

**Version
as at 21 September 2021**



**COVID-19 Public Health Response (Alert Level
Requirements) Order (No 11) 2021**
(LI 2021/237)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) 2021: revoked, at 11.59 pm on 21 September 2021, by clause 55 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021 (LI 2021/263).

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

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This order is administered by the Ministry of Health.

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Order

1 Title

This order is the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) 2021.

2 Commencement

- (1) This order comes into force at 11.59 pm on 7 September 2021.
- (2) However,—
 - (a) clause 19A (which creates obligations for COVID-19 testing of certain persons travelling between the alert level 4 area and the alert level 2 area) comes into force at 11.59 pm on 16 September 2021;
 - (b) clause 19B (which imposes a duty on businesses and services to facilitate testing and medical examination for workers who cross alert level boundaries) comes into force at 11.59 pm on 9 September 2021;

- (c) clause 42 (which relates to the contact record rule for certain businesses and services in the alert level 2 area) comes into force at 11.59 pm on 14 September 2021.

Part 1

Preliminary provisions

3 Purpose

The purpose of this order is to prevent, and limit the risk of, the outbreak or spread of COVID-19 and to otherwise support the purposes of the Act.

4 Interpretation

- (1) In this order, unless the context otherwise requires,—

1-metre physical distancing rule means the rule described in clause 15(1)

2-metre physical distancing rule means the rule described in clause 15(2)

accommodation service—

- (a) means accommodation provided by a business or service in which multiple groups of 1 or more residents share facilities (such as a kitchen, bathroom, or laundry) or common areas (such as a lounge or recreation space), for example,—
- (i) a hotel:
 - (ii) tertiary student accommodation:
 - (iii) a boarding house:
 - (iv) a backpacker hostel:
 - (v) seasonal worker accommodation; but

- (b) excludes a school hostel

accommodation service bubble arrangement means an arrangement—

- (a) between not more than 10 residents of the same accommodation service; and
- (b) in which the residents who are aged 18 years or over and have full capacity have agreed—
- (i) to comply with this order as if they were 1 home or place of residence for the length of their stay at the accommodation service; and
 - (ii) to not be part of any other arrangement of the kind described in paragraphs (a) and (b)(i)

Act means the COVID-19 Public Health Response Act 2020

alert level 2 area means all of New Zealand except the alert level 4 area

alert level 2 requirements, in relation to a business or service, means the requirements that apply to that business or service in Part 2 and clauses 39 to 42

alert level 4 area has the meaning given by clause 6

alert level 4 business or service means a business or service listed in Schedule 2

alert level 4 requirements, in relation to a business or service, means the requirements that apply to that business or service in Part 2 and clauses 25 to 29

businesses and services includes—

- (a) voluntary and not-for-profit services; and
- (b) both public sector and private sector businesses and services; and
- (c) businesses and services that provide space for other businesses and services to operate within (for example, shopping malls and marketplaces); and
- (d) businesses and services that provide facilities or venues for events or activities if people pay to attend an event or participate in an activity or pay to hire a facility or venue; and
- (e) the playing of sports professionally or semi-professionally

category A social service means a service provided under the Oranga Tamariki Act 1989, and other social services provided to support persons to maintain critical well-being and as crisis support for people who are unsafe or homeless

class 4 venue has the same meaning as in section 4(1) of the Gambling Act 2003

close-proximity businesses and services means businesses and services described in clause 33(1)

contact details, in relation to a person, means—

- (a) the name of the person; and
- (b) a telephone number that may be used to easily contact the person

contact record means a record of a person entering a workplace or attending a gathering that contains—

- (a) the name of the person; and
- (b) the date on which and time at which the person entered the workplace or attended the gathering; and
- (c) if the record is being provided to another person, a telephone number that may be used to easily contact the person who is entering the workplace or attending the gathering

contact record rule has the meaning given by clause 28(1) or 42(1) (as applicable)

customers and clients—

- (a) includes any non-paying customer or client; but
- (b) in relation to an education entity, excludes students attending the education entity

defined space—

- (a) means any single indoor space or outdoor space (*see* subclause (2)); and
- (b) if there is more than 1 space in any premises, means a space described in paragraph (a) for which there are systems and processes in operation that ensure, so far as is reasonably practicable, that persons using the space (other than workers) do not intermingle at a distance closer than 2 metres with other persons using, entering, or leaving the premises

district has the same meaning as in section 5(1) of the Local Government Act 2002

education entity has the same meaning as in section 10(8) of the Education and Training Act 2020

exempt business or service means a business or service that is exempt from this order under clause 50

face covering means a covering of any type that covers the nose and mouth of a person

fellow resident, in relation to any person (**person A**),—

- (a) means—
 - (i) a person who resides at the same home or place of residence (other than an accommodation service) as person A; or
 - (ii) a person who resides at another home or place of residence in relation to which person A has a shared bubble arrangement; or
 - (iii) a person who resides at another home or place of residence if person A has a shared caregiver arrangement or shared custody arrangement with, or in respect of, that other person; or
 - (iv) if person A is residing at an accommodation service,—
 - (A) a person who is in the same accommodation service bubble arrangement as person A; or
 - (B) a person who resides at the accommodation service with person A and with whom person A has the same principal home or place of residence; or
 - (C) a person under the age of 18 years who resides with person A at the accommodation service and for whom person A is providing a category A social service; but
- (b) excludes another person who resides at a school hostel with person A

gaming machine has the same meaning as in section 4(1) of the Gambling Act 2003

gathering—

- (a) means people who are intermingling in a group; but
- (b) excludes people who remain at least 2 metres away from each other so far as is reasonably practicable

gathering of friends and whānau means a group of customers, clients, or other persons—

- (a) who confirm that they are, or who it is otherwise reasonable to believe are, a group of persons who all know each other and can identify each other for the purpose of contact tracing; but
- (b) of no more than the maximum number limit (if any) for social gatherings in the area where the gathering takes place

health service has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003

high-risk person means a person who—

- (a) has been diagnosed as having COVID-19; or
- (b) has 1 or more COVID-19 symptoms; or
- (c) is being or has been tested for COVID-19 and is awaiting a test result; or
- (d) has been in close contact with someone with suspected, probable, or confirmed COVID-19 in the previous 14 days

home or place of residence—

- (a) includes a campervan, caravan, or other vehicle or temporary structure (for example, a tent) that is a place of residence; and
- (b) in the case of a building (other than an accommodation service or a school hostel), includes the land that is part of the property on which the building is situated (other than any common areas); and
- (c) includes any prison, hospital, or other facility or place in which a person is detained or compulsorily placed under any enactment; and
- (d) in the case of a block of flats or other building (other than an accommodation service) that has more than 1 home or place of residence, excludes the other homes or places of residence; and
- (e) in the case of an accommodation service or a school hostel, includes all of the homes or places of residence, shared facilities (such as a kitchen, bathroom, or laundry), common areas (such as a lounge or recreation space), and land that is part of the property on which the building is situated

Isolation and Quarantine Order means the COVID-19 Public Health Response (Isolation and Quarantine) Order 2020

managers of a private school has the same meaning as in section 10(1) of the Education and Training Act 2020

Maritime Border Order means the COVID-19 Public Health Response (Maritime Border) Order (No 2) 2020

people responsible, in relation to a social gathering, means both of the following:

- (a) the organiser of the social gathering; and
- (b) the person in control of the defined space or premises in which the social gathering is held

person in control,—

- (a) in relation to a defined space or premises (other than a vehicle in use as part of a public transport service),—
 - (i) means a person who manages or controls the defined space or premises; and
 - (ii) includes—
 - (A) any occupier of the defined space or premises; and
 - (B) if a facility or venue of a business or service is hired for an event or activity, that business or service; and
- (b) in relation to a public transport service,—
 - (i) means a person who carries on the business of operating the public transport service; but
 - (ii) excludes a person who drives or operates a vehicle in use as part of that service (unless the driver or operator is also a person described in subparagraph (i))

premises includes any commercial premises, private premises, or vehicle

public transport service—

- (a) means a service for the carriage of passengers for hire or reward that is available to the public generally; but
- (b) excludes a service for the carriage of passengers for hire or reward that is hired for the purposes of—
 - (i) a business or service; or
 - (ii) a social gathering; and
- (c) always includes a service of the kind described in paragraph (a) that is provided by means of a small passenger service vehicle

QR code means a unique identifying code issued by the New Zealand Government for the purpose of enabling contact tracing

rail vehicle has the same meaning as in section 4(1) of the Railways Act 2005

region has the same meaning in section 5(1) of the Local Government Act 2002

school board has the same meaning as in section 7(1)(d) of the Crown Entities Act 2004

school hostel has the same meaning as hostel in section 10(1) of the Education and Training Act 2020

school transport service means the carriage of passengers for hire or reward that is contracted or funded by the Ministry of Education, local authorities, school boards, managers of a private school, or Auckland Transport for the sole or primary purpose of transporting children to and from school

shared bubble arrangement means an agreement by all of the residents (who are aged 18 years or over and have full capacity) of no more than 2 homes or places of residence within the same or adjacent districts to quarantine in accordance with this order as if they were 1 home or place of residence

shared caregiver, in relation to a child, means a person who, under an agreement, or a parenting order or an interim parenting order made under the Care of Children Act 2004, has the role of providing the day-to-day care of the child

ship has the same meaning as in section 2(1) of the Maritime Transport Act 1994

small passenger service vehicle has the same meaning as in section 2(1) of the Land Transport Act 1998

social gathering—

- (a) means people who are intermingling in a group; but
- (b) excludes—
 - (i) people who remain at least 2 metres away from each other so far as is reasonably practicable; or
 - (ii) an activity undertaken at a business or service in compliance with the requirements in clauses 39 to 42; but
- (c) despite paragraph (b)(ii), includes a gathering held in a defined space or premises of a business or service (other than a vehicle in use as part of a public transport service) that have been hired for the exclusive use of the gathering by a person (other than the person who manages or controls the defined space or premises)

transport station has the same meaning as in section 591(6) of the Local Government Act 1974

vehicle includes a vessel, rail vehicle, ship, aircraft, motorcycle, or bicycle

vulnerable person means a person who is at significant risk of serious illness if the person contracts COVID-19

worker means, in relation to a business or service, any person who carries out work in any capacity for that business or service (whether paid or unpaid)

workplace—

- (a) means premises where work is being carried out, or is customarily carried out, for a business or service; and
 - (b) includes premises where a worker goes, or is likely to be, while at work.
- (2) For the purpose of the definition of defined space in subclause (1),—
- (a) an indoor space is a **single space** if—
 - (i) there are walls (whether permanent or temporary) that substantially divide that space from other spaces; and
 - (ii) the space does not share direct airflow with another indoor space:
 - (b) an outdoor space is a **single space** if—
 - (i) there are walls (whether permanent or temporary) that substantially divide that space from other spaces; or
 - (ii) all people in that space are separated by at least 2 metres from other people who are outside that space.

Clause 4(1) **class 4 venue**: inserted, at 11.59 pm on 15 September 2021, by clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 4(1) **gaming machine**: inserted, at 11.59 pm on 15 September 2021, by clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 4(1) **people responsible**: amended, at 11.59 pm on 15 September 2021, by clause 4(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 4(1) **social gathering** paragraph (c): replaced, at 11.59 pm on 15 September 2021, by clause 4(3) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

5 How requirements apply to businesses and services

- (1) A reference in this order to a requirement applying to a business or service applies that requirement to the person who carries on that business or service.
- (2) A requirement that applies in relation to a particular activity is a requirement that applies to a business or service to the extent that the activity is carried out by the business or service.
- (3) If more than 1 business or service operates in the same, or shared, premises (for example, a shopping mall, a marketplace, or a cafe that operates in an office building), each of those businesses and services must comply with all of the requirements in this order to the extent that they apply to that business or service or its activities.

