

**Version
as at 2 December 2021**



**COVID-19 Public Health Response (Alert Level
Requirements) Order (No 12) Amendment Order (No 5)
2021**

(LI 2021/310)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 5) 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 section 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

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.

Schedule 1	4
Item 21B of Schedule 2 replaced	
Schedule 2	6
Part 2 of Schedule 3 replaced	
Schedule 3	8
Part 2 of Schedule 4 replaced	

Order

- 1 **Title**
This order is the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) Amendment Order (No 5) 2021.
- 2 **Commencement**
This order comes into force at 11.59 pm on 7 October 2021.
- 3 **Principal order**
This order amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021.
- 4 **Clause 19 amended (Evidence of permission for travel between alert level areas (or between Auckland and Waikato parts of alert level 3 area))**
In clause 19(1)(e), delete “(including travelling through the Auckland part of the alert level 3 area)”.
- 5 **Clause 23 amended (Additional face covering requirements for individuals in alert level 3 area)**
After clause 23(1)(o), insert:
(p) public areas of premises operated by the New Zealand Police.
- 6 **Clause 29 amended (Contact record in respect of home services provided by businesses and services in alert level 3 area)**
Replace clause 29(1) with:
(1) This clause applies if a business or service in the alert level 3 area provides an in-home service described in item 21B of Schedule 2.
- 7 **Clause 53 amended (Other exemptions from this order)**
After clause 53(m), insert:
(ma) to lifesaving, maritime assistance, search, and rescue services (including training, patrolling, and other work needed to ensure preparedness for those services) provided by the Royal New Zealand Coastguard and Surf Life Saving New Zealand:

8 Schedule 2 amended

In Schedule 2, replace item 21B and the heading above that item with the item 21B and the heading above that item set out in Schedule 1 of this order.

9 Schedule 3 amended

- (1) In Schedule 3, Part 1, paragraphs (b)(viii) and (ix), replace “State Highway 22” with “Highway 22”.
- (2) Replace Part 2 of Schedule 3 with the Part 2 set out in Schedule 2 of this order.

10 Schedule 4 amended

Replace Part 2 of Schedule 4 with the Part 2 set out in Schedule 3 of this order.

11 Schedule 5 amended

In Schedule 5, item 1.6, replace “1.36” with “1.36A”.

Schedule 1

Item 21B of Schedule 2 replaced

cl 8

	Customers and clients allowed in workplace (clause 30)	1 m (rather than 2 m) physical distancing rule applies to all persons (clause 22)	Contact record rule applies (clause 28)	Additional conditions
21B	<p>In-home services</p> <p>The following services provided to a person (A) at A's home or place of residence:</p> <ul style="list-style-type: none"> • building, construction, and maintenance services; • housing services provided by landlords and property managers; • real estate or property relocation services; • home-help services (including cleaning services) for persons who require assistance because of sickness or disability; • utility services relating to — <ul style="list-style-type: none"> • gas; • electricity; • water; • waste; • waste water; • liquid or solid fuel; 	✓	See clause 29	<p>Service may be provided only if—</p> <ul style="list-style-type: none"> • no person other than a fellow resident of A (or a worker providing the service) is present when the business or service is provided; • in the case of real estate or property relocation services, no person is present when the service is provided in respect of a property other than a person who is— <ul style="list-style-type: none"> • a resident of the property; or • inspecting the property for the purposes of relocation; or • relocating their home or place of residence or business premises; or • a worker providing the services; • in the case of legal services to execute documents,—

Customers and clients allowed in workplace (clause 30)	1 m (rather than 2 m) physical distancing rule applies to all persons (clause 22)	Contact record rule applies (clause 28)	Additional conditions
<ul style="list-style-type: none"> telecommunications services (as defined in section 5 of the Telecommunications Act 2001); information technology maintenance and repair services; security services (including locksmiths); veterinary services and animal health and welfare services; pest management services; delivery, installation, and maintenance of consumer goods; Government services; building and resource consenting services (for example, building inspections and geotechnical inspections); gardening and landscaping services; services for deceased persons and tūpākū; legal services to execute documents 			<ul style="list-style-type: none"> it is not reasonably practicable for the service to be provided through electronic means, such as under a relevant immediate modification order made under the Epidemic Preparedness Act 2006; and the execution of the document is urgently required; and no person is present when the service is provided other than a fellow resident, a worker, or up to 2 other people if those other people are necessary to enable the execution of the document

