

**Reprint
as at 31 August 2021**



**COVID-19 Public Health Response (Alert Level
Requirements) Order (No 9) Amendment Order (No 5)
2021**

(LI 2021/225)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) Amendment Order (No 5) 2021: revoked, at 11.59 pm on 31 August 2021, pursuant to clause 45 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) 2021 (LI 2021/227).

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

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Order

1 Title

This order is the COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) Amendment Order (No 5) 2021.

2 Commencement

This order comes into force at 11.59 pm on 25 August 2021.

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.

3 Principal order

This order amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) 2021.

4 Clause 16 amended (Permissions for essential personal movement within alert level 4 area)

(1) Replace clause 16(ib) with:

(ib) 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 (ia):

(2) Replace clause 16(l) with:

(l) to leave or change their home or place of residence as required by—

- (i) a court order; 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.

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

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

5 Schedule 2 amended

In Schedule 2, replace item 28 with:

| | | |
|----|---|--|
| 28 | The essential operations of the following businesses and services: <ul style="list-style-type: none">• the Golden Bay Cement manufacturing plant in Portland, Whangarei:• Methanex New Zealand:• New Zealand Steel:• Tiwai Point aluminium smelter | Must have systems and processes in place to ensure so far as is reasonably practicable that each person who enters the workplace— <ul style="list-style-type: none">• scans the QR code for the workplace; or• provides details in a contact tracing record that the person in control of the workplace collects. |
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Dated at Wellington this 25th day of August 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 25 August 2021, amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) 2021 (the **principal order**).

Clause 4 amends permissions for essential personal movement. It—

- creates more flexibility for essential workers who are permitted to arrange childcare under clause 16(ia) of the principal order by allowing the worker or the childcare provider to pick up and drop off children, as needed;
- clarifies that a person who was in hospital or a similar facility when alert level 4 began may return home upon leaving that facility;
- clarifies that a person who was in prison or a similar facility when alert level 4 began may return home when their period of detention ends.

Clause 5 amends Schedule 2 by adding Golden Bay Cement to the list of businesses specified in item 28.

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*: 25 August 2021.

Reprints notes

1 *General*

This is a reprint of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) Amendment Order (No 5) 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 10) 2021 (LI 2021/227): clause 45