6 Alert level 4 area: description and map

- (1) The area described in Schedule 3 is the alert level 4 area.
- (2) An indicative map of the alert level 4 area is set out in Schedule 4.

- (3) If there is any inconsistency between the description under subclause (1) and the map, the description prevails.

7 Transitional, savings, and related provisions

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

8 Application of order to different alert level areas

- (1) Part 3 applies—
- (a) to the alert level 4 area; and
 - (b) to any property if a part of it is in the alert level 4 area; and
 - (c) to any other place if necessary for the purpose of enforcing the requirements in a place referred to in paragraph (a) or (b).
- (2) Part 4 applies—
- (a) to the alert level 2 area; and
 - (b) to any other place if necessary for the purpose of enforcing the requirements in the alert level 2 area.
- (3) The rest of this order applies to the whole of New Zealand.

Part 2

Alert level requirements to prevent outbreak or spread of COVID-19 that apply at all alert levels

QR codes

9 Display of QR codes in workplaces

- (1) A person in control of a workplace must ensure that a copy of a QR code for the workplace is displayed in a prominent place at or near the main entrance of the workplace.
- (2) However, subclause (1)—
- (a) does not apply if the workplace is a vehicle; and
 - (b) applies to the workplace of a business or service that is in a dwelling house only if—
 - (i) customers or clients of the business or service customarily enter the dwelling house; or
 - (ii) workers of the business or service customarily enter the dwelling house (and those workers are not residents of the dwelling house or providing a category A social service).
- (3) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

10 Display of QR codes on public transport services

- (1) A person in control of a public transport service must ensure that a copy of a QR code is displayed in a prominent place on or inside any vehicle that is in use as part of that service.
- (2) However, subclause (1) does not apply in relation to a public transport service if 1 or both of the following apply:
 - (a) all persons using the service are required to supply their contact details in order to use the service;
 - (b) the service is a school transport service.
- (3) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

Contact records at workplaces

11 Workplaces to have systems and processes to enable keeping of contact records

- (1) In addition to the requirement in clause 9(1), a person in control of a workplace must have other record-keeping systems and processes in place to enable a contact record to be kept of,—
 - (a) in the case of a specified workplace, all workers of that workplace entering the workplace;
 - (b) in the case of any other workplace, all persons aged 12 years or older entering that workplace.
- (2) If the person in control of the workplace collects a contact record for the sole purpose of enabling contact tracing, the person must—
 - (a) keep the record for a period of 60 days; and
 - (b) then dispose of the record.
- (3) Subclauses (1) and (2) do not apply if the workplace is excluded from the application of clause 9(1).
- (4) For the purposes of subclause (1)(a), **specified workplace** means—
 - (a) a transport station; or
 - (b) a supermarket; or
 - (c) a petrol station, including any business operating out of the petrol station.
- (5) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.
- (6) For additional contact record requirements for some businesses and services, *see*—
 - (a) clause 28 and Schedule 2 for alert level 4 requirements:

- (b) clause 42 and Schedule 6 for alert level 2 requirements.

Face covering requirements on public transport services

12 Face covering requirements on public transport services

- (1) Every person must wear a face covering while on board a vehicle that is in use as part of a public transport service.
- (2) However, subclause (1) does not apply—
- (a) *[Revoked]*
 - (b) to a ship that has no enclosed space for passengers; or
 - (c) to air transport; or
 - (d) to a school transport service; or
 - (e) in the circumstances set out in clause 14.
- (3) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

Clause 12(2)(a): revoked, at 11.59 pm on 15 September 2021, by clause 5 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

13 Face covering requirements on domestic air transport services

- (1) Every person must wear a face covering while on board a vehicle that is in use as part of a domestic air transport service.
- (2) However, subclause (1) does not apply in the circumstances set out in clause 14.
- (3) In this clause, **domestic air transport service** means a public transport service that is transporting persons by air transport between places that are both in New Zealand.
- (4) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

14 Exemptions from face covering requirements

Clauses 12(1) and 13(1) do not apply to a person if—

- (a) there is an emergency; or
- (b) wearing a face covering is not safe in all of the circumstances; or
- (c) the person is in a defined space or an enclosed space that is separate from the passenger area; or
- (d) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (e) the person is asked to remove the face covering to ascertain identity; or

- (f) removal of, or not wearing, the face covering is otherwise required or authorised by law; or
- (g) the person is under the age of 12 years; or
- (h) the person has a physical or mental illness or condition or disability that makes wearing a face covering unsuitable; or
- (i) the person needs to remove the face covering to take medicine; or
- (j) the person needs to remove the face covering to eat or drink (if eating or drinking is permitted by the conditions of carriage on the relevant service).

Physical distancing requirements

15 Meaning of 1-metre and 2-metre physical distancing rules

- (1) In this order, the **1-metre physical distancing rule**—
 - (a) requires that a person remain at least 1 metre away from any other person; but
 - (b) applies only if the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) applies to each person referred to in paragraph (a) (for example, both persons are workers); and
 - (c) does not apply to—
 - (i) a person in relation to their fellow residents (in any alert level area); or
 - (ii) a gathering of friends and whānau in a workplace in the alert level 2 area.
- (2) In this order, the **2-metre physical distancing rule**—
 - (a) requires that a person remain at least 2 metres away from any other person; but
 - (b) does not apply to—
 - (i) a person in relation to their fellow residents (in any alert level area); or
 - (ii) a gathering of friends and whānau in a workplace in the alert level 2 area.

16 Physical distancing requirements on public transport services on specified route

- (1) If a vehicle that is in use as part of a public transport service travels on a specified route, this clause applies in respect of the entire specified route taken by that vehicle.

Physical distancing

- (2) If the vehicle is a public transport service other than one provided by means of air transport or a small passenger service vehicle, the business or service must have systems and processes in place to maintain compliance so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all persons in the vehicle.
- (3) If the vehicle is a public transport service provided by means of air transport or a small passenger service vehicle, the business or service must have systems and processes in place to maintain physical distancing so far as is reasonably practicable for all persons in the vehicle.

Passengers to remain seated

- (4) If the vehicle is a public transport service other than one described in subclause (5),—
 - (a) passengers must, so far as is reasonably practicable, remain seated in the vehicle when it is in motion; and
 - (b) the business or service must have systems and processes in place to ensure, so far as is reasonably practicable, that passengers remain seated in the vehicle when it is in motion.
- (5) Subclause (4) does not apply to the following public transport services:
 - (a) air transport;
 - (b) a service that uses a small passenger service vehicle;
 - (c) any public transport service where the service supplies all passengers with a confirmation of their guaranteed seat on booking (including the Cook Strait ferry or interregional buses).
- (6) In this clause, **specified route** means a route that involves a vehicle travelling—
 - (a) between the alert level 2 area and the alert level 4 area; or
 - (b) to and from the alert level 2 area, if the vehicle passes through the alert level 4 area.
- (7) This clause does not apply to—
 - (a) a school transport service; or
 - (b) travel that takes place only within the alert level 2 area (*see* clauses 35 and 40(3)).

*Restrictions on travel between alert level areas***17 Restrictions on travel into, out of, or through alert level areas**

- (1) A person in one alert level area may go into, out of, or through another alert level area only if—
 - (a) the travel is for 1 or more of the purposes permitted under clause 18; and

- (b) the person, so far as is reasonably practicable, travels directly without stopping while in the other alert level area (except for the permitted purpose of the travel under clause 18 or a permitted airport transfer).
- (2) For the purposes of subclause (1)(b), a **permitted airport transfer** is a stop by a person at an airport for the purpose of transferring to an aircraft to go to another place in New Zealand or outside New Zealand if—
 - (a) the person does not leave the airport except to board a departing flight or to stay in temporary accommodation; and
 - (b) the person’s departing flight is scheduled to depart within 24 hours after the person enters the airport.
- (3) For the purposes of subclause (1), a person does not go into or out of the alert level 4 area just because—
 - (a) the person is travelling along a road that forms part of the boundary of the alert level 4 area; or
 - (b) the person’s property is divided by the boundary of the alert level 4 area (or a road that forms part of the boundary) and the person is accessing a part of their property (*see also* clause 8(1)(b), which relates to the application of Part 3 to a property that is partly within the alert level 4 area).

Clause 17(1): amended, at 11.59 pm on 15 September 2021, by clause 6 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

18 Permitted purposes for travel between alert level areas

Permissions for travel into, out of, or through alert level areas

- (1) For the purposes of clause 17, a person in one alert level area is permitted to go into, out of, or through another alert level area (and return to their home or place of residence afterwards) for 1 or more purposes set out in Schedule 5.
- (2) *[Revoked]*
- (3) *[Revoked]*

Permissions for travel to principal home or place of residence

- (4) A person may go to their principal home or place of residence only if they are travelling from the alert level 2 area into the alert level 4 area.

Additional permissions for travel through alert level 4 area

- (5) A person may go into, through, and out of the alert level 4 area (in 1 trip) for a purpose described in subclause (6) if—
 - (a) neither the place of departure nor the destination is in the alert level 4 area; and
 - (b) it is necessary to travel through the alert level 4 area for that purpose.
- (6) Subclause (5) applies to 1 or more of the following purposes:
 - (a) going to, or returning from, work:

- (b) going to the person's principal home or place of residence:
 - (c) relocating their home or place of residence or business premises on a permanent or long-term basis, or leaving their home or place of residence to arrange or carry out the relocation (including to inspect the property or a potential property):
 - (d) attending an education entity that they ordinarily attend for the purposes of receiving education services:
 - (e) attending a funeral, tangihanga, wedding, or civil union service:
 - (f) collecting or accompanying a tūpāpaku or deceased person:
 - (g) if the person is a child, going to visit or stay at, or returning from visiting or staying at, the home or place of residence of a shared caregiver.
- (7) Subclause (6) does not limit subclause (1).
- (8) The permissions in this clause do not apply to travel that takes place only within the alert level 4 area (*see* clause 21).

Clause 18(1): amended, at 11.59 pm on 15 September 2021, by clause 7(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 18(2) heading: revoked, at 11.59 pm on 10 September 2021, pursuant to clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 18(2): revoked, at 11.59 pm on 10 September 2021, by clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 18(3) heading: revoked, at 11.59 pm on 10 September 2021, pursuant to clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 18(3): revoked, at 11.59 pm on 10 September 2021, by clause 4(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 18(6)(g): inserted, at 11.59 pm on 10 September 2021, by clause 4(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 18(7): amended, at 11.59 pm on 15 September 2021, by clause 7(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

19 Evidence of permission for travel between alert level areas

- (1) A person must carry evidence of the purpose of their travel and the location of their destination if—
- (a) they rely on a permission under any of the following items of Schedule 5:
 - (i) working for certain businesses or services (items 1, 2, and 3):
 - (ii) *[Revoked]*
 - (iii) accessing health services with appointment (items 7 and 8):

- (iv) leaving or relocating home from hospital, etc (item 9):
 - (v) accessing judicial institutions if required or permitted (item 10):
 - (vi) leaving or relocating home on a court order, etc (items 11 and 12):
 - (vii) leaving New Zealand (item 14):
 - (viii) going home after isolation or quarantine (or arrival) in New Zealand (item 16):
 - (ix) caring for pets or other animals (item 18):
 - (b) they rely on a permission for any of the following purposes under clause 18:
 - (i) *[Revoked]*
 - (ii) travelling to principal home or place of residence under clause 18(4):
 - (iii) travelling in 1 trip under clause 18(5):
 - (c) they rely on the permission under clause 18 to return to their home or place of residence after going into, or out of, an alert level area for another permitted purpose.
- (2) The evidence required by subclause (1) may (but need not) be or include a document issued by the New Zealand Government for the purposes of this clause.

