

**Version
as at 15 August 2023**



COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022

(SL 2022/257)

COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022: revoked, on 15 August 2023, pursuant to clause 3(b) of the COVID-19 Public Health Response (Revocations) Order 2023 (SL 2023/196).

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.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal order	2
4 Title of principal order changed	2
5 Clause 3 replaced (Purpose)	2
3 Purpose	3
6 Clause 4 revoked (Guide to this order)	3
7 Clause 5 amended (Interpretation)	3
8 Part 1 heading amended	4
9 Clause 7 replaced (Application of Part to relevant persons)	5
7 Meaning of COVID-19 case	5
10 Subpart 1 heading in Part 1 replaced	5
Subpart 1—Self-isolation requirements	
11 Clause 8 replaced (Period of self-isolation)	5
8 Period of self-isolation	5
12 Clause 9 amended (Person must remain at place of self-isolation except when undertaking permitted activities)	5

Note

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

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

This order is administered by the Ministry of Health.

13	Clause 10 amended (Person must not allow anyone to enter place of self-isolation except as permitted)	6
14	Clauses 11 and 12 revoked	6
15	Clause 13 amended (Essential permitted movement)	6
16	Clause 13A amended (Additional permitted movement if place of self-isolation is ship)	6
17	Clause 14 revoked (Permitted work and permitted work travel)	6
18	Part 2 revoked	6
19	Subparts 2 and 3 of Part 3 replaced	6
	Subpart 2—Obligations of fellow residents of COVID-19 cases	
28	Fellow resident of COVID-19 case must not permit anyone to enter place of self-isolation except as permitted	7
20	Clause 30 amended (What Director-General may do under this order by Director-General notice)	7
21	Clauses 32 and 33 and cross-heading above clause 32 revoked	7
22	Schedule 1AA amended	7
23	Schedules 1 to 4 revoked	7
	Schedule	8
	New Part 4 inserted into Schedule 1AA	

Order

1 Title

This order is the COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022.

2 Commencement

This order comes into force at 11.59 pm on 12 September 2022.

3 Principal order

This order amends the order that was previously called the COVID-19 Public Health Response (Self-isolation Requirements and Permitted Work) Order 2022.

4 Title of principal order changed

In clause 1, delete “and Permitted Work”.

5 Clause 3 replaced (Purpose)

Replace clause 3 with:

3 Purpose

The purpose of this order is to limit the spread of COVID-19 by requiring COVID-19 cases to self-isolate except when undertaking permitted activities.

6 Clause 4 revoked (Guide to this order)

Revoke clause 4.

7 Clause 5 amended (Interpretation)

- (1) In clause 5(1), revoke the definitions of **applicable self-isolation provision, asymptomatic, authorisation letter, chief executive, critical service, critical services register, critical worker, defined space, eligible worker, face covering, face covering rule, health protection officer, household contact, intelligence and security agency, Isolation and Quarantine Order, low risk infringement offence, medium risk infringement offence, period of MIQF isolation, permitted work, permitted work travel, registered business or service, relevant person, self-isolation schedule, specified close contact, and work in a bubble.**

- (2) In clause 5(1), definition of **COVID-19 case**, replace “clause 1 of Schedule 1” with “clause 7”.

- (3) In clause 5(1), replace the definition of **crew** with:

crew, in relation to a ship,—

- (a) means the persons employed or engaged in any capacity on board the ship; and
- (b) includes—
 - (i) a master; and
 - (ii) a person who is temporarily working on the ship; but
- (c) does not include a pilot

- (4) In clause 5(1), replace the definition of **cruise ship** with:

cruise ship means a ship operated by a cruise line for an international cruise as part of its international cruise business

- (5) In clause 5(1), replace the definition of **health service** with:

health service means a service provided for the purpose of assessing, improving, protecting, or managing the physical or mental health of individuals or groups of individuals

- (6) In clause 5(1), insert in their appropriate alphabetical order:

definitive laboratory evidence means—

- (a) detection of SARS-CoV-2 from a clinical specimen using—
 - (i) a validated nucleic acid amplification test (NAAT) for COVID-19; or

- (ii) a validated single target point of care nucleic acid amplification test (NAAT) for COVID-19; or
- (b) detection of coronavirus from a clinical specimen using a pan-coronavirus nucleic acid amplification test (NAAT) for COVID-19 and confirmation as SARS-CoV-2 by sequencing; or
- (c) detection from a clinical specimen of a significant rise in IgG antibody level to SARS-CoV-2 between paired sera; or
- (d) detection of SARS-CoV-2 from a clinical specimen using a validated laboratory multi-target nucleic acid amplification test (NAAT) for COVID-19

false positive means a positive COVID-19 result that a medical officer of health or other medical practitioner has determined to be incorrect

mask means—

- (a) a face covering of a type specified in a Director-General notice for the purposes of this definition; or
- (b) if no type is specified, a mask as defined in clause 3(1) of the COVID-19 Public Health Response (Masks) Order 2022

medical practitioner means a health practitioner who—

- (a) is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine; and
- (b) holds a current practising certificate

permitted activities means activities of a kind permitted under clauses 13 and 13A

positive COVID-19 result means—

- (a) definitive laboratory evidence that a person has COVID-19; or
- (b) a positive result from an authorised rapid antigen test

- (7) In clause 5(1), replace the definition of **passenger** with:

passenger means a person carried on a ship during a voyage who is not crew or a pilot

- (8) In clause 5(1), definition of **place of self-isolation**, replace “relevant person” with “COVID-19 case” in each place.

- (9) Revoke clause 5(2).

8 Part 1 heading amended

In the Part 1 heading, replace “relevant persons” with “COVID-19 cases”.

