

**Version
as at 26 September 2022**



**COVID-19 Public Health Response (Vaccinations)
Amendment Order (No 4) 2021
(SL 2021/366)**

COVID-19 Public Health Response (Vaccinations) Amendment Order (No 4) 2021: revoked, at 11.59 pm on 26 September 2022, pursuant to clause 3(2) of the COVID-19 Public Health Response (Revocations) Order 2022 (SL 2022/254).

This order is made by the Minister for COVID-19 Response under sections 11 and 15(1) of the COVID-19 Public Health Response Act 2020 in accordance with section 9 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.

This order is administered by the Ministry of Health.

Order

1 Title

This order is the COVID-19 Public Health Response (Vaccinations) Amendment Order (No 4) 2021.

2 Commencement

This order comes into force at 11.59 pm on 12 November 2021.

3 Principal order

This order amends the COVID-19 Public Health Response (Vaccinations) Order 2021.

4 Clause 9B amended (Director-General may grant COVID-19 vaccination exemption)

In clause 9B(1), after “apply”, insert “to the Director-General”.

5 Clause 11A amended (Duties of relevant PCBUs of affected persons belonging to groups specified in Part 7, 8, or 9 of Schedule 2: vaccination records)

In clause 11A(2)(h), replace “7A” with “9B”.

6 Schedule 1 amended

In Schedule 1,—

- (a) insert the Part set out in the Schedule of this order as the last Part; and
- (b) make all necessary consequential amendments.

Schedule
New Part 5 inserted into Schedule 1

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Part 5
Provision relating to COVID-19 Public Health Response
(Vaccinations) Amendment Order (No 4) 2021

- 11 Transitional provision for FENZ personnel working where health services are provided or at or for affected education services before commencement**
- (1) This clause applies despite clauses 5 and 7.
 - (2) If an affected person who belongs to a group specified in item 7.2 or 9.1 of the table in Schedule 2 is a FENZ personnel member and is not vaccinated before the commencement of this clause, the affected person must—
 - (a) be treated as vaccinated until 29 November 2021 if they have their first dose of a COVID-19 vaccine before the close of that date;
 - (b) be treated as vaccinated until 14 January 2022 (and after that date) if they—
 - (i) have their first dose of a COVID-19 vaccine before the close of 29 November 2021; and
 - (ii) have their second dose of a COVID-19 vaccine before the close of 14 January 2022.
 - (3) If an affected person who belongs to a group specified in item 7.2 or 9.1 of the table in Schedule 2 is a FENZ personnel member who is not vaccinated before the commencement of this clause and does not have their first dose of a COVID-19 vaccine before the close of 29 November 2021, the affected person must be treated as vaccinated—
 - (a) on the date on which they have their first dose of a COVID-19 vaccine; and
 - (b) from that date until 14 January 2022 (and after that date) if they have their second dose of a COVID-19 vaccine before the close of 14 January 2022.
 - (4) In this clause, **FENZ personnel** has the same meaning as in section 6 of the Fire and Emergency New Zealand Act 2017.

Dated at Wellington this 12th day of November 2021.

Hon Dr Ayesha Verrall,
Associate Minister of Health.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force at 11.59 pm on 12 November 2021, amends the COVID-19 Public Health Response (Vaccinations) Order 2021 (the **principal order**), which requires persons belonging to specified groups who carry out certain work to be vaccinated.

The effect of the amendments is to extend the period for which FENZ personnel working in the health and disability sector, or at or for affected education services, are treated as vaccinated (until 29 November 2021 if they receive their first dose of a COVID-19 vaccine on or before that date, and until 14 January 2022 if they receive their first dose of a COVID-19 vaccine on or before 29 November 2021 and their second dose of a COVID-19 vaccine on or before 14 January 2022).

Two technical amendments are also made to the principal order. The first amendment is to clause 9B of the principal order, to clarify that an application for a COVID-19 vaccination exemption is made to the Director-General. The second amendment is to clause 11A of the principal order to update the reference to clause 7A (which was revoked on 7 November 2021) with a reference to clause 9B.

Approval by resolution required

This order must be approved by a resolution of the House of Representatives before the expiry of the period described in section 16(2) of the COVID-19 Public Health Response Act 2020. If that does not happen, the order is revoked on the expiry of that period.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 12 November 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Vaccinations) Amendment Order (No 4) 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 (Revocations) Order 2022 (SL 2022/254): clause 3(2)