Schedule 2

Part 2 of Schedule 3 replaced

cl 9(2)

Part 2

Waikato part of alert level 3 area

Alert level 3 area includes the area (bounded by the middle of the roads listed below)—

- (a) commencing on the mean high-water mark of the west coast of the North Island at the mouth of the Kaawa Stream; then
- (b) proceeding in a generally north-easterly direction along the north bank of the Kaawa Stream to the intersection with Port Waikato-Waikaretu Road; then
- (c) proceeding south along Port Waikato-Waikaretu Road to the intersection with Baker Road; then
- (d) proceeding north-east along Baker Road to the intersection with Wairamarama-Onewhero Road; then
- (e) proceeding south-east along Wairamarama-Onewhero Road to the intersection with Bothwell Loop Road; then
- (f) proceeding east along Bothwell Loop Road to the intersection with Waikaretu Valley Road; then
- (g) proceeding north-east along Waikaretu Valley Road to the intersection with Highway 22; then
- (h) proceeding north-east along Highway 22 to the intersection with Glen Murray Road; then
- (i) proceeding south-east along Glen Murray Road to the intersection with Churchill Road; then
- (j) proceeding north along Churchill Road until it crosses the Opuatia Stream; then
- (k) proceeding in a generally north-easterly direction along the north bank of the Opuatia Stream to the Waikato River; then
- (l) proceeding in a generally northerly direction along the west bank of the Waikato River to the intersection with Mercer Ferry Road; then
- (m) proceeding north-east along Mercer Ferry Road to the intersection with Koheroa Road; then
- (n) proceeding north-east along Koheroa Road to the intersection with State Highway 2; then
- (o) proceeding south-east along State Highway 2 to the intersection with the Waikato District Territorial Authority Boundary (SO plan LG-013-2013-W-1); then

- (p) proceeding in a generally southerly direction along the Waikato District Territorial Authority Boundary to the intersection with the Waipa District Territorial Authority Boundary (SO plan 384791); then
- (q) proceeding in a generally southerly direction along the Waipa District Territorial Authority Boundary to the intersection with the Ōtorohanga District Territorial Authority Boundary (SO plan LG-018-2013-W-1); then
- (r) proceeding in a generally southerly direction along the Ōtorohanga District Territorial Authority Boundary to the intersection with the Waitomo District Territorial Authority Boundary (SO plan 335334); then
- (s) proceeding in a generally south-westerly direction along the Waitomo District Territorial Authority Boundary to the intersection with the mean high-water mark of the North Island at the mouth of the Mokau River; then
- (t) proceeding in a northerly direction along the mean high-water mark of the west coast of the North Island to the point of commencement described in paragraph (a).