Clause 19(1)(a)(ii): revoked, at 11.59 pm on 15 September 2021, by clause 8(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 19(1)(a)(ix): amended, at 11.59 pm on 15 September 2021, by clause 8(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 19(1)(b)(i): revoked, at 11.59 pm on 15 September 2021, by clause 8(3) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

19A Obligations concerning COVID-19 testing of certain persons travelling into or out of alert level 4 area

- (1) A person who relies on a permission to travel into or out of the alert level 4 area under item 1 or 2 of Schedule 5 must also comply with this clause.
- (2) The person must carry, as facilitated by their employer (if any) under clause 19B,—
 - (a) evidence of having had a COVID-19 test administered no more than 7 days before their journey began; or
 - (b) a certificate that verifies that the person was examined by a medical practitioner no more than 7 days before the journey began and that the person—

- (i) was determined to have particular physical or other needs that made it inappropriate for the person to undergo a COVID-19 test; and
 - (ii) did not exhibit symptoms of COVID-19.
- (3) A person must produce evidence of the COVID-19 test or the relevant certificate when requested by an enforcement officer.
- (4) In this clause and clause 19B,—

certificate means—

(a) written verification provided by the medical practitioner who carried out the examination; or

(b) any other appropriate evidence that the Director-General has specified

COVID-19 test means any applicable examination or test (or both) for COVID-19 that the Director-General has specified

Director-General has specified, in relation to a certificate or COVID-19 test, means specified by the Director-General in a notice published—

(a) on a publicly accessible Internet site maintained by or on behalf of the New Zealand Government; and

(b) in the *Gazette*.

Clause 19A(2): amended, at 11.59 pm on 10 September 2021, by clause 5 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

19B Duty of businesses and services to facilitate testing and medical examination for workers who cross alert level boundaries

- (1) A relevant business or service must—
- (a) have systems and processes in place, so far as is reasonably practicable, to ensure that their workers are not required to travel into, out of, or through the alert level 4 area unless the worker has evidence of having had a COVID-19 test administered no more than 7 days before the worker's journey began; and
 - (b) not prevent their workers from reporting for and undergoing testing, medical examination, or both during their working hours, if testing and medical examination are available during those hours.
- (2) In this clause, **relevant business or service** means a business or service listed in Schedule 2 or any other business or service whose workers may need to travel into, out of, or through the alert level 4 area in order to undertake work under clause 25(2).

Part 3

Alert level 4 requirements to prevent outbreak or spread of COVID-19

Stay-at-home requirements in alert level 4 area

20 Stay-at-home requirements in alert level 4 area

- (1) All persons in the alert level 4 area must—
 - (a) remain at their current home or place of residence, except for essential personal movement permitted under clause 21; and
 - (b) if their home or place of residence is mobile, keep that home or place of residence in the same general location, except to the extent that they would be permitted (if it were not mobile) under clause 21 to leave the home or place of residence as essential personal movement.
- (2) A breach of subclause (1)(a) or (b) is an infringement offence for the purposes of section 26(3) of the Act.

21 Permissions for essential personal movement within alert level 4 area

A person is permitted to leave their home or place of residence to do any of the following as **essential personal movement** (and then return to their home or place of residence afterwards) within the alert level 4 area:

Accessing businesses or services

- (a) to access any alert level 4 business or service or exempt business or service if—
 - (i) the access is for their own needs or on behalf of a fellow resident, a vulnerable person, or a high-risk person; and
 - (ii) the business or service is—
 - (A) an exempt business or service; or
 - (B) an alert level 4 business or service of a kind that Schedule 2 indicates is permitted to have customers and clients in the workplace:

Working

- (b) to do either of the following:
 - (i) to provide an alert level 4 business or service operating in compliance with the alert level 4 requirements:
 - (ii) to work for an exempt business or service if they are a worker referred to in clause 50(p) to (t):
- (c) to do necessary work at any premises under clause 25(2):

Limited recreation purposes

- (d) to undertake exercise or other recreation if—
 - (i) it is done in an outdoor place appropriate for that kind of exercise or recreation that is readily accessible (including by using their vehicle) from their home or place of residence; and
 - (ii) it is done in compliance with the requirements that relate to physical distancing (*see* clause 22) and the prohibition against gathering in outdoor places (*see* clause 30); and
 - (iii) it does not involve swimming, surfing, scuba-diving, water-based activities involving boating, sailing boats, motorised craft, or motorised equipment, hunting in motorised vehicles, tramping, or flying manned aircraft; and
 - (iv) it does not involve any other activities that expose the participant to danger or may require search and rescue services:

Limited customary purposes

- (e) to exercise Māori customary rights to fishing and food gathering if—
 - (i) it is done in an outdoor place that is readily accessible (including by using their vehicle) from their home or place of residence; and
 - (ii) it is done in compliance with the requirements that relate to physical distancing (*see* clause 22) and the prohibition against gathering in outdoor places (*see* clause 30); and
 - (iii) it does not involve swimming, surfing, scuba-diving, water-based activities involving boating, sailing boats, motorised craft, or motorised equipment, hunting in motorised vehicles, tramping, or flying manned aircraft; and
 - (iv) it does not involve any other activities that expose the participant to danger or may require search and rescue services:

Shared bubble arrangements and shared caregiver arrangements

- (f) to visit or stay at another home or place of residence under a shared bubble arrangement if—
 - (i) one person lives alone in one, or both, of those residences; or
 - (ii) all persons in one of those residences are vulnerable persons:
- (g) if the person is a child leaving the home or place of residence of a shared caregiver, to visit or stay at the home or place of residence of another shared caregiver provided that the residents of the homes or places of residence of the shared caregivers are part of the same shared bubble arrangement:

Care of children and others

- (h) to provide urgent care for a child or to provide care or support to a person in a critical or terminal condition:
- (i) to provide childcare for a worker described in paragraph (b) or (c), or who is exempt from clause 20 pursuant to an exemption granted by the Director-General under clause 51, if—
 - (i) the worker has to leave their home or place of residence to work and has no one in their shared bubble arrangement who is able to provide childcare; and
 - (ii) the person who provides the childcare—
 - (A) is the only person outside the worker’s home, place of residence, or shared bubble arrangement who provides the worker with childcare; and
 - (B) does not provide childcare to any other person and acts as if they were in a shared bubble arrangement with the worker:
- (j) to convey children to, or from, the home or place of residence of a person providing childcare if the conveying person is the worker, or the childcare provider, described in paragraph (i):

Accessing health services

- (k) to access a health service, including to receive their first or second injection of the Pfizer/BioNTech COVID-19 vaccine:

Accessing judicial institutions

- (l) to attend a court, tribunal, New Zealand Parole Board hearing, or other judicial institution that they are required or permitted to attend by that institution:

Leaving or relocating home on court order, etc

- (m) to leave or change their home or place of residence as required by—
 - (i) a court order (other than a parenting order, an interim parenting order, or an order to settle a dispute between guardians); or
 - (ii) anyone exercising a power under any enactment to—
 - (A) order the person to be detained; or
 - (B) order the person to change their place of detention; or
 - (C) determine the person’s place of residence:

Example of power

A direction of the New Zealand Parole Board or a probation officer.

- (n) to leave or change a home or a place of residence after a period of requirement, detention, or determination described in paragraph (m):

Collecting certain persons

- (na) to collect a person referred to in paragraph (m) or (n) for the purpose of accompanying them to their home or place of residence (or intended home or place of residence) in New Zealand:

Leaving or relocating home from hospital, etc

- (o) to leave or change a home or a place of residence that is a hospital, another residential health service, or residential care:

Leaving New Zealand

- (p) if leaving New Zealand for another jurisdiction, to go to—
- (i) an airport or a port from which the person will leave New Zealand; or
 - (ii) any managed isolation and quarantine facility immediately before leaving New Zealand:

Emergencies

- (q) if necessary, to preserve their own or any other person's life or safety:

Relocating home or place of residence

- (r) to change their home or place of residence if necessary to use a temporary or emergency home or place of residence (for example, for care while sick or to seek refuge in women's refuge accommodation):

Going home after isolation or quarantine (or arrival)

- (s) to go to the person's home or place of residence (or intended home or place of residence) following—
- (i) the completion of their period of isolation or quarantine under the Isolation and Quarantine Order or the Maritime Border Order; or
 - (ii) if the Isolation and Quarantine Order and Maritime Border Order do not apply to the person, their arrival in New Zealand:
- (t) to collect a person referred to in paragraph (s) for the purpose of accompanying them to their home or place of residence (or intended home or place of residence):

Services for tūpāpaku or deceased person

- (u) to collect or accompany a tūpāpaku or deceased person, but only if—
- (i) the total number of people collecting or accompanying the tūpāpaku or deceased person (including the person operating the vehicle) is no more than 10; and
 - (ii) the people collecting or accompanying the tūpāpaku or deceased person (other than the person operating the vehicle) are fellow residents of each other:

- (v) to provide, or assist with providing, services to a tūpāpaku or deceased person (including washing, dressing, shrouding, or otherwise preparing for burial or cremation):
- (w) to view a tūpāpaku or deceased person, but only if—
 - (i) the total number of people viewing the tūpāpaku or deceased person at any time is no more than 10; and
 - (ii) the people viewing the tūpāpaku or deceased person at any time (other than the person having charge of the tūpāpaku or deceased person) are fellow residents of each other:

Caring for pets or other animals

- (x) to care for pets or other animals that they own or are in charge of if it is necessary to do so:

Travelling between alert level areas if permitted by clause 18

- (y) to travel, in accordance with clause 17(1), for 1 or more of the purposes permitted by clause 18:

Assisting fellow resident

- (z) to assist a fellow resident to carry out essential personal movement or to accompany a fellow resident carrying out essential personal movement, but only to the extent permitted for that fellow resident under this clause.

Clause 21(b): amended, at 11.59 pm on 15 September 2021, by clause 9(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 21(m)(i): amended, at 11.59 pm on 15 September 2021, by clause 9(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 21(na) heading: inserted, at 11.59 pm on 15 September 2021, by clause 9(3) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 21(na): inserted, at 11.59 pm on 15 September 2021, by clause 9(3) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Physical distancing and face covering requirements for individuals in alert level 4 area

22 Physical distancing requirements for all individuals in alert level 4 area

- (1) All persons in the alert level 4 area must comply with the 2-metre physical distancing rule so far as is reasonably practicable.
- (2) Subclause (1) is subject to subclauses (3), (4), and (5).
- (3) The following people must comply with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) so far as is reasonably practicable:

- (a) all workers of an alert level 4 business or service while they are in the workplace of, or working for, the business or service:
 - (b) all other persons who enter the workplace, or use the services, of an alert level 4 business or service if Schedule 2 indicates that the 1-metre physical distancing rule applies to a business or service of that kind.
- (4) All persons who enter a workplace of, use the services of, or work for a public transport service provided by means of air transport or a small passenger service vehicle must maintain physical distancing so far as is reasonably practicable.
- (5) A breach of subclause (1) or (3) is an infringement offence for the purposes of section 26(3) of the Act.

23 Additional face covering requirements for individuals in alert level 4 area

- (1) Every person must wear a face covering when on any part of the premises of the following businesses or services that are open to the public in the alert level 4 area:
- (a) supermarkets:
 - (b) dairies:
 - (c) petrol stations, including any stores operating as part of the petrol station:
 - (d) licensing trusts:
 - (e) pharmacies:
 - (f) food banks:
 - (g) self-service laundries:
 - (h) hardware and do-it-yourself stores:
 - (i) public areas of courts and tribunals, except that—
 - (i) a judicial officer may exercise discretion regarding the use of face coverings in the room where the hearing is held:
 - (ii) this does not affect the exclusion from the closure of premises in clause 25(2)(b):
 - (j) public areas, including customer service counters, of social and community based services provided to support persons to maintain critical well-being or as crisis support for people who are unsafe or homeless.
- (2) Every person must wear a face covering at arrival and departure points for public transport services (for example, bus stops, train stations, and airports).
- (3) For a health service other than a pharmacy, every person who is not a patient or worker of the health service must wear a face covering when on the premises of the health service.

