

Version
as at 2 December 2021



COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 6) 2021

(LI 2021/311)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 6) 2021: revoked, at 11.59 pm on 2 December 2021, pursuant to clause 107 of the COVID-19 Public Health Response (Protection Framework) Order 2021 (SL 2021/386).

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

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

This order is administered by the Ministry of Health.

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Order

1 Title

This order is the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 6) 2021.

2 Commencement

This order comes into force at 11.59 pm on 8 October 2021.

3 Principal order

This order amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021.

4 Clause 4 amended (Interpretation)

In clause 4, insert in their appropriate alphabetical order:

Northland part of the alert level 3 area means the Northland part of the alert level 3 area as described in Part 3 of Schedule 3 and set out in the map in Part 3 of Schedule 4

part of the alert level 3 area means—

- (a) the Auckland part of the alert level 3 area; or
- (b) the Northland part of the alert level 3 area; or
- (c) the Waikato part of the alert level 3 area

5 Cross-heading above clause 17 amended

In the cross-heading above clause 17, delete “*Auckland and Waikato*”.

6 Clause 17 amended (Restrictions on travel into, out of, or through alert level areas (or between Auckland and Waikato parts of alert level 3 area))

- (1) In the heading to clause 17, delete “**Auckland and Waikato**”.
- (2) Replace clause 17(1A) with:
 - (1A) A person may travel between parts of the alert level 3 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 another part of the alert level 3 area (except for the permitted purpose of the travel under clause 18 or a permitted airport transfer).
- (3) Replace clause 17(4) with:
- (4) For the purposes of subclause (1A), a person does not travel between parts of the alert level 3 area just because—
 - (a) the person is travelling along a road that forms part of the boundary between 2 parts of the alert level 3 area; or
 - (b) the person’s property is divided by the boundary between 2 parts of the alert level 3 area (or a road that forms part of the boundary) and the person is accessing a part of their property.

7 Clause 18 amended (Permitted purposes for travel between alert level areas (or between Auckland and Waikato parts of alert level 3 area))

- (1) In the heading to clause 18, delete “**Auckland and Waikato**”.
- (2) Replace clause 18(2) and the heading above clause 18(2) with:

Permissions for travel between parts of alert level 3 area
- (2) For the purposes of clause 17, a person may travel between parts of the alert level 3 area (and return to their home or place of residence afterwards) for 1 or more purposes set out in Schedule 5.
- (3) Replace clause 18(6) with:
- (6) The permissions in this clause do not apply to travel that takes place only within 1 part of the alert level 3 area (*see* clause 21).

8 Clause 19 amended (Evidence of permission for travel between alert level areas (or between Auckland and Waikato parts of alert level 3 area))

- (1) In the heading to clause 19, delete “**Auckland and Waikato**”.
- (2) In clause 19(1)(d), replace “between the Auckland part of the alert level 3 area and the Waikato part of the alert level 3 area” with “between parts of the alert level 3 area”.

9 Clause 21 amended (Permissions for essential personal movement within each part of alert level 3 area)

(1) In clause 21, replace “within either the Auckland part of the alert level 3 area or the Waikato part of the alert level 3 area (but not both parts)” with “within the part of the alert level 3 area in which their home or place of residence is located”.

(2) Replace clause 21(30A) and the heading above clause 21(30A) with:

Travelling between parts of alert level 3 area if permitted by clause 18
(30A) to travel, in accordance with clause 17(1A), for 1 or more of the purposes permitted by clause 18:

10 Clause 27 amended (Businesses and services in alert level 3 area to have systems and processes to minimise travel)

Replace clause 27(a) and (b) with:

- (a) minimise travel of its workers—
 - (i) between alert level areas; and
 - (ii) between parts of the alert level 3 area; and
- (b) mitigate the risks of spreading COVID-19 that arise to the extent that its workers travel—
 - (i) between alert level areas; or
 - (ii) between parts of the alert level 3 area.

11 Part 3A heading amended

In the Part 3A heading, replace “**Waikato part**” with “**Waikato and Northland parts**”.

12 Clause 32B amended (Permissions for essential personal movement)

- (1) In clause 32B(1) replace “Waikato part” with “Waikato and Northland parts”.
- (2) In clause 32B(2), replace “Waikato part” with “Waikato and Northland parts”.

13 Clause 32C amended (Prohibition on gatherings in outdoor places: controlled gatherings)

In clause 32C, replace “Waikato part” with “Waikato and Northland parts”.

14 Clause 32D amended (Prohibition on gatherings in outdoor places: limited outdoor gatherings)

In clause 32D, replace “Waikato part” with “Waikato and Northland parts”.

15 Schedule 3 amended

In Schedule 3,—

- (a) insert the Part set out in Schedule 1 of this order as the last Part; and

- (b) make all necessary consequential amendments.

16 Schedule 4 amended

In Schedule 4,—

- (a) insert the Part set out in Schedule 2 of this order as the last Part; and
- (b) make all necessary consequential amendments.

17 Schedule 5 amended

In the Schedule 5 heading, delete “**Auckland and Waikato**”.

Schedule 1
New Part 3 of Schedule 3 inserted

cl 15

Part 3
Northland part of alert level 3 area

Alert level 3 area includes the area within the boundaries of Northland Region as shown on LG-01-2019-Con-1.

Schedule 2
New Part 3 of Schedule 4 inserted

cl 16

Part 3
Northland part of alert level 3 area



Dated at Wellington this 8th day of October 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 8 October 2021, amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021 (the **principal order**). It adds Northland to the alert level 3 area.

Clause 4 inserts the following new definitions into the principal order:

- Northland part of the alert level 3 area:
- part of the alert level 3 area.

The parts of the alert level 3 area are the Auckland part, the Waikato part, and the Northland part.

Clauses 6 to 8 amend clauses 17 to 19 of the principal order by referring to restrictions on travel between the parts of the alert level 3 area.

Clause 9 amends clause 21 of the principal order to clarify that a person is permitted to leave their home or place of residence for essential personal movement within the part of the alert level 3 area in which their home or place of residence is located.

Clause 10 amends clause 27 of the principal order to require businesses and services to have systems and processes in place to minimise travel between parts of the alert level 3 area.

Clauses 11 to 14 amend the heading to Part 3A and clauses 32B to 32D of the principal order to clarify that recent changes made to the alert level 3 requirements do not apply to the Northland part of the alert level 3 area.

Clause 15 amends Schedule 3 of the principal order. Schedule 3 describes the alert level 3 area. *Clause 15* inserts *new Part 3* into Schedule 3 to add Northland to the alert level 3 area.

Clause 16 amends Schedule 4 of the principal order. Schedule 4 contains a map of the alert level 3 area. *Clause 16* inserts *new Part 3* into Schedule 4 to add Northland to the alert level 3 area.

Clause 17 amends the heading to Schedule 5 of the principal order so that it refers to travel between parts of the alert level 3 area.

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 2019.
Date of notification in *Gazette*: 8 October 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 6) 2021 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

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

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

3 *Editorial and format changes*

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

4 *Amendments incorporated in this consolidation*

COVID-19 Public Health Response (Protection Framework) Order 2021 (SL 2021/386): clause 107