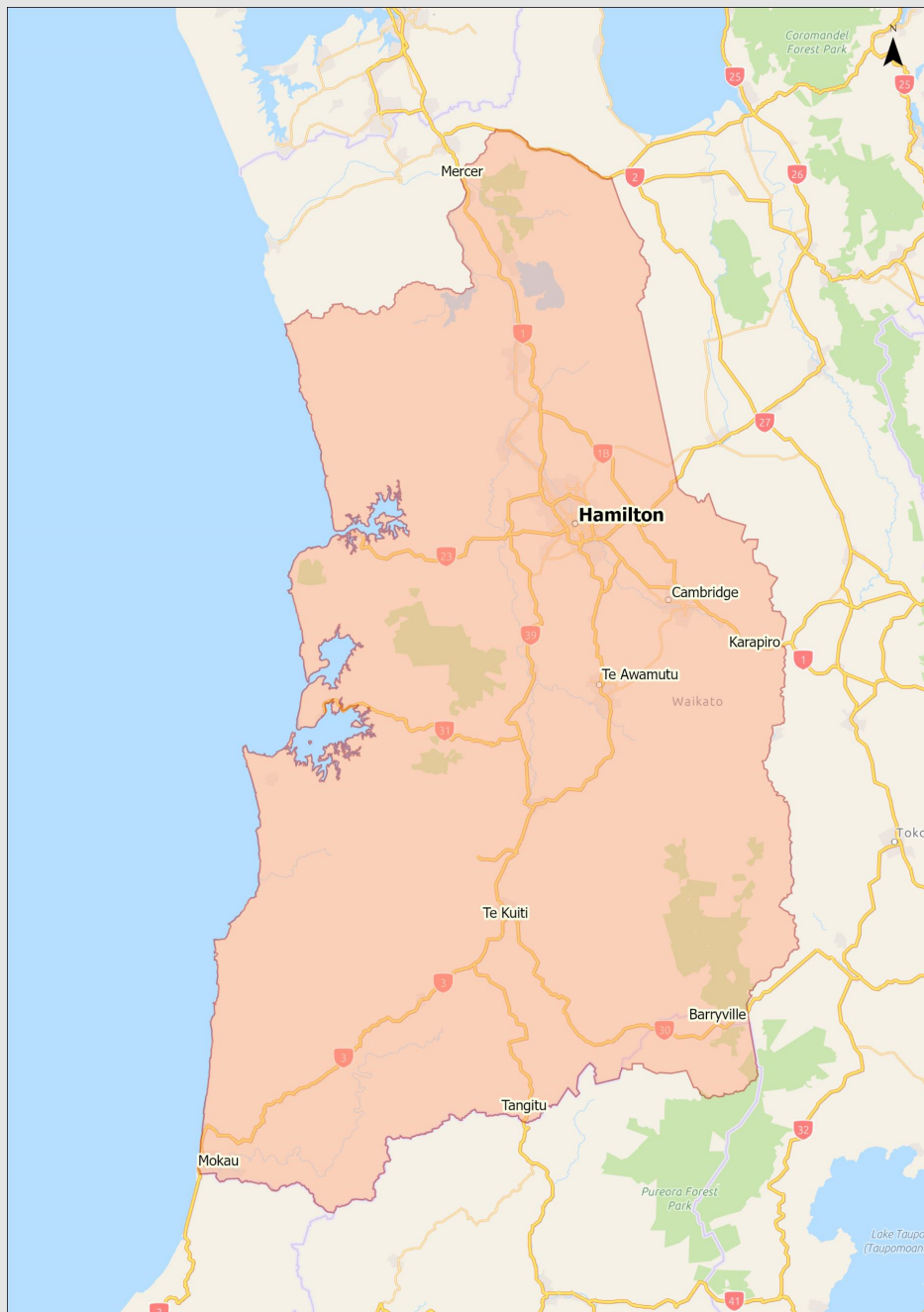
Schedule 3

Part 2 of Schedule 4 replaced

cl 10

Part 2

Map of Waikato part of alert level 3 area



Dated at Wellington this 7th 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 7 October 2021, amends the COVID-19 Public Health Response (Alert Level Requirements) Order (No 12) 2021 (the **principal order**).

Clause 4 amends clause 19(1)(e) of the principal order to remove the reference to travelling through the Auckland part of the alert level 3 area to go to work in the Waikato part of the alert level 3 area. This is consistent with the recent change made to clause 18(2A) of the principal order.

Clause 5 adds the New Zealand Police to the list of businesses or services in clause 23(1) of the principal order. A person is required to wear a face covering when on the premises of any of those businesses or services that is open to the public in the alert level 3 area. This reflects an equivalent requirement in the principal order for face coverings to be worn when on the premises of the New Zealand Police that are open to the public in the alert level 2 area (*see* clause 39 of the principal order).

Clause 6 amends clause 29 of the principal order to remove the description of the list of in-home services as examples. The amendment clarifies that the clause only applies to those services and they are all described in item 21B of Schedule 2 of the principal order.

Clause 7 amends clause 53 of the principal order. Clause 53 exempts the people and services listed in that clause from the requirements of the principal order. *Clause 7* adds lifesaving and search and rescue services (including training, patrolling, and other work needed to ensure preparedness for those services) provided by the Royal New Zealand Coastguard and Surf Life Saving New Zealand, and workers carrying out those services, to the list of exemptions.

Clause 8 amends item 21B of Schedule 2 of the principal order. Item 21B describes the in-home services permitted in the alert level 3 area. *Clause 8* adds legal services to execute documents to the list of permitted in-home services.

Clause 9 amends Schedule 3, which describes the alert level 3 area. *Clause 9*—

- corrects the description of the Auckland part of the alert level 3 area so that references to “State Highway 22” are replaced with “Highway 22”; and
- updates the description of the Waikato part of the alert level 3 area to include the Waipa, Ōtorohanga, and Waitomo districts in that area.

Clause 10 amends Schedule 4 of the principal order. Schedule 4 sets out a map of the Waikato part of the alert level 3 area. *Clause 10* replaces that map with an updated map to include the Waipa, Ōtorohanga, and Waitomo districts in that area.

Clause 11 amends a cross-reference in Schedule 5 of the principal 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*: 7 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 5) 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