- (4) Every person must wear a face covering if the person is attending a funeral home, marae, place of worship, or faith-based institution for the purpose of—
 - (a) accompanying a tūpāpaku or deceased person; or
 - (b) providing services, or assisting with providing services, to a tūpāpaku or deceased person; or
 - (c) viewing a tūpāpaku or deceased person.
- (4A) A worker delivering goods to a dwelling house in the alert level 4 area must wear a face covering for any part of the trip during which they are not in or on their vehicle.
- (5) Every person must wear a face covering while providing an alert level 4 business or service to another person in that other person’s home or place of residence (other than a person providing childcare at a home or place of residence).
- (6) However, subclauses (1) to (5) do not apply in the circumstances set out in clause 24.
- (7) A breach of any of subclauses (1) to (5) is an infringement offence for the purposes of section 26(3) of the Act.

Clause 23(1): amended, at 11.59 pm on 10 September 2021, by clause 6(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 23(4A): inserted, at 11.59 pm on 10 September 2021, by clause 6(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 23(5): amended, at 11.59 pm on 15 September 2021, by clause 10 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

24 Exemptions from additional face covering requirements in clause 23

Clause 23 does not apply to a person if—

- (a) there is an emergency; or
- (b) wearing a face covering is not safe in all of the circumstances; or
- (c) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (d) the person is asked to remove the face covering to ascertain identity; or
- (e) removal of, or not wearing, the face covering is otherwise required or authorised by law; or
- (f) the person is under the age of 12 years; or
- (g) the person has a physical or mental illness or condition or disability that makes wearing a face covering unsuitable; or
- (h) the person needs to remove the face covering to take medicine; or
- (i) the person needs to remove the face covering to eat or drink.

*Workplace requirements in alert level 4 area***25 Closure of premises in alert level 4 area**

- (1) A person in control of premises in the alert level 4 area must close those premises unless—
 - (a) the person is carrying on an alert level 4 business or service; and
 - (b) the alert level 4 business or service is operating in compliance with the alert level 4 requirements.
- (2) However,—
 - (a) this clause does not prevent a person from undertaking any necessary work in any premises for either of the following purposes:
 - (i) minimum basic operations required to—
 - (A) maintain the condition or value of, or clean, the premises, or any plant, equipment, or goods in the premises;
 - (B) care for animals;
 - (C) receive stock or freight (including livestock);
 - (D) enable workers to work, or to continue to work, remotely from their homes or places of residence;
 - (ii) to prepare the premises for reopening (and to meet public health guidance); and
 - (b) this clause does not apply to any premises referred to in section 12(2)(c) or (d) of the Act.
- (3) If a person is undertaking any necessary work in the premises of a business or service in reliance on subclause (2), the business or service must comply with clauses 26 and 27.
- (4) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

26 Businesses and services in alert level 4 area to have systems and processes for physical distancing requirements

- (1) An alert level 4 business or service must have systems and processes in place to—
 - (a) maintain compliance so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all workers in a workplace of, or while working for, the business or service; and
 - (b) maintain compliance so far as is reasonably practicable with the 2-metre physical distancing rule for any other persons entering a workplace, or using the services, of the business or service; and

- (c) mitigate, so far as is reasonably practicable, the risks of spreading COVID-19 that arise to the extent that physical distancing is not fully maintained (for example, through regular cleaning of surfaces or the installation of plastic barriers).
- (2) Subclause (1)(a) and (b) applies except to the extent adjusted by clause 29.

27 Businesses and services in alert level 4 area to have systems and processes to minimise travel

An alert level 4 business or service must have systems and processes in place to, so far as is reasonably practicable,—

- (a) minimise travel of its workers between districts or alert level areas; and
- (b) mitigate the risks of spreading COVID-19 that arise to the extent that its workers travel between districts or alert level areas.

28 Certain business and services in alert level 4 area to have systems and processes for contact record rule

- (1) In this clause, **contact record rule**, in relation to a business or service, means that the person in control of a workplace of a business or service must have systems and processes in place to ensure, so far as is reasonably practicable, that each person aged 12 years or older who enters the workplace—
 - (a) scans the QR code for the workplace or otherwise makes their own contact record; or
 - (b) provides a contact record that the person in control of the workplace collects.
- (2) The person in control of a workplace of a business or service must comply with the contact record rule if Schedule 2 indicates that the rule applies to a business or service of that kind.
- (3) The person in control of a workplace of any of the following businesses and services must comply with the contact record rule, but only in relation to people other than workers of the business or service:
 - (a) a court or tribunal;
 - (b) a social or community-based service with a public area, including a customer service counter;
 - (c) a health service (including a pharmacy).
- (4) In subclause (3), **worker** includes a judicial officer of a court or tribunal.
- (5) This clause does not apply to a workplace that is excluded from the application of clause 9(1).
- (6) *See* clause 11(2) for requirements for the retention and disposal of contact records that are collected for the sole purpose of enabling contact tracing.

28A Contact record in respect of home services provided by alert level 4 business or service

- (1) This clause applies if an alert level 4 business or service provides a business or service to a person in that person's home or place of residence.
- (2) The business or service must, so far as is reasonably practicable, ensure it has systems and processes in place to keep a contact record in respect of each home or place of residence entered by its workers to provide a business or service for the purpose of enabling contact tracing.
- (3) If the business or service keeps a contact record for the sole purpose of enabling contact tracing, the business or service must—
 - (a) keep the record for a period of 60 days; and
 - (b) then dispose of the record.
- (4) In this clause, **contact record** means, in respect of each home or place of residence entered,—
 - (a) the names of all workers who entered the home or place of residence; and
 - (b) the address of the home or place of residence; and
 - (c) the date and time the home or place of residence was entered.

29 Adjusted alert level 4 requirements for businesses and services

The alert level 4 requirements are adjusted for an alert level 4 business or service as follows:

- (a) unless Schedule 2 indicates that a business or service of that kind may have customers and clients in the workplace, the business or service must have systems and processes in place to ensure so far as is reasonably practicable that—
 - (i) no customers or clients enter the workplace; and
 - (ii) there is no close personal contact with or between customers or clients:
- (b) if Schedule 2 indicates that the 1-metre physical distancing rule applies to a business or service of that kind, the business or service must have systems and processes in place to maintain compliance so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all persons entering the workplace of, using the services of, or working for the business or service:
- (c) for a public transport service provided by means of air transport or a small passenger service vehicle, the business or service must have systems and processes in place to maintain physical distancing so far as is

reasonably practicable for all persons entering the workplace of, using the services of, or working for the business or service:

- (d) the business or service must comply with all conditions (if any) set out for a business or service of that kind in Schedule 2.

29A Chief executive of MBIE may authorise certain businesses or services to operate as alert level 4 businesses or services

- (1) The chief executive of MBIE may—
 - (a) authorise a business or service that is located in the alert level 4 area to operate as an alert level 4 business or service if—
 - (i) it manufactures or distributes 1 or more of the following residential building products:
 - (A) coated roofing steel;
 - (B) plasterboard and gypsum plaster;
 - (C) cavity insulation; and
 - (ii) it is necessary to maintain supply for residential construction; and
 - (b) impose conditions on the authorisation, including (but not limited to) the number of workers permitted to enter the workplace of the business or service at any time.
- (2) Before determining whether to authorise a business or service, the chief executive of MBIE must consider—
 - (a) the need to maximise the supply of the specified residential building products; and
 - (b) the need to minimise movement within the alert level 4 area to prevent the risk of spreading COVID-19; and
 - (c) the measures the business or service has in place to mitigate the risk of spreading COVID-19; and
 - (d) the need for each of the specified residential products to be available.
- (3) The total number of workers for all the businesses and services authorised under this clause must not exceed 100.
- (4) An authorisation may be issued for an initial period of up to 7 days, and may be renewed for further periods of up to 7 days.

Clause 29A: inserted, at 10.00 am on 9 September 2021, by clause 4 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order 2021 (LI 2021/239).

Clause 29A(2)(b): amended, at 11.59 pm on 10 September 2021, by clause 7 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 29A(2)(c): amended, at 11.59 pm on 10 September 2021, by clause 7 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Prohibition on gatherings in outdoor places in alert level 4 area

30 Prohibition on gatherings in outdoor places in alert level 4 area

- (1) A person must not attend a gathering in any outdoor place in the alert level 4 area.
- (2) A person must not organise a gathering in any outdoor place in the alert level 4 area.
- (3) This clause does not apply to—
 - (a) a gathering of fellow residents; or
 - (b) any premises referred to in section 12(2)(d) of the Act.
- (4) A breach of subclause (2) is an infringement offence for the purposes of section 26(3) of the Act.

Part 4

**Alert level 2 requirements to prevent outbreak or spread of
COVID-19**

31 Application of clauses 32 to 42

- (1) Clauses 32 to 42 do not apply to—
 - (a) voluntary or not-for-profit sporting, recreational, social, or cultural activities; or
 - (b) community club activities (except activities that occur at the same time and place as services provided under a club licence under section 21 of the Sale and Supply of Alcohol Act 2012); or
 - (c) faith-based gatherings; or
 - (d) a gathering held in a defined space or premises of a business or service (other than a vehicle in use as part of a public transport service) that have been hired for the exclusive use of the gathering by a person (other than the person who manages or controls the defined space or premises); or
 - (e) households carrying out family activities involving only fellow residents.
- (2) *See* clauses 43 to 48, which contain requirements relating to social gatherings (including those described in subclause (1)(a) to (d)).
- (3) However, nothing in this Part applies to a school transport service.

Clause 31(1)(d): replaced, at 11.59 pm on 15 September 2021, by clause 11 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Physical distancing and face covering requirements for individuals in alert level 2 area

32 Physical distancing requirements for individuals in alert level 2 area

- (1) All persons who enter a workplace of, or use the services of, a business or service in the alert level 2 area must comply with the 2-metre physical distancing rule so far as is reasonably practicable.
- (2) Subclause (1) is subject to subclauses (3) and (4).
- (3) The following people must comply with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) so far as is reasonably practicable:
 - (a) all workers of a business or service while they are in the workplace of, or working for the business or service:
 - (b) all other persons who enter the workplace, or use the services, of a business or service if Schedule 6 indicates that the 1-metre physical distancing rule applies to a business or service of that kind.
- (4) However, neither the 1-metre nor the 2-metre physical distancing rule applies to the extent set out in clauses 33 to 35.
- (5) A breach of subclause (1) or (3) is an infringement offence for the purposes of section 26(3) of the Act.

33 Exceptions for individuals in close-proximity businesses and services in alert level 2 area

- (1) In this clause, **close-proximity businesses and services** means businesses and services to the extent that they carry on activities that they cannot undertake without physical contact, or close proximity, between people (for example, massage and hairdressing services or professional and semi-professional sports).
- (2) Neither the 1-metre nor the 2-metre physical distancing rule applies to the extent that physical contact, or close proximity, is required between workers and other people in order to carry out the activities of a close-proximity business or service in the alert level 2 area.

34 Exceptions for individuals at education entities in alert level 2 area

- (1) People who are ordinarily at an education entity in the alert level 2 area for the purposes of receiving or providing, or assisting in or supporting the receipt or provision of, education services are not required to comply with the 1-metre physical distancing rule or the 2-metre physical distancing rule.
- (2) The exception from physical distancing in subclause (1) does not apply to—
 - (a) inter-school activities:

- (b) activities at (or connected with) an education entity that are attended by people who are otherwise not ordinarily at the education entity for the purposes of receiving or providing, or assisting in or supporting the receipt or provision of, education services.

