

Version
as at 21 September 2021



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 (No 2) 2021: revoked, at 11.59 pm on 21 September 2021, pursuant to 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(1) 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) Amendment Order (No 2) 2021.

2 Commencement

This order comes into force at 11.59 pm on 10 September 2021.

3 Principal order

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

4 Clause 18 amended (Permitted purposes for travel between alert level areas)

(1) Revoke clause 18(2) and (3).

(2) After clause 18(6)(f), insert:

(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.

5 Clause 19A amended (Obligations concerning COVID-19 testing of certain persons travelling into or out of alert level 4 area)

In clause 19A(2), replace “employer in” with “employer (if any) under”.

6 Clause 23 amended (Additional face covering requirements for individuals in alert level 4 area)

(1) In clause 23(1), replace “on the premises of the following businesses or services” with “on any part of the premises of the following businesses or services that are open to the public”.

(2) After clause 23(4), insert:

(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.

7 Clause 29A amended (Chief executive of MBIE may authorise certain businesses or services to operate as alert level 4 businesses or services)

In clause 29A(2)(b) and (c), replace “spreading of” with “spreading”.

8 Clause 38 amended (Exemptions from additional face covering requirements in clause 37)

- (1) In the heading to clause 38, replace “**clause 37**” with “**this Part**”.
- (2) In clause 38, replace “Clause 37 does not” with “Clauses 37 and 46A do not”.

9 New clause 46A inserted (Additional face covering requirement for workers at social gatherings)

After clause 46, insert:

46A Additional face covering requirement for workers at social gatherings

A worker must wear a face covering when working at a social gathering (*see* clause 38, which provides exemptions from additional face covering requirements).

10 Schedule 6 amended

In Schedule 6, replace the heading to the third column with “**Face covering rule for all persons in parts of premises open to public**”.

Dated at Wellington this 10th day of September 2021.

Hon Chris Hipkins,
Minister for COVID-19 Response.

Explanatory note

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

This order, which comes into force at 11.59 pm on 10 September 2021, amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) 2021 (the **principal order**).

Clause 4 amends clause 18 of the principal order, which specifies permitted purposes for travel between alert level areas. The amendments revoke the current permissions relating to children in shared caregiver arrangements and people in shared bubble arrangements in clause 18(2) and (3) and provide a new permission that allows a child to travel through an alert level area if they are going to visit or stay at, or returning from visiting or staying at, the home or place of residence of a shared caregiver (*see new clause 18(6)(g)*).

Clause 5 amends clause 19A of the principal order, which sets out obligations concerning COVID-19 testing of certain persons travelling into or out of the alert level 4 area, to clarify the reference in clause 19A(2) to an employer.

Clause 6 amends clause 23 of the principal order, which sets out additional face covering requirements for individuals in the alert level 4 area, to—

- clarify that the requirement to wear a face covering when on the premises of a business or service listed in clause 23(1) applies only in respect of any part of the premises that is open to the public; and
- insert *new clause 23(4A)*, which extends the face covering requirement to workers delivering goods to a dwelling house in the alert level 4 area during any part of the trip during which they are not in or on their vehicle.

Clause 7 amends clause 29A of the principal order, which provides that the chief executive of MBIE may authorise certain businesses or services to operate as alert level 4 businesses or services, to correct grammatical errors.

Clause 8 amends clause 38 of the principal order, which sets out exemptions from the additional face covering requirements in clause 37, so that the exemptions also apply to the additional face covering requirement imposed by *new clause 46A*.

Clause 9 inserts into the principal order *new clause 46A*, which imposes a specific requirement for workers to wear a face covering when working at a social gathering.

Clause 10 replaces the heading to the third column of Schedule 6 of the principal order to clarify that the face covering rule applies only to parts of premises of businesses and services in the alert level 2 area that are open to the public.

Approval by resolution required

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

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 10 September 2021.

Reprints notes

1 *General*

This is a reprint of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) Amendment Order (No 2) 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