

**Reprint  
as at 31 August 2021**



**COVID-19 Public Health Response (Alert Level  
Requirements) Order (No 9) Amendment Order (No 3)  
2021**

(LI 2021/221)

COVID-19 Public Health Response (Alert Level Requirements) Order (No 9) Amendment Order (No 3) 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 3) 2021.

**2 Commencement**

This order comes into force at 11.59 pm on 20 August 2021.

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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.**

### 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)

Replace clause 16(ia) with:

- (ia) leave their home or place of residence to provide childcare for a worker described in paragraph (c) or (d) if—
- (i) the worker described in paragraph (c) or (d) has to leave their home or place of residence to work and has no fellow resident nor anyone in a shared bubble arrangement who is able to provide the childcare; and
  - (ii) the person to provide the childcare—
    - (A) is the only person outside of 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:
- (ib) leave their home or place of residence for the purpose of conveying their children to or from the home or place of residence of a person providing childcare if—
- (i) the conveying person is a worker described in paragraph (ia)(i); and
  - (ii) the person providing the childcare is a person described in paragraph (ia)(ii):

### 5 Schedule 2 amended

(1) In Schedule 2, item 3, replace “Licensing trusts” with “Licensing trusts, but only in respect of the sale of alcohol under an off-licence”.

(2) In Schedule 2, replace items 8 and 9 with:

8	Food delivery services for— <ul style="list-style-type: none"><li>• bakeries:</li><li>• uncooked food suppliers:</li><li>• alcohol suppliers</li></ul>	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"><li>• scans the QR code for the workplace; or</li><li>• provides details in a contact tracing record that the</li></ul>
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8A	<p>Cooked food delivery services (but only if referred by the Ministry of Social Development, a District Health Board, or the Accident Compensation Corporation (for example, Meals on Wheels))</p>	<p>person in control of the workplace collects.</p> <p>Must have systems and processes in place to ensure so far as is reasonably practicable that each person who enters the workplace—</p> <ul style="list-style-type: none"><li>• scans the QR code for the workplace; or</li><li>• provides details in a contact tracing record that the person in control of the workplace collects.</li></ul>
9	<p>Sale of essential non-food consumer products (via online ordering and contactless delivery) that are necessary for people to remain healthy and safe while isolating, to work or study from home, and to stay in communication with whānau and friends and remain up to date with news and health information, including—</p> <ul style="list-style-type: none"><li>• necessary clothing, footwear, and bedding;</li><li>• urgently required whiteware and appliances (for example, refrigerators, heaters, washing machines and dryers, vacuum cleaners, fans, and dehumidifiers);</li><li>• urgently required cooking, cleaning, and laundry equipment;</li><li>• medicinal and hygiene products (for example, medication, PPE, first aid products, soaps, shampoos, moisturisers, and hand sanitisers):</li></ul>	<p>person in control of the workplace collects.</p> <p>Must have systems and processes in place to ensure so far as is reasonably practicable that each person who enters the workplace—</p> <ul style="list-style-type: none"><li>• scans the QR code for the workplace; or</li><li>• provides details in a contact tracing record that the person in control of the workplace collects.</li></ul>

- urgently required items for transport maintenance (for example, bicycle and automotive parts and repair kits):
- materials for urgent home repair:
- urgently required communication devices (for example, mobile phones, computer equipment, modems and Internet equipment, televisions, and radios):
- urgently required educational materials and books:
- urgently required home office equipment; but not including—
  - exercise, sporting, and outdoor recreation equipment (for example, weights, indoor training machines, sports rackets and balls, and pool products):
  - entertainment and hobby products (for example, gaming consoles, knitting wool, trampolines, and swings):
  - beauty products (for example, make-up)

(3) In Schedule 2, item 29, replace “or services” with “or services or exempt businesses or services”.

(4) In Schedule 2, after item 30, insert:

31	Unions, if reasonably necessary to provide a service that cannot reasonably be delayed (for example, because a delay would risk the health and safety of workers)	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"><li>• scans the QR code for the workplace; or</li><li>• provides details in a contact tracing record that the person in control of the workplace collects.</li></ul>
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Dated at Wellington this 20th 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 20 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 clarifies the situation when an essential worker has no fellow resident or no one in a shared bubble arrangement to provide childcare.

*Clause 5* amends Schedule 2 of the principal order by—

- clarifying that only off-licence bottle store functions of licensing trusts are an alert level 4 business or service;
- clarifying the distinction between bakeries, suppliers of alcohol, and cooked and uncooked food delivery services;
- clarifying what is and is not an essential non-food consumer product that may be sold via online ordering and contactless delivery;
- adding to the schedule businesses or services that are necessary to maintain exempt businesses or services;
- adding to the schedule unions, if reasonably necessary to provide a service that cannot reasonably be delayed.

**COVID-19 Public Health Response (Alert Level  
Requirements) Order (No 9) Amendment Order (No 3)  
2021**

Explanatory note

Reprinted as at  
31 August 2021

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*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*: 20 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 3) 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