers. We note that such requirements are becoming increasingly common, and that Australia has an almost-universal visa regime and a healthy tourism industry.	Proceed with current project.
7.2 Travellers lack awareness of ETA requirements / arrivals without ETA.	Tourism Export Council, TIA, BARNZ, Private citizen, Carnival Australia, CLIA	People who require an ETA are unlikely to be granted boarding permission without one. The planning for implementation includes a communications programme to reach as many intending travellers as possible.	Proceed with current project.
7.3 Cruise industry will not have access to information re passenger travel documentation.	Carnival Australia	We are examining how carriers could be made aware of whether passengers are likely to be granted boarding permission.	Proceed with current project.
7.4 Drop in international student numbers especially if ETA is not quick and easy to obtain.	Worldwide School Ltd	International students will not require an ETA as they have to apply for a visa.	Proceed with current project.
7.5 There is potential for disconnect between data sent ahead and data collected on arrival causing border problems, such as if purpose of travel changes.	English NZ Executive	Information prepared for applicants will take this into consideration.	Proceed with current project.
7.6 ETA and IVL could deter short-term high-spending English language students.	Worldwide School Ltd	We are planning for a fast and easy product.	Proceed with current project.
8. Mitigating Risks			
8.1 Delay introduction to 2020 to allow time for system to be fully developed; inform international markets; and introduce simultaneously with IVL. Also providing buffer for travellers booked to visit in 2019.	TIA, BARNZ, Conservation Authority	Noted.	Proceed with current project.

Summary of comments	Submitter(s)	MBIE response	Recommended action
8.2 Visa refusals should be communicated to operators	Carnival Australia	We are examining how carriers could be made aware of whether passengers are likely to be granted boarding permission.	Proceed with current project.
8.3 Passport biometric data capture capability in application process to mitigate risk of inaccurate data input.	IATA, private citizen	We are examining the potential to use passport machine readable zone and e-chip readers.	Proceed with current project.
8.4 Provide prompt to apply for ETA when purchasing airline tickets.	Tourism Export Council	We will consider this as part of design.	Will be considered.
8.5 Strong communications plan to make airlines and travel industry aware. ¹²	BARNZ, CLIA	We are planning to undertake a large scale communications exercise.	Proceed with current project.
8.6 Application process/information should be available in multiple languages	English NZ Executive	We agree.	Proceed with current project.
8.7 Clarification required whether or not those travelling as a family would need to have individual accounts e.g. children. If so, a simple setup within the account of the guardian or the ability to apply on behalf would be important.	English NZ Executive	We are working through this as part of the design process.	Taking into account as part of design.
8.8 Consider means of combating private sites that will inevitably spring up to sell ETA at a mark-up.	Private citizen	Noted. We are looking at what other countries do (while noting that it is difficult to completely prevent it).	Proceed with current project.
8.9 Online system needs to be sufficiently robust to ensure minimal interruptions and delays in application process. ¹³	CLIA, private citizen	This is an aim of the system (and of all border-related systems).	Proceed with current project.

¹² Government should consider using bilateral and multilateral agreements with other government and organisations for effective communication. (IATA)

¹³ ETA processes should consider back up procedures in the event of a system outage such as the introduction of a 24/7 support line. It is also recommended to set up contingency plans for State and carrier system outages. (IATA)

Summary of comments	Submitter(s)	MBIE response	Recommended action
8.10 Involve industry in ongoing ETA design work. Designing the right process is an important part of how effective ETA will be for travellers, industry and government.	Air New Zealand, BARNZ, CLIA	We are keen to involve industry in co-design and planning for implementation.	Proceed with current project.
8.11 Provide more e-gates (or dedicated e-gates for foreign travellers so locals are not inconvenienced). Passport stamps must be available on request even if e-gate is used.	Private citizen	These are both issues for the New Zealand Customs Service.	Refer to Customs.
8.12 ETA/IVL/BCL are part of a range of cost pressures on visitors and tourism businesses and New Zealand runs the risk of becoming too expensive as a destination: Central and local government need to do their part in mitigating price pressures.	TIA, BARNZ, NZ Cruise Association, Carnival Australia,	Noted.	Proceed with current project.
8.13 How will ETA apply to people who have dual nationality? For travellers using both passports e.g. leave NZ on NZ passport and enter Europe on European passport and vice versa, will ETA system be advanced enough to pick up that this European is also NZ citizen and doesn't need to apply for ETA?	TIA	As long as the overseas passport is endorsed with the fact that they are a New Zealand citizen there should be no problems. (People should already be doing this when seeking to enter on their non-NZ passport.)	Proceed with current project.