35 Requirements for individuals on public transport services in alert level 2 area

- (1) All persons who enter the workplace of, use the services of, or work for a public transport service in the alert level 2 area are not required to comply with either the 1-metre physical distancing rule or the 2-metre physical distancing rule.
- (2) However, *see* clause 16 if the vehicle travels on a specified route described in that clause.
- (3) Passengers must, so far as is reasonably practicable, remain seated in a vehicle when it is in motion and in use as a public transport service.
- (4) However, subclause (3) does not apply to the following public transport services:
 - (a) air transport:
 - (b) a service that uses a small passenger service vehicle:
 - (c) any public transport service where the service supplies all passengers with a confirmation of their guaranteed seat on booking (including the Cook Strait ferry or interregional buses).

36 Requirements on customers and clients at food and drink businesses and services in alert level 2 area

- (1) This clause applies to businesses and services where food or drink is sold or provided for consumption (or offered for consumption) to customers or clients in the workplace, such as—
 - (a) a restaurant, cafe, bar, or club; or
 - (b) a soup kitchen or other place where food or drink is provided without charge.
- (2) All customers or clients at the business or service must—
 - (a) be seated at a table, except in the circumstances described in subclause (3); and
 - (b) be seated at a table together in a number that does not exceed the maximum number limit (if any) for social gatherings; and
 - (c) comply so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) when they are not seated at a table.
- (3) The requirement for customers and clients to be seated at a table does not apply if they are—

- (a) entering premises, using a toilet or bathroom, paying, or departing from premises; or
 - (b) ordering or collecting food or drink, but only if doing so at premises other than on-licence premises or club premises.
- (4) Nothing in this clause applies to—
- (a) accommodation services selling or providing food or drink for residents (including room service):
 - (b) businesses or services providing food or drink to their workers:
 - (c) vending machines that are located and used within a workplace:
 - (d) cinemas and theatres selling food or drink to customers or clients when they are seated inside the cinema or theatre:
 - (e) the use of gaming machines operated in a class 4 venue, but only if—
 - (i) no food or drink is served or consumed within 2 metres of the gaming machines; and
 - (ii) no person is permitted to use a gaming machine without wearing a face covering.
- (5) If a business or service specified in subclause (1) holds an on-licence or a club licence and the customers or clients at the business or service are unable to meet the requirements of subclause (2) in relation to an activity, the activity is prohibited.
- (6) A breach of subclause (2) is an infringement offence for the purposes of section 26(3) of the Act.

Clause 36(4)(e): inserted, at 11.59 pm on 15 September 2021, by clause 12(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 36(5): replaced, at 11.59 pm on 15 September 2021, by clause 12(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Clause 36(6): inserted, at 11.59 pm on 15 September 2021, by clause 12(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

37 Additional face covering requirements for individuals in alert level 2 area

- (1) In this clause, **face covering rule** means that a person must wear a face covering.

Every person must wear face covering

- (2) Every person on the parts of the premises of a business or service that are open to the public in the alert level 2 area must wear a face covering if Schedule 6 indicates that the face covering rule applies to all persons on the premises.
- (3) Every person must wear a face covering when in the following indoor public areas of a business or service in the alert level 2 area:

- (a) a public area of a court or tribunal, except that a judicial officer may exercise discretion regarding the use of face coverings in the room where the hearing is held;
 - (b) a public area of a category A social service, including a customer service counter;
 - (c) a public area of premises operated by New Zealand Post Limited, including a customer service counter;
 - (d) a public area of a local authority, central government agency, or the New Zealand Police.
- (4) Every person must wear a face covering at arrival and departure points for public transport services (for example, bus stops, train stations, and airports).

Persons other than workers

- (5) On the premises of a health service other than a pharmacy, every person who is not a patient or worker of the health service must wear a face covering.

Workers only

- (6) A worker delivering goods to a dwelling house in the alert level 2 area must wear a face covering for any part of the trip during which they are not in or on their vehicle.
- (7) A worker in the alert level 2 area must wear a face covering when working with customers and clients on the premises of a cafe, restaurant, bar, club, soup kitchen, or other food and drink business to which clause 36 applies.
- (8) A worker must wear a face covering when working with customers and clients on the premises of a close-proximity business or service (other than professional or semi-professional sport) in the alert level 2 area.
- (9) However, subclauses (2) to (8) do not apply in the circumstances set out in clause 38.
- (10) A breach of any of subclauses (2) to (8) is an infringement offence for the purposes of section 26(3) of the Act.

38 Exemptions from additional face covering requirements in this Part

Clauses 37 and 46A do not apply to a person if—

- (a) there is an emergency; or
- (b) wearing a face covering is not safe in all of the circumstances; or
- (c) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (d) the person is asked to remove the face covering to ascertain identity; or
- (e) removal of, or not wearing, the face covering is otherwise required or authorised by law; or
- (f) the person is under the age of 12 years; or

- (g) the person has a physical or mental illness or condition or disability that makes wearing a face covering unsuitable; or
- (h) the person needs to remove the face covering to take medicine; or
- (i) the person needs to remove the face covering to eat or drink.

Clause 38 heading: amended, at 11.59 pm on 10 September 2021, by clause 8(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 38: amended, at 11.59 pm on 10 September 2021, by clause 8(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Workplace requirements in alert level 2 area

39 Workplaces in alert level 2 area to have systems and processes in place for physical distancing

- (1) A business or service in the alert level 2 area must have systems and processes in place to—
 - (a) maintain compliance so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all workers while they are in a workplace of, or working for, the business or service; and
 - (b) maintain compliance so far as is reasonably practicable with the 2-metre physical distancing rule for any other persons entering a workplace, or using the services, of the business or service; and
 - (c) mitigate, so far as is reasonably practicable, the risks of spreading COVID-19 that arise to the extent that physical distancing is not fully maintained (for example, through regular cleaning of surfaces or the installation of plastic barriers).
- (2) Subclause (1)(a) and (b) applies except to the extent adjusted by clause 40.

40 Adjusted alert level 2 requirements for businesses and services

- (1) The alert level 2 requirements are adjusted for a business or service as follows:
 - (a) if Schedule 6 indicates that the 1-metre physical distancing rule applies to a business or service of that kind, the business or service must have systems and processes in place to maintain compliance so far as is reasonably practicable with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all persons entering the workplace of, using the services of, or working for the business or service;
 - (b) the business or service must comply with all conditions (if any) set for a business or service of that kind in Schedule 6.
- (2) Subclause (1)(a) and clause 39(1)(a) and (b) do not apply to the extent that workers in a close-proximity business or service are required to have physical

- contact with, or close proximity to, people in order to carry out the activities of that business or service.
- (3) Public transport services in the alert level 2 area need not have systems and processes in place to maintain compliance with either the 1-metre physical distancing rule or the 2-metre physical distancing rule for all persons entering the workplace of, using the services of, or working for the business or service. (See, however, clause 16 if the vehicle travels on a specified route described in that clause. *See also* items 17 and 18 of Schedule 6.)
 - (4) Education entities in the alert level 2 area—
 - (a) need not have systems and processes in place to maintain compliance with either the 1-metre physical distancing rule or the 2-metre physical distancing rule for people who are ordinarily at the education entity for the purposes of receiving or providing, or assisting in or supporting the receipt or provision of, education services; but
 - (b) must have systems and processes in place to mitigate so far as is reasonably practicable the risks that arise to the extent that compliance with the physical distancing requirements that would otherwise apply under this Part to the workplace or service is not fully maintained (for example, regular cleaning of surfaces).
 - (5) The adjustment in subclause (4) does not apply to—
 - (a) inter-school activities;
 - (b) activities at (or connected with) an education entity that are attended by people who are otherwise not ordinarily at the education entity for the purposes of receiving or providing, or assisting in or supporting the receipt or provision of, education services.

41 Businesses and services in alert level 2 area to have systems and processes to minimise travel

A business or service in the alert level 2 area must have systems and processes in place to, so far as is reasonably practicable,—

- (a) minimise travel of its workers between alert level areas; and
- (b) mitigate the risks of spreading COVID-19 that arise to the extent that its workers travel between alert level areas.

42 Certain business and services in alert level 2 area to have systems and processes for contact record rule

- (1) In this clause, **contact record rule**, in relation to a business or service, means that the person in control of a workplace of a business or service must have systems and processes in place to ensure, so far as is reasonably practicable, that each person aged 12 years or older who enters the workplace—
 - (a) scans the QR code for the workplace or otherwise makes their own contact record; or

- (b) provides a contact record that the person in control of the workplace collects.
- (2) The person in control of a workplace of a business or service in the alert level 2 area must comply with the contact record rule if Schedule 6 indicates that the rule applies to a business or service of that kind.
- (3) The person in control of a workplace of any of the following businesses and services in the alert level 2 area must comply with the contact record rule, but only in relation to people other than workers of the business or service:
 - (a) a court or tribunal:
 - (b) a category A social service with a public area, including a customer service counter:
 - (c) a health service (including a pharmacy):
 - (d) an indoor public facility (for example, a museum, library, or swimming pool):
 - (e) an indoor event facility (for example, a cinema, theatre, concert venue, conference venue, or casino):
 - (f) an indoor exercise facility (for example, a gym):
 - (g) a cafe, restaurant, bar, club, soup kitchen, or other food and drink business to which clause 36 applies:
 - (h) a close-proximity business or service (for example, a massage or hair-dressing service or a professional or semi-professional sport).
- (4) In subclause (3), **worker** includes a judicial officer of a court or tribunal.
- (5) This clause does not apply to a workplace that is excluded from the application of clause 9(1).
- (6) *See* clause 11(2) for requirements for the retention and disposal of contact records that are collected for the sole purpose of enabling contact tracing.

Social gatherings

43 Application of clauses 44 to 48

Clauses 44 to 48 do not apply to a gathering of fellow residents.

44 Number limit for social gathering

- (1) A social gathering must not exceed—
 - (a) 50 people in an indoor defined space at any one time;
 - (b) 100 people in an outdoor defined space at any one time.
- (2) This clause does not apply to any premises referred to in section 12(2)(d) of the Act.

45 Workers excluded from number limit

Workers who are providing services in relation to a social gathering are not to be counted as part of the number limit for the gathering in clause 44.

46 Individuals must comply with requirements for social gatherings

- (1) A person must not attend a social gathering that exceeds the number limit for that gathering specified in clause 44.
- (2) If clause 48(2) applies to a social gathering, a person who attends the social gathering must—
 - (a) scan the QR code for the social gathering or otherwise make their own contact record; or
 - (b) provide a contact record referred to in that clause.

46A Additional face covering requirement for workers at social gatherings

- (1) A worker must wear a face covering when working at a social gathering (*see* clause 38, which provides exemptions from additional face covering requirements).
- (2) A breach of subclause (1) is an infringement offence for the purposes of section 26(3) of the Act.

Clause 46A: inserted, at 11.59 pm on 10 September 2021, by clause 9 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Clause 46A(2): inserted, at 11.59 pm on 15 September 2021, by clause 13 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

47 People responsible for social gatherings must comply with number limit

- (1) A social gathering that exceeds the number limit for the gathering in clause 44 is prohibited.
- (2) The people responsible for a social gathering must ensure that the social gathering does not exceed the number limit.
- (3) A breach of subclause (2) is an infringement offence for the purposes of section 26(3) of the Act.

