

**Reprint  
as at 7 September 2021**



**COVID-19 Public Health Response (Alert Level  
Requirements) Order (No 10) Amendment Order 2021**  
(LI 2021/236)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) Amendment Order 2021: revoked, at 11.59 pm on 7 September 2021, pursuant to clause 52 of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 11) 2021 (LI 2021/237).

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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**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.**

## Order

### 1 Title

This order is the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) Amendment Order 2021.

### 2 Commencement

This order comes into force at 11.59 pm on 2 September 2021.

### 3 Principal order

This order amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) 2021.

### 4 Clause 17 amended (Permitted purposes for travel between alert level 4 area and alert level 3 area)

#### (1) Replace clause 17(1)(d) with:

- (d) if the person is a child, to go to the home or place of residence of a shared caregiver (and then visit or stay), provided that—
  - (i) the child and shared caregiver are part of a shared bubble arrangement; and
  - (ii) the residents of the home or place of residence in the alert level 3 area are not part of an extended bubble arrangement:

#### (2) After clause 17(1)(j), insert:

- (ja) to collect a person referred to in paragraph (i) or (j) for the purpose of accompanying them to their home or place of residence (or intended principal home or place of residence) in New Zealand:

### 5 Clause 19 amended (Permissions for essential personal movement within alert level 4 area)

#### (1) Replace clause 19(g) with:

- (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:

#### (2) Replace clause 19(i) with:

- (i) to provide childcare for a worker who is described in paragraph (b) or (c), or who is exempt from clause 18 pursuant to an exemption granted by the Director-General under clause 44, 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:

(3) Replace clause 19(k) with:

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

**6 Clause 23 amended (Closure of premises in alert level 4 area)**

After clause 23(2), insert:

(2A) 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 24 and 25.

**7 Clause 30 amended (Permissions for essential personal movement within alert level 3 area)**

(1) Replace clause 30(3) with:

- (3) to provide a business or service operating in compliance with the alert level 3 requirements (or to do necessary work at any premises under clause 34(2)) if the business or service is within the same or an adjacent region within the alert level 3 area (which may include, if necessary, to stay in no more than 1 place as temporary accommodation):

(2) Replace clause 30(9) with:

- (9) 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 extended bubble arrangement:

(3) Replace clause 30(12) with:

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

**8 Clause 43 amended (Other exemptions from this order)**

Replace clause 43(q) with:

- (q) to Parliament:

(qa) to parliamentary staff or officers of Parliament, in relation to parliamentary business:

## 9 Schedule 2 amended

In Schedule 2, replace item 13 with:

13	Accommodation services	✓	Must have systems and processes in place to prevent food and drink from being served for consumption on premises, unless—
			<ul style="list-style-type: none"> <li>the accommodation is tertiary student accommodation; or</li> <li>the food and drink is provided without close personal contact between people (for example, the contactless delivery of room service in a hotel)</li> </ul>

## 10 Schedule 3 amended

(1) In Schedule 3, item 3, replace “Tramiki” with “Tamariki”.

(2) In Schedule 3, replace item 5 with:

5	Justice sector (other than the justice sector businesses and services specified elsewhere in this schedule)	✓	✓	✓
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(3) In Schedule 3, after item 22, insert:

22A	The following outdoor sports facilities:	✓	All indoor parts of facilities must remain closed to customers and clients.
	<ul style="list-style-type: none"> <li>golf courses:</li> <li>tennis courts:</li> <li>bowls greens:</li> <li>croquet lawns</li> </ul>		

(4) In Schedule 3, item 23, replace “22” with “22A”.

## 11 Schedule 4 amended

In Schedule 4, revoke paragraph (a).