9 Clause 7 replaced (Application of Part to relevant persons)

Replace clause 7 with:

7 Meaning of COVID-19 case

- (1) For the purposes of this order, a person is a **COVID-19 case** if the person has returned a positive COVID-19 result.
- (2) However, a person is not a **COVID-19 case** if—
 - (a) the person has previously completed a period of self-isolation under this order as a COVID-19 case and there has been less than 28 days between—
 - (i) day zero of the person’s most recent period of self-isolation as a COVID-19 case; and
 - (ii) the date on which subclause (1) again applies to the person; or
 - (b) a medical officer of health or other medical practitioner certifies in writing that they have determined the person should not be considered a case because—
 - (i) they are a historical case; or
 - (ii) they are no longer infectious; or
 - (iii) the positive COVID-19 result was a false positive.

10 Subpart 1 heading in Part 1 replaced

In Part 1, replace the subpart 1 heading with:

Subpart 1—Self-isolation requirements

11 Clause 8 replaced (Period of self-isolation)

Replace clause 8 with:

8 Period of self-isolation

A COVID-19 case’s **period of self-isolation** is the period that—

- (a) starts as soon as practicable after the person becomes aware that they are a COVID-19 case; and
- (b) ends at the same time of day as, but on the 7th day after, the earlier of the following:
 - (i) the time at which the person developed COVID-19 symptoms;
 - (ii) the time at which they returned a positive COVID-19 test result.

12 Clause 9 amended (Person must remain at place of self-isolation except when undertaking permitted activities)

- (1) In the heading to clause 9, replace “**Person**” with “**COVID-19 case**”.

- (2) In clause 9(1), replace “relevant person” with “COVID-19 case”.
- (3) Revoke clause 9(5).

13 Clause 10 amended (Person must not allow anyone to enter place of self-isolation except as permitted)

- (1) In the heading to clause 10, replace “Person” with “COVID-19 case”.
- (2) In clause 10(1) and (1A), replace “relevant person” with “COVID-19 case”.
- (3) In clause 10(1)(b)(i), replace “face covering” with “mask”.

14 Clauses 11 and 12 revoked

Revoke clauses 11 and 12.

15 Clause 13 amended (Essential permitted movement)

- (1) In clause 13(1), (2)(g) and (j), (3), (4), and (5), replace “relevant person” with “COVID-19 case” in each place.
- (2) In clause 13(2)(e) and (f), replace “relevant person’s” with “COVID-19 case’s”.
- (3) Revoke clause 13(2)(h).
- (4) Replace clause 13(4)(b) with:
 - (b) return directly to their place of self-isolation after completing the essential permitted movement.

16 Clause 13A amended (Additional permitted movement if place of self-isolation is ship)

- (1) In clause 13A(1), (1A), (2), and (3), replace “relevant person” with “COVID-19 case”.
- (2) In clause 13A(3)(b)(iii), replace “the person” with “the COVID-19 case”.

17 Clause 14 revoked (Permitted work and permitted work travel)

Revoke clause 14.

18 Part 2 revoked

Revoke Part 2.

19 Subparts 2 and 3 of Part 3 replaced

In Part 3, replace subparts 2 and 3 with:

Subpart 2—Obligations of fellow residents of COVID-19 cases

28 Fellow resident of COVID-19 case must not permit anyone to enter place of self-isolation except as permitted

A fellow resident of a COVID-19 case must not permit anyone to enter the COVID-19 case’s place of self-isolation except as permitted by clause 10.

20 Clause 30 amended (What Director-General may do under this order by Director-General notice)

(1) Replace clause 30(1)(a) with:

(a) specifying a type of face covering for the purposes of paragraph (a) of the definition of mask in clause 5(1), which may include different types of face coverings for the purposes of different clauses; and

(2) In clause 30(1)(b), delete “or 17(a)(iii)”.

(3) Revoke clause 30(1)(c).

21 Clauses 32 and 33 and cross-heading above clause 32 revoked

Revoke clauses 32 and 33 and the cross-heading above clause 32.

22 Schedule 1AA amended

In Schedule 1AA,—

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

(b) make all necessary consequential amendments.

23 Schedules 1 to 4 revoked

Revoke Schedules 1 to 4.

Schedule
New Part 4 inserted into Schedule 1AA

cl 22

Part 4
Provisions relating to COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022

10 References to previous Title

Every reference in any enactment and in any document to the COVID-19 Public Health Response (Self-isolation Requirements and Permitted Work) Order 2022 must, unless the context provides otherwise, be read as a reference to the COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

11 Order ceases to apply to household contacts at 11.59 pm on 12 September 2022

(1) This clause applies to a person if Schedule 2 of this order applied to the person immediately before it was revoked by the Amendment Order.

(2) This order ceases to apply to the person on the commencement of the Amendment Order.

(3) In this clause, **Amendment Order** means the COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022.

Dated at Wellington this 12th day of September 2022.

Hon Dr Ayesha Verrall,
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 amends the COVID-19 Public Health Response (Self-isolation Requirements and Permitted Work) Order 2022 (the **principal order**). It comes into force at 11.59 pm on 12 September 2022.

The effects of the amendments to the principal order include—

- removing the requirement for household contacts of COVID-19 cases to self-isolate; and

- removing the power of the Director-General to require close contacts to self-isolate in accordance with this order.

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*: 12 September 2022.

Notes

1 *General*

This is a consolidation of the COVID-19 Public Health Response (Self-isolation Requirements) Amendment Order 2022 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

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

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

3 *Editorial and format changes*

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

4 *Amendments incorporated in this consolidation*

COVID-19 Public Health Response (Revocations) Order 2023 (SL 2023/196): clause 3(b)