48 People responsible for social gatherings must comply with contact record requirements

- (1) A social gathering in which the requirements in subclause (2) are not met is prohibited.
- (2) The people responsible for a social gathering must ensure that there are systems and processes in place to ensure that, so far as is reasonably practicable, each person aged 12 years or older who attends the social gathering—
 - (a) scans the QR code for the social gathering or otherwise makes their own contact record; or

- (b) provides a contact record that is kept by one of the people responsible for or attending the social gathering.
- (3) Subclause (2) does not apply if every person aged 12 years or older at the social gathering knows, and can identify for the purposes of contact tracing, every other person aged 12 years or older who is a participant in the social gathering.

Part 5

Miscellaneous

49 Exemption for emergencies

Nothing in this order prevents any person from assisting in, or responding to, an emergency.

50 Other exemptions from this order

Nothing in this order applies—

- (a) to border services (including law enforcement activities related to border services) provided by Immigration New Zealand, the New Zealand Customs Service, Maritime New Zealand, or the Ministry for Primary Industries:
- (b) to the provision of health services, except in relation to—
 - (i) pharmacies:
 - (ii) contact record requirements for other health services under,—
 - (A) for the alert level 4 area, clauses 9, 11, and 28:
 - (B) for the alert level 2 area, clauses 9, 11, and 42:
- (c) to residential centres (including care and protection and youth justice residences), family homes, and group homes (including family group homes and community-based remand centres) that are approved or recognised for the time being by the chief executive of Oranga Tamariki as a place of care or treatment for the purposes of the Oranga Tamariki Act 1989:
- (d) within a corrections prison as defined in section 3(1) of the Corrections Act 2004 or any premises managed by or on behalf of the Department of Corrections:
- (e) to custodial or detention services managed by the New Zealand Police, the Department of Corrections, or the Ministry of Justice, or within a courthouse:
- (f) to the administration of sentences and orders by the Department of Corrections or on its behalf:

- (g) to people being transported for the purposes of the Department of Corrections and New Zealand Police fulfilling their purposes and performing their functions and duties;
- (h) to the New Zealand Parole Board;
- (i) to the New Zealand Security Intelligence Service;
- (j) to the Government Communications Security Bureau;
- (k) to the New Zealand Defence Force;
- (l) to the New Zealand Police;
- (m) to Fire and Emergency New Zealand;
- (n) to civil defence emergency management services provided by the National Emergency Management Agency and Civil Defence Emergency Management Groups;
- (o) to managed isolation or quarantine services for COVID-19 or to people while they are required to be in isolation or quarantine in accordance with either of the following:
 - (i) the Isolation and Quarantine Order;
 - (ii) the Maritime Border Order;
- (p) to workers carrying out any business or service referred to in any of paragraphs (a) to (o);
- (q) to Parliament and parliamentary staff in relation to parliamentary business;
- (r) to officers of Parliament in relation to—
 - (i) parliamentary business; or
 - (ii) undertaking their statutory functions;
- (s) to Ministers of the Crown and ministerial staff, in relation to Government business;
- (t) to people who are enforcement officers carrying out their functions and exercising their powers under the Act.

51 Power for Director-General to grant exemptions from this order

- (1) The Director-General may exempt any class of persons, businesses, services, or goods (or any person, business, service, or goods) from the application of any provision of this order or from the requirement to comply with any provision of this order in accordance with this clause.
- (2) The Director-General may grant an exemption if satisfied that—
 - (a) the exemption is necessary or desirable in order to promote the purposes of the Act or the purposes of this order; and
 - (b) the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the exemption.

- (3) In determining whether the condition in subclause (2)(a) is satisfied for an exemption from clause 17 (restrictions on travel between alert level areas), the Director-General must take into account—
 - (a) the extent to which the travel is reasonably necessary, including whether it could reasonably be delayed; and
 - (b) the economic, social, or health benefits associated with the purpose of the travel; and
 - (c) the public health risk associated with the travel and its purpose.
- (4) The Director-General may impose conditions on the exemption as the Director-General considers necessary.
- (5) An exemption for any specified person, business, service, or goods must be notified in writing to—
 - (a) the applicant; and
 - (b) in the case of an exemption for any specified person, business, or service, the exempt person or business.
- (6) An exemption for any class of persons, businesses, services, or goods must—
 - (a) be published on a publicly accessible Internet site maintained by or on behalf of the New Zealand Government; and
 - (b) be notified in the *Gazette*.
- (7) However, the Director-General need not comply with subclause (6) before an exemption, or an amendment to an exemption, comes into force if satisfied that the exemption or amendment should come into force urgently.
- (8) In that case,—
 - (a) the effect of the exemption (or, in the case of an amendment to an exemption, the effect of the amendment) must be publicly announced before it comes into force; and
 - (b) the Director-General must comply with subclause (6) as soon as practicable after the exemption or amendment comes into force.

Revocation

52 Revocation

The COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) 2021 (LI 2021/227) is revoked.

Schedule 1

Transitional, savings, and related provisions

cl 7

Part 1

Provisions relating to this order as made

1 Interpretation

In this Part, **commencement** means the date on and time at which this order commences.

2 Application of physical distancing requirements in accommodation services where space is limited on commencement

- (1) This clause applies if, on commencement,—
 - (a) people who are not fellow residents of each other are residing in the same room of an accommodation service; and
 - (b) the number of those people is more than 10 (which is the maximum number of people who may form an accommodation service bubble arrangement); and
 - (c) the room is not large enough to enable compliance with the physical distancing requirements while those people are in the room.
- (2) The physical distancing requirements do not apply to the extent needed to allow those people to continue residing in that room of the accommodation service.
- (3) In this clause, **physical distancing requirements** means the requirements that apply to those people while they are in the accommodation service and are described in clauses 22 and 26, if the accommodation service is in the alert level 4 area.

3 Existing exemptions continued

An exemption granted by the Director-General under clause 44 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) 2021 that is in force immediately before commencement continues in force on and after commencement as if it had been granted under clause 51 of this order, and is subject to the same conditions (if any) as applied before commencement.

Schedule 2

Alert level 4 businesses and services

cls 4(1), 11(6), 19B(2), 21, 22(3), 28(2), 29

Alert level 4 requirements under clauses 22, 28, 28A, and 29

Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions
1	Supermarkets	✓			Must have systems and processes in place to prevent food and drink from being served for consumption on premises
2	Dairies	✓			Must have systems and processes in place to prevent the following: <ul style="list-style-type: none"> • food and drink being served for consumption on premises: • the sale or offer of food and drink that requires further preparation or packaging on premises after the sale or offer
3	Petrol stations, including any stores operating as part of the petrol station	✓			Must have systems and processes in place to prevent the following: <ul style="list-style-type: none"> • food and drink being served for consumption on premises: • the sale or offer of food and drink that requires further preparation or packaging on premises after the sale or offer
4	Licensing trusts operating in Waitakere and Portage, but only in respect of the sale of alcohol under an off-licence	✓			Must have systems and processes in place to prevent food and drink from being served for consumption on premises
5	Health services (other than pharmacies)	Exempt—see clause 50	Exempt—see clause 50	See clause 28(3)(c)	

Alert level 4 requirements under clauses 22, 28, 28A, and 29

Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions
6	Drug and alcohol testing services required for work purposes by— <ul style="list-style-type: none"> • an alert level 4 business or service; or • an exempt business or service 	✓			
7	Pharmacies	✓		See clause 28(3)(c)	Must have systems and processes in place to prevent food and drink from being served for consumption on premises
8	Food banks	✓			Must have systems and processes in place to prevent food and drink from being served for consumption on premises
9	Self-service laundries	✓			Must have systems and processes in place to prevent food and drink from being served for consumption on premises
10	Hardware and do-it-yourself stores, but only for the purpose of selling to trade customers	✓			Must have systems and processes in place to prevent food and drink from being served for consumption on premises
11	Food delivery services for— <ul style="list-style-type: none"> • bakeries; • uncooked food suppliers; • alcohol suppliers 			✓	
12	Cooked food delivery services (but only if referred by the Ministry of Social Development, a District Health Board, or the Accident Compensation Corporation (for example, Meals on Wheels))			✓	

Alert level 4 requirements under clauses 22, 28, 28A, and 29

Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions

Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions
13	<p>Sale of essential non-food consumer products (via online ordering and contactless delivery) that are necessary for people to remain healthy and safe while isolating, to work or study from home, and to stay in communication with whānau and friends and remain up to date with news and health information, including—</p> <ul style="list-style-type: none"> necessary clothing, footwear, and bedding; urgently required whiteware and appliances (for example, refrigerators, heaters, washing machines and dryers, vacuum cleaners, fans, and dehumidifiers); urgently required cooking, cleaning, and laundry equipment; medicinal and hygiene products (for example, medication, PPE, first aid products, soaps, shampoos, moisturisers, and hand sanitisers); urgently required items for transport maintenance (for example, bicycle and automotive parts and repair kits); materials for urgent home repair; urgently required communication devices (for example, mobile phones, computer equipment, modems and Internet equipment, televisions, and radios); urgently required educational materials and books; urgently required home office equipment 			✓	

Alert level 4 requirements under clauses 22, 28, 28A, and 29					
1-metre (rather than 2-metre)	physical distancing rule applies to all persons	Customers and clients allowed in workplace	✓	Business or service Accommodation services	✓
Additional conditions	Must have systems and processes in place to prevent food and drink from being served for consumption on premises, unless—	Contact record rule applies			
•	the accommodation is tertiary student accommodation; or				
•	the food and drink is provided without close personal contact between people (for example, the contactless delivery of room service in a hotel)				
15	Building, construction, and maintenance services required for 1 or both of the following:				✓
•	to address immediate risks to health and safety;				
•	nationally important infrastructure				
	In this item, nationally important infrastructure means infrastructure that enables or supports supply chains that are needed for 1 or both of the following:				
•	to provide for the current needs of people and communities;				
•	to enable or support the recovery of the whole or any part of New Zealand from the effects of COVID-19				

Alert level 4 requirements under clauses 22, 28, 28A, and 29

Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions
16	Entities with statutory responsibilities for building and resource consenting that is necessary to enable the building, construction, and maintenance services referred to in item 15	✓	✓	✓	
17	Courts and tribunals (but note that this list does not affect the exclusion from the closure of premises in clause 25(2)(b))	✓	✓	See clause 28(3)(a)	
18	Justice sector (other than the justice sector businesses and services specified elsewhere in this schedule)	✓	✓	✓	
19	The following services: <ul style="list-style-type: none"> postal and courier services; freight services (including those for transporting livestock) provided by means of road, rail, air, or sea; any other transport and logistics services, including those provided at or through an aerodrome or a port 			✓	
20	Transport stations	✓	✓		
21	Passenger services provided by means of road, rail, air, or sea (excluding public transport services provided by means of air transport or small passenger service vehicles)	✓	✓		

Alert level 4 requirements under clauses 22, 28, 28A, and 29							
1-metre (rather than 2-metre)	physical distancing rule applies to all persons	See clause 29(c)	✓	Customers and clients allowed in workplace	Business or service	Number	
				✓	Public transport services provided by means of air transport or small passenger service vehicles	22	
					Primary industries (which means food and beverage processing, packaging, and production for both domestic consumption or export, plus the relevant support services) and veterinary and animal health and welfare services	23	✓

Alert level 4 requirements under clauses 22, 28, 28A, and 29				
Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies
24	<p>Scientific services (including research organisations) of the following kind or provided by the following entities or facilities:</p> <ul style="list-style-type: none"> ESR, GNS, GeoNet, NIWA, MetService: services involved in COVID-19 response, including laboratories and Physical Containment level 3 (PC3) facilities: services involved in hazard monitoring and resilience: services involved in diagnostics for critical businesses or services like biosecurity, food safety, or public health: other significant research facilities, including animal facilities, clinical trials, and infrastructure that requires constant attention (for example, samples, collections, and storage facilities), that are important to New Zealand 	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies ✓
25	Entities required to provide distance or online learning for primary and secondary education			Additional conditions ✓