## 12 Schedule 5 replaced

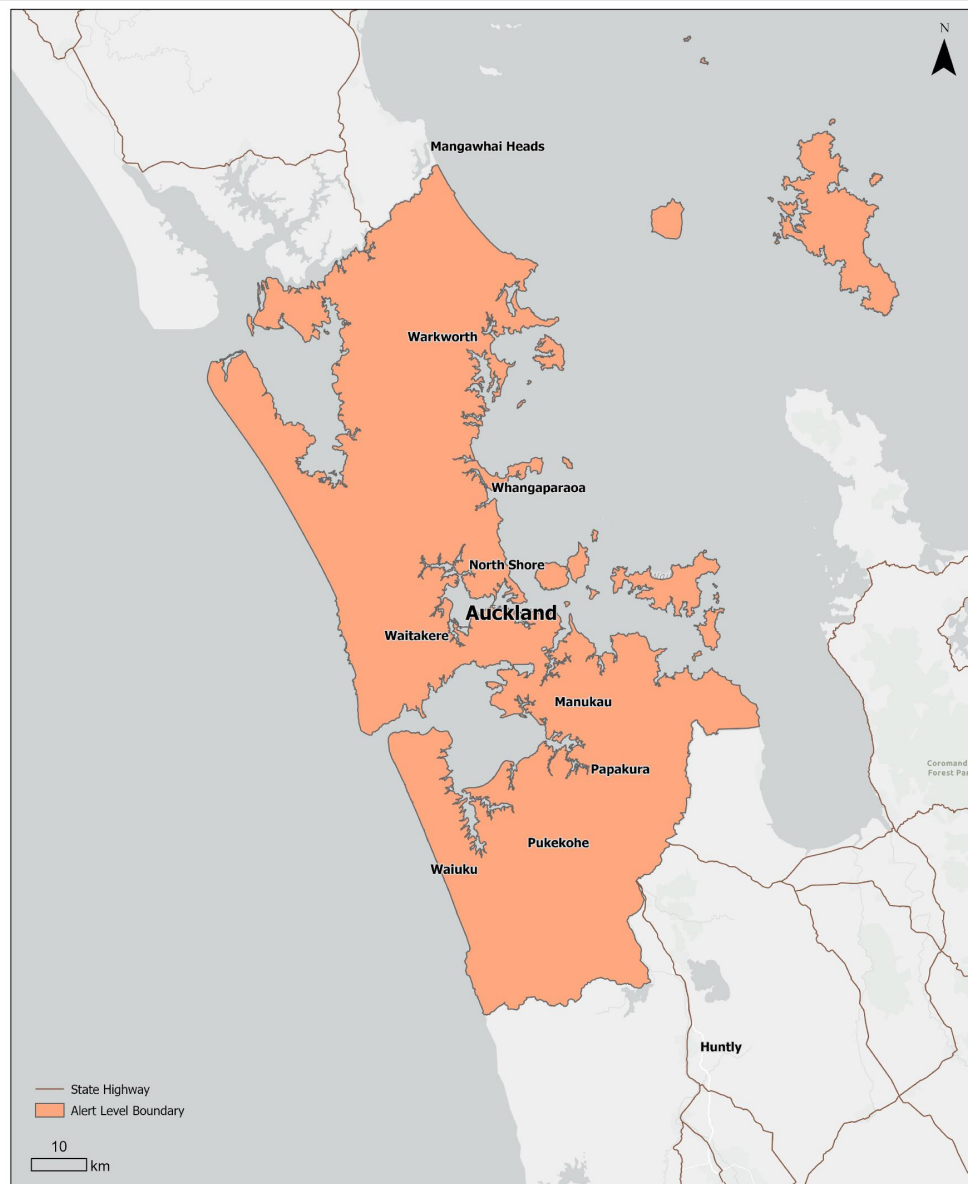
Replace Schedule 5 with the Schedule 5 set out in the Schedule of this order.

**Schedule**  
**Schedule 5 replaced**

cl 12

**Schedule 5**  
**Map of alert level 4 area**

cl 6(2)



Dated at Wellington this 2nd 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 2 September 2021, makes the following amendments to the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) 2021 (the **principal order**).

*Clause 4* amends clause 17 of the principal order, relating to movements between the alert level 4 area and the alert level 3 area, to—

- clarify that children can travel across the boundary for shared care arrangements, whether those arrangements are agreed privately or imposed by a court order;
- allow a person to collect and accompany another person who has completed a period of detainment that was required by a court order or imposed by a power of detainment or detention or a power to require a person to stay in a particular place.

*Clause 5* amends clause 19 of the principal order, relating to permitted travel within the alert level 4 area, to—

- clarify that children can travel within the alert level 4 area for shared care arrangements, whether those arrangements are agreed privately or imposed by a court order;
- clarify that the provision for childcare in clause 19(i) also applies for the benefit of workers who are exempt from clause 18 pursuant to an exemption granted by the Director-General of Health under clause 44;
- remove a reference in paragraph (k) to scheduled appointments to receive the Pfizer/BioNTech COVID-19 vaccine, clarifying that a person can travel within the alert level 4 area for vaccination, whether scheduled or not.

*Clause 6* amends clause 23 of the principal order to require a business or service that is not an alert level 4 business or service and has a person undertaking necessary work in their premises to comply with certain requirements relating to physical distancing and travel.

*Clause 7* amends clause 30 of the principal order, relating to permitted travel within the alert level 3 area, to—

- allow workers to stay in no more than 1 place as temporary accommodation while providing a business or service at alert level 3:

- clarify that children can travel between households in the alert level 3 area for shared care arrangements, whether those arrangements are agreed privately or imposed by a court order;
- remove a reference in paragraph (12) to scheduled appointments to receive the Pfizer/BioNTech COVID-19 vaccine, clarifying that a person can travel within the alert level 3 area for vaccination, whether scheduled or not.

*Clause 8* amends clause 43 of the principal order to clarify that the exemption from the order for members of Parliament, parliamentary staff, and officers of Parliament applies only in relation to parliamentary business.

*Clause 9* amends Schedule 2 of the principal order, which applies to alert level 4 businesses and services, to allow for the delivery of food and drink to residents in accommodation services, provided that there is no close personal contact between workers and residents.

*Clause 10* amends Schedule 3 of the principal order, which applies to alert level 3 businesses and services, to—

- correct a typographical error;
- provide that the contact record rule applies to the justice sector;
- allow certain outdoor sports facilities to operate, provided that no customers or clients can access any indoor part of the sports facility.

*Clauses 11 and 12* remove Northland from the alert level 4 area. The effect of this change is that, on the commencement of this order, Northland will be at alert level 3.

### *Approval by resolution required*

This order must be approved by a 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*: 2 September 2021.

## Reprints notes

### **1     *General***

This is a reprint of the COVID-19 Public Health Response (Alert Level Requirements) Order (No 10) Amendment Order 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 11) 2021 (LI 2021/237): clause 52