

Version  
as at 15 December 2022



# COVID-19 Public Health Response (Infringement Offences) Regulations 2021

(SL 2021/393)

Cindy Kiro, Governor-General

## Order in Council

At Wellington this 29th day of November 2021

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 33(1)(a) and (b) of the COVID-19 Public Health Response Act 2020—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for COVID-19 Response made after complying with section 33 of that Act.

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### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Ministry of Health.**

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## Regulations

### 1 Title

These regulations are the COVID-19 Public Health Response (Infringement Offences) Regulations 2021.

### 2 Commencement

These regulations come into force on 4 December 2021.

### 3 Interpretation

In these regulations, unless the context otherwise requires, **Act** means the COVID-19 Public Health Response Act 2020.

### 4 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

### 5 Classes of infringement offences and related penalties

- (1) The prescribed classes of infringement offences under the Act are set out in the following table:

Class of offence	Description of class
Low risk	A breach of an administrative requirement or any other requirement where the worst potential outcome of the breach is a low likelihood of transmission and spread of COVID-19.
Medium risk	A breach of a requirement where the worst potential outcome of the breach is a possibility of transmitting or spreading COVID-19 or limiting the capability of the public health response, which does not otherwise meet the description for low risk or high risk.
High risk	A breach of a requirement where the risk of transmitting or spreading COVID-19 as a result of the breach is probable.

- (2) The prescribed infringement fees for each class of infringement offence are set out in the following table:

Class of offence	Fee: individual (\$)	Fee: any other person (\$)
Low risk	250	500

<b>Class of offence</b>	<b>Fee: individual (\$)</b>	<b>Fee: any other person (\$)</b>
Medium risk	500	1,000
High risk	1,000	3,000

- (3) The prescribed maximum fines for each class of infringement offence are set out in the following table:

<b>Class of offence</b>	<b>Fine: individual (\$)</b>	<b>Fine: any other person (\$)</b>
Low risk	500	2,000
Medium risk	1,000	6,000
High risk	3,000	9,000

Regulation 5(2) table: replaced, on 15 December 2022, by regulation 4(1) of the COVID-19 Public Health Response (Infringement Offences) Amendment Regulations 2022 (SL 2022/331).

Regulation 5(3) table: replaced, on 15 December 2022, by regulation 4(2) of the COVID-19 Public Health Response (Infringement Offences) Amendment Regulations 2022 (SL 2022/331).

## **6 Infringement offences for breach of COVID-19 order**

- (1) This regulation applies if a COVID-19 order assigns a classification set out in regulation 5(1) for an infringement offence.
- (2) The penalties for the assigned class of offence are set out in regulation 5(2) and (3) for that class of offence.

Regulation 6 heading: amended, on 26 November 2022, by section 36(1) of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

Regulation 6(1): amended, on 26 November 2022, by section 36(2) of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

### **6A Infringement offences against section 17B of Act**

*[Revoked]*

Regulation 6A: revoked, on 26 November 2022, by section 37 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

### **6B Infringement offences against section 17C of Act**

*[Revoked]*

Regulation 6B: revoked, on 26 November 2022, by section 37 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

### **6C Infringement offences against section 17D(1) of Act**

*[Revoked]*

Regulation 6C: revoked, on 26 November 2022, by section 37 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

## **7 Infringement offences against section 32P of Act**

*[Revoked]*

Regulation 7: revoked, on 26 November 2022, by section 37 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

**8 Infringement offences against section 32T of Act***[Revoked]*

Regulation 8: revoked, on 26 November 2022, by section 37 of the COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66).

**Schedule 1**  
**Transitional, savings, and related provisions**

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**Part 1**  
**Provisions relating to these regulations as made**

There are no transitional, savings, or related provisions in these regulations as made.

Michael Webster,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 2 December 2021.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Public Health Response (Infringement Offences) Regulations 2021 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

COVID-19 Public Health Response (Infringement Offences) Amendment Regulations 2022 (SL 2022/331)

COVID-19 Public Health Response (Extension of Act and Reduction of Powers) Amendment Act 2022 (2022 No 66): sections 36-37