Alert level 4 requirements under clauses 22, 28, 28A, and 29		1-metre (rather than 2-metre) physical distancing rule applies to all persons		Contact record rule applies	Additional conditions
Number	Business or service	Customers and clients allowed in workplace	✓	✓	Must keep students and staff, so far as is reasonably practicable, in groups that are appropriately sized and stable
26	School hostels	✓	✓	See clause 28(3)(b)	
27	Social and community-based services provided to support persons to maintain critical well-being or as crisis support for people who are unsafe or homeless	✓	✓		
28	<p>Key utilities, which means utilities that provide for the production, supply, sale, distribution, or disposal of 1 or more of the following:</p> <ul style="list-style-type: none"> • electricity: • gas: • water: • wastewater (for example, sanitation): • waste (for example, rubbish collection and recycling): • liquid or solid fuel: • telecommunications services (as defined in section 5 of the Telecommunications Act 2001) 			✓	

Alert level 4 requirements under clauses 22, 28, 28A, and 29

<p>Customers and clients allowed in workplace</p>	<p>1-metre (rather than 2-metre) physical distancing rule applies to all persons</p>	<p>Contact record rule applies ✓</p>	<p>Additional conditions</p>
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- Number** 29
- Business or service** **Key communications**, which—
- means news (including news production) and broadcast media; and
 - includes delivery of newspapers for non-English-language material audiences or communities that have limited access to digital connectivity and are hard to reach due to physical location

Alert level 4 requirements under clauses 22, 28, 28A, and 29				
Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies
30	<p>Government services, including services provided by State services and local authorities, but only if—</p> <ul style="list-style-type: none"> the service is a regulatory, defence, or social service, or relates to the COVID-19 response or infrastructure; and provision of the service cannot reasonably be delayed (for example, because a delay would breach an obligation under an enactment, risk harm to people or communities, or risk damage to the environment) <p>In this item, State services has the same meaning as in section 5 of the Public Service Act 2020 and local authority has the same meaning as in section 5(1) of the Local Government Act 2002</p>			✓
31	Foreign Government (maintaining critical operations of foreign missions based in New Zealand)			✓
32	Security services (including locksmiths)			✓
33	Pest management services			✓
34	Essential elements of pulp and paper plants			✓

Alert level 4 requirements under clauses 22, 28, 28A, and 29				
Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	
			Contact record rule applies	
			Additional conditions	
35	<p>Business or service</p> <p>The essential operations of the following businesses and services:</p> <ul style="list-style-type: none"> the Golden Bay Cement manufacturing plant in Portland, Whangarei; New Zealand Steel; 	✓	✓	
36	<p>Services provided for deceased persons or tūpāpaku (including washing, dressing, shrouding, or otherwise preparing for burial or cremation)</p>	✓		<p>Must have systems and processes in place to ensure that—</p> <ul style="list-style-type: none"> no more than a total of 10 people attend at any time; the people attending (other than the person having charge of the deceased person or tūpāpaku) are fellow residents of each other; the attendance of any person (other than the person having charge of the deceased person or tūpāpaku) at an indoor venue is no longer than 1 hour; no food or drink is served
37	<p>Unions, if reasonably necessary to provide a service that cannot reasonably be delayed (for example, because a delay would risk the health and safety of workers)</p>			✓

Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons	Contact record rule applies	Additional conditions
38	Businesses or services necessary, during the period that the business or service is operating in the alert level 4 area, to maintain any of the following: <ul style="list-style-type: none"> • other alert level 4 businesses or services: • exempt businesses or services 			✓	

Alert level 4 requirements under clauses 22, 28, 28A, and 29			
Number	Business or service	Customers and clients allowed in workplace	1-metre (rather than 2-metre) physical distancing rule applies to all persons
39	<p>Business or service</p> <p>Services provided to a person (A) at A's home or place of residence relating to—</p> <ul style="list-style-type: none"> the delivery, installation, or maintenance of goods that are necessary for A's health or safety (for example, the maintenance of kitchen appliances); building, construction, and maintenance services required to address immediate risks to health and safety; utility services relating to the installation and maintenance of services necessary to address immediate risks to health and safety (for example, electricity, gas, water, waste water and sanitation, waste, liquid fuel, and solid fuel); security services (including locksmiths); services for deceased persons and tūpāpaku 	<p>Customers and clients allowed in workplace</p>	<p>1-metre (rather than 2-metre) physical distancing rule applies to all persons</p>
40	<p>A business or service authorised by the chief executive of MBIE under clause 29A</p>	<p>Customers and clients allowed in workplace</p>	<p>1-metre (rather than 2-metre) physical distancing rule applies to all persons</p>
		<p>Business or service</p> <p>Services may only be provided if—</p> <ul style="list-style-type: none"> the provision of the service is necessary to address a risk to health or safety; and no person is present when the business or service is provided other than A and any fellow resident of A <p>Must have systems and processes in place to ensure that the number of workers is no more than the minimum required to operate safely</p>	<p>Contact record rule applies</p> <p>See clause 28A</p>
			<p>Additional conditions</p> <p>Services may only be provided if—</p> <ul style="list-style-type: none"> the provision of the service is necessary to address a risk to health or safety; and no person is present when the business or service is provided other than A and any fellow resident of A <p>Must have systems and processes in place to ensure that the number of workers is no more than the minimum required to operate safely</p>
			<p>Contact record rule applies</p> <p>See clause 28A</p>
			<p>Additional conditions</p> <p>Services may only be provided if—</p> <ul style="list-style-type: none"> the provision of the service is necessary to address a risk to health or safety; and no person is present when the business or service is provided other than A and any fellow resident of A <p>Must have systems and processes in place to ensure that the number of workers is no more than the minimum required to operate safely</p>

Schedule 2 heading: amended, at 10.00 am on 9 September 2021, by clause 5(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order 2021 (LI 2021/239).

Schedule 2 item 39: replaced, at 11.59 pm on 15 September 2021, by clause 14 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 2 item 40: inserted, at 10.00 am on 9 September 2021, by clause 5(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order 2021 (LI 2021/239).

Schedule 3

Description of alert level 4 area

cl 6(1)

Schedule 3: replaced, at 11.59 pm on 20 September 2021, by clause 4 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 4) 2021 (LI 2021/261).

Alert level 4 area means—

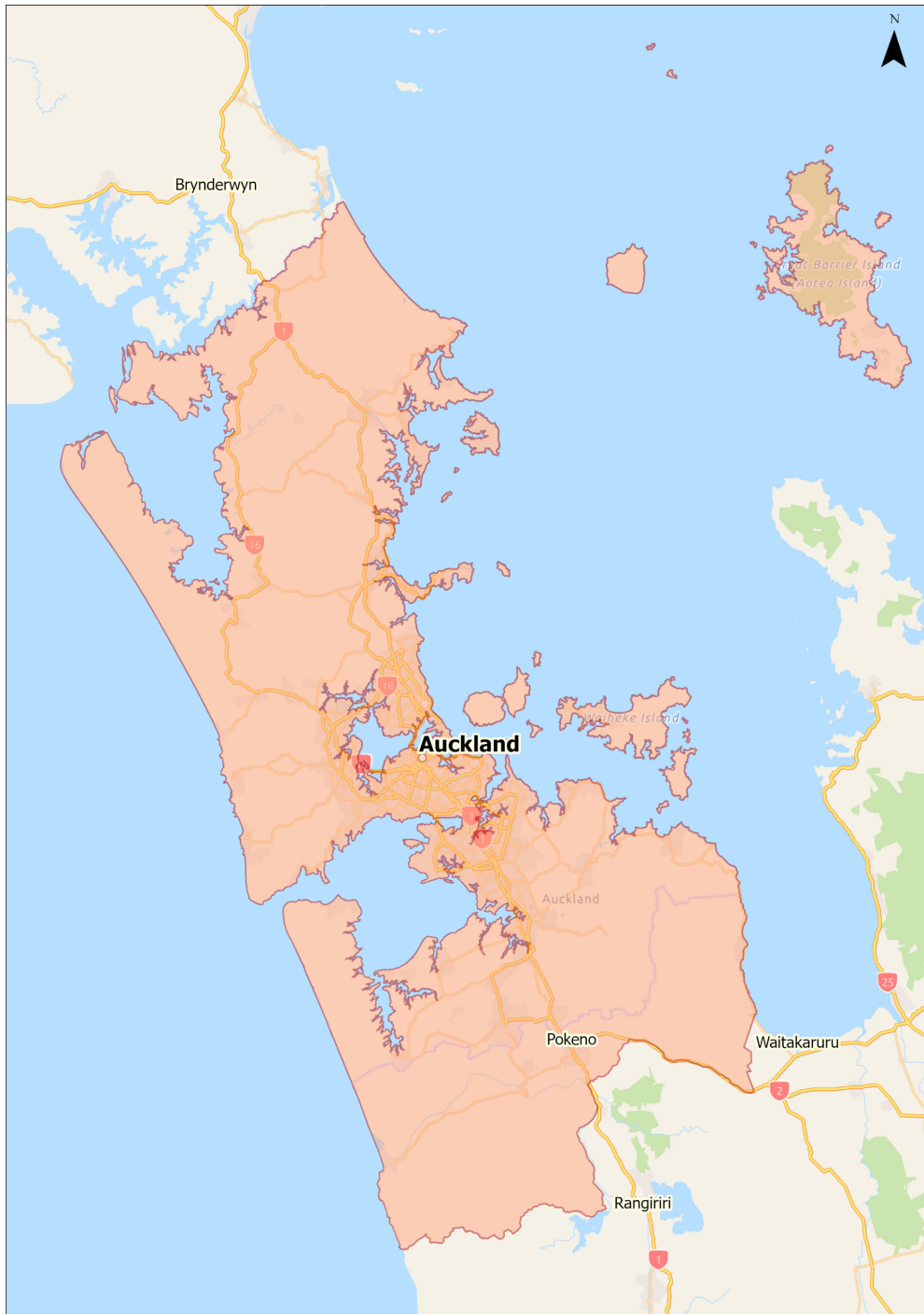
- (a) the area within the boundaries of Auckland as shown on LGC-Ak-R1; and
- (b) the area (bounded by the middle of the roads listed below)—
 - (i) commencing on the mean high-water mark of the west coast of the North Island at the southernmost point of the south-west corner of the area described in paragraph (a) (the boundaries of Auckland); then
 - (ii) proceeding in a generally south-easterly direction along the mean high-water mark (and across the mouth of the Waikato River) to the Kaawa Stream; then
 - (iii) proceeding in a generally north-easterly direction along the north bank of the Kaawa Stream to the intersection with Port Waikato-Waikaretu Road; then
 - (iv) proceeding south along Port Waikato-Waikaretu Road to the intersection with Baker Road; then
 - (v) proceeding north-east along Baker Road to the intersection with Wairamarama-Onewhero Road; then
 - (vi) proceeding south-east along Wairamarama-Onewhero Road to the intersection with Bothwell Loop Road; then
 - (vii) proceeding north-east along Bothwell Loop Road to the intersection with Waikaretu Valley Road; then
 - (viii) proceeding east along Waikaretu Valley Road to the intersection with State Highway 22; then
 - (ix) proceeding north-east along State Highway 22 to the intersection with Glen Murray Road; then
 - (x) proceeding south-east along Glen Murray Road to the intersection with Churchill Road; then
 - (xi) proceeding north along Churchill Road until it crosses the Opuatia Stream; then
 - (xii) proceeding in a generally north-easterly direction along the north bank of the Opuatia Stream to the Waikato River; then
 - (xiii) proceeding in a generally northerly direction along the west bank of the Waikato River to the intersection with Mercer Ferry Road; then

- (xiv) proceeding north-east along Mercer Ferry Road to the intersection with Koheroa Road; then
- (xv) proceeding north-east along Koheroa Road to the intersection with State Highway 2; then
- (xvi) proceeding east, south-east along State Highway 2 to the intersection with the Hauraki District boundary (as shown on SO LG-012-2013-W-1); then
- (xvii) proceeding north along the Hauraki District boundary to the point at 175.3096, -37.2589; then
- (xviii) proceeding east to the point at 175.3163, -37.2584; then
- (xix) proceeding north, north-east to the intersection with the Hauraki District boundary at 175.3104, -37.2510; then
- (xx) proceeding in a north-east direction along the Hauraki District boundary to the intersection with the mean high water mark of the west coast of the Firth of Thames; then
- (xxi) proceeding north along the mean high watermark to the intersection with the area described in paragraph (a) (the boundaries of Auckland); then
- (xxii) proceeding in a generally westerly direction along the southern boundary of the boundaries of Auckland to the point of commencement described in subparagraph (i).

Schedule 4 Map of alert level 4 area

cl 6(2)

Schedule 4: replaced, at 11.59 pm on 20 September 2021, by clause 5 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 4) 2021 (LI 2021/261).



Schedule 5

Permitted travel into, out of, or through alert level areas

cls 18(1), 19, 19A

Number	Activity
	<i>Working</i>
1	Go to or carry out work for a business or service listed in Schedule 2 (regardless of whether the business or service is in the alert level 4 area) and, if necessary, stay in no more than 1 place as temporary accommodation
2	Do necessary work of the kind described in clause 25(2)(a) at premises of a business or service that are in the same or an adjacent district and, if necessary, stay in no more than 1 place as temporary accommodation
3	If the person is referred to in clause 50(p) to (t), go to work and, if necessary, stay in no more than 1 place as temporary accommodation
4	<i>[Revoked]</i>
5	<i>[Revoked]</i>
	<i>Care of children and others</i>
6	Provide urgent care for a child, or provide care or support to a person in a critical or terminal condition, if no other appropriate person is able to provide that care or support in the alert level area in which it is needed
	<i>Accessing health services with appointment</i>
7	Receive their first or second injection of the Pfizer/BioNTech COVID-19 vaccine, if the facility providing the vaccine is the nearest such facility to the person's home or place of residence
8	Attend a scheduled appointment to receive another kind of health service
	<i>Leaving or relocating home from hospital, etc</i>
9	Leave or change a home or a place of residence that is a hospital, another residential health service, or residential care
	<i>Accessing judicial institutions if required or permitted</i>
10	Attend a court, tribunal, New Zealand Parole Board hearing, or other judicial institution that they are required or permitted to attend by that institution
	<i>Leaving or relocating home on court order, etc</i>
11	Leave or change their home or place of residence as required by—
	(a) a court order (other than a parenting order, an interim parenting order, or an order to settle a dispute between guardians); or
	(b) anyone exercising a power under any enactment to—
	(i) order the person to be detained; or
	(ii) order the person to change their place of detention; or
	(iii) determine the person's place of residence:
	Example of power
	A direction of the New Zealand Parole Board or a probation officer
12	Leave or change a home or a place of residence after a period of requirement, detention, or determination described in item 11
13	Collect a person referred to in item 11 or 12 for the purpose of accompanying them to their home or place of residence (or intended principal home or place of residence) in New Zealand
	<i>Leaving New Zealand</i>
14	If leaving New Zealand for another jurisdiction, go to—

Number	Activity
	(a) an airport or a port from which the person will leave New Zealand; or
	(b) any managed isolation or quarantine facility immediately before leaving New Zealand
	<i>Emergencies</i>
15	If necessary, preserve their own or any other person's life or safety <i>Going home after isolation or quarantine (or arrival) in New Zealand</i>
16	Go to the person's principal home or place of residence (or intended principal home or place of residence) in New Zealand following—
	(a) the completion of their period of isolation or quarantine under the Isolation and Quarantine Order or the Maritime Border Order; or
	(b) their arrival in New Zealand, if the Isolation and Quarantine Order and Maritime Border Order do not apply to the person on their arrival
17	Collect a person referred to in item 16 for the purpose of accompanying them to their principal home or place of residence (or intended principal home or place of residence) in New Zealand <i>Caring for pets or other animals</i>
18	Without limiting item 2, to provide care, or enable care to be provided, for pets or other animals, but only if—
	(a) a breach of the Animal Welfare Act 1999 could result if the care were not provided; and
	(b) the travel between alert level areas is necessary to provide the care or enable it to be provided
	<i>Accompanying others</i>
19	Accompany any person travelling for a purpose referred to in clause 18(4) or (5) or any of the other items of this schedule, but only if it is reasonably necessary for them to accompany that person

Schedule 5 item 4 heading: revoked, at 11.59 pm on 15 September 2021, by clause 15(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 5 item 4: revoked, at 11.59 pm on 15 September 2021, by clause 15(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 5 item 5: revoked, at 11.59 pm on 15 September 2021, by clause 15(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 5 item 11: amended, at 11.59 pm on 15 September 2021, by clause 15(2) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 5 item 19: amended, at 11.59 pm on 15 September 2021, by clause 15(3) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 6

Face covering and workplace requirements in alert level 2 area

cls 11(6), 32, 37, 40, 42(2)

Num ber	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
1	Retail businesses (for example, supermarkets, dairies, retail butchers, fishmongers, greengrocers, bakeries, shopping malls, indoor marketplaces, takeaway food stores, petrol stations (including any stores operating as part of the petrol station), hardware and do-it-yourself stores, retail stores, banks, and self-service laundries)	✓		
2	Postal services, couriers, and other businesses and services (including those listed in this schedule) that deliver goods to dwelling houses	<i>See</i> clause 37(6) in relation to workers		
3	Indoor public facilities (for example, libraries, museums, and recreation centres) (not including swimming pools)	✓		Contact record rule applies in relation to persons other than workers of the business or service
4	Indoor swimming pools			Contact record rule applies in relation to persons other than workers of the business or service

Number	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
5	Event facilities (for example, cinemas, theatres, stadiums, concert venues, conference venues, and casinos)		✓	<p>Event facilities must have systems and processes in place to permit no more than—</p> <ul style="list-style-type: none"> • 100 customers or clients to be in any 1 outdoor defined space in the facility at any 1 time (not including workers): • 50 customers or clients to be in any 1 indoor defined space in the facility at any 1 time (not including workers)
6	Businesses and services in which their customers or clients are members of the business or service (for example, gyms)	<i>See clause 37(3)</i>		<p>Contact record rule applies in relation to—</p> <ul style="list-style-type: none"> • persons other than workers of the business or service; and • indoor event facilities only <p>Contact record rule applies in relation to—</p> <ul style="list-style-type: none"> • persons other than workers of the business or service; and • indoor exercise facilities (for example, gyms) only
7	<p>Local authorities and central government agencies</p> <p>In this item, local authority has the same meaning as in section 5(1) of the Local Government Act 2002</p>	<i>See clause 37(3)</i>		
8	Businesses and services that largely have a consistent group of workers and usually a fixed workplace (for			

Number	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
	example, offices and factories) (not including businesses or services described in another item of this schedule)			
9	Health services (other than pharmacies)	<i>See</i> clause 37(5) in relation to persons other than workers or patients	Exempt under clause 50	Contact record rule applies in relation to persons other than workers of the business or service
10	Pharmacies	✓		Contact record rule applies in relation to persons other than workers of the business or service
11	Category A social service	<i>See</i> clause 37(3)		Contact record rule applies in relation to— <ul style="list-style-type: none"> • persons other than workers of the business or service; and • a category A social service with a public area, including a customer service counter
12	Courts and tribunals	<i>See</i> clause 37(3)	✓	Contact record rule applies in relation to persons other than workers of the business or service or judicial officers
13	Justice sector (other than justice sector businesses and services specified elsewhere in this schedule)		✓	
14	Rental car services and car share services		✓	
15	Veterinary services and animal health and welfare services		✓	
16	Education entities		<i>See</i> clauses 34 and 40	

Number	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
17	<p>Public transport services other than—</p> <p>(a) air transport; or</p> <p>(b) small passenger service vehicles; or</p> <p>(c) public transport services where the service supplies all passengers with a confirmation of their guaranteed seat on booking (including the Cook Strait ferry or interregional buses)</p>	<p>See clauses 12 and 14</p>	<p>See clauses 35 and 40(3)</p>	<p>Must have systems and processes in place to ensure, so far as is reasonably practicable, that passengers remain seated in a vehicle when it is in motion and in use as part of the service</p>
18	<p>Public transport services that are—</p> <p>(a) air transport; or</p> <p>(b) small passenger service vehicles; or</p> <p>(c) public transport services where the service</p>	<p>See clauses 12 to 14</p>	<p>See clauses 35 and 40(3)</p>	

Number	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
19	supplies all passengers with a confirmation of their guaranteed seat on booking (including the Cook Strait ferry or interregional buses)	<i>See</i> clause 37(4)	✓	
20	Cafes, restaurants, bars, clubs, soup kitchens, and other food and drink businesses to which clause 36 applies	<i>See</i> clause 37(7) in relation to workers	✓	<p>For requirements on individuals, <i>see</i> clause 36.</p> <p>Businesses and services must have systems and processes in place to—</p> <p>(a) permit not more than—</p> <p>(i) 100 customers and clients to be in any 1 outdoor defined space in the workplace at any 1 time (not including workers);</p> <p>(ii) 50 customers and clients to be in any 1 indoor defined space in the workplace at any 1 time (not including workers); and</p> <p>(b) ensure that each customer or client is seated at a table (unless clause 36(3) applies); and</p> <p>(c) ensure that there is at least a 1-metre separation between customers and clients seated at adjacent tables; and</p>

Number	Business or service	Face covering rule for all persons in parts of premises open to public	1-metre physical distancing rule (rather than 2-metre physical distancing rule) applies to all persons	Additional conditions
21	Public areas of premises operated by New Zealand Post Limited, including customer service counters	<i>See</i> clause 37(3)		<p>(d) so far as is reasonably practicable, maintain compliance with the 1-metre physical distancing rule (rather than the 2-metre physical distancing rule) for all customers and clients when they are not seated at a table; and</p> <p>(e) ensure compliance with clause 36(5)</p> <p>Contact record rule applies in relation to persons other than workers of the business or service</p>
22	Close-proximity businesses and services (for example, massage and hairdressing services) (except professional and semi-professional sports)	<i>See</i> clause 37(8) in relation to workers	✓ <i>See also</i> clauses 33 and 40(2)	Contact record rule applies in relation to persons other than workers of the business or service
23	Professional and semi-professional sports		✓ <i>See also</i> clauses 33 and 40(2)	Contact record rule applies in relation to persons other than workers of the business or service

Schedule 6 table: amended, at 11.59 pm on 10 September 2021, by clause 10 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242).

Schedule 6 item 15: amended, at 11.59 pm on 15 September 2021, by clause 16(1) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 6 item 20: amended, at 11.59 pm on 15 September 2021, by clause 16(2)(a) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Schedule 6 item 20: amended, at 11.59 pm on 15 September 2021, by clause 16(2)(b) of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244).

Dated at Wellington this 7th day of September 2021.

Hon Chris Hipkins,
Minister for COVID-19 Response.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 7 September 2021.

Reprints notes

1 *General*

This is a reprint of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) 2021 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021 (LI 2021/263): clause 55

COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 4) 2021 (LI 2021/261)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 3) 2021 (LI 2021/244)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 2021 (LI 2021/242)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order 2021 (LI 2021/239)