



21 July 2022

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s 9(2)(a)

By email: s 9(2)(a)  
Ref: H2022006246

Tēnā koe s 9(2)(a)

### Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 1 July 2022. I will respond to each part of your request below:

1. *Can you please verify what law authorises face mask exemptions as stated on the Covid-19 Face Mask Exemption Pass "The named pass holder has declared, as authorised by law, that they are unable to wear a face mask".*

The legislation that outlines the face covering rule can be found in COVID-19 Public Health Response (Protection Framework) Order 2021, Subpart 3, 106A, Clause 4, available at: [www.legislation.govt.nz/regulation/public/2021/0386/latest/LMS563461.html](http://www.legislation.govt.nz/regulation/public/2021/0386/latest/LMS563461.html).

2. *By requesting a face mask exemption does this imply that you are incompetent under the Mental Health Act (Compulsory Assessment and Treatment) Act 1992, or any other Mental Health Act?*

The face mask exemption does not impact your rights under the Mental Health Act (Compulsory Assessment and Treatment) Act 1992, or any other mental health legislation. As outlined above, the face coverings requirements are created and administrated under the COVID-19 Public Health Response Act 2020.

3. *By requesting an exemption are you giving consent to allow WHO to govern you in any further outbreaks of a "claimed - being unverified" pandemic?*

It is important to clarify that the World Health Organization (WHO) does not instruct or "govern" Member States on the management of public health matters. Rather, the WHO informs and provides advice on emerging public health issues, including public health emergencies of international concern, for Member States to consider independently and take action as they deem appropriate.

The Ministry of Health will not provide any personal information to the WHO in relation to face covering exemptions. The Ministry maintains personal information in accordance with the Privacy Act 2020 and the Health Information Privacy Code 2020.

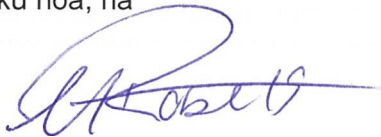
4. *Does getting a Covid-19 vaccination passport give your consent for WHO to govern you in any further outbreaks of a "claimed - being unverified" pandemic?*

The Ministry does not provide any personal information to WHO in relation to COVID-19 vaccinations. As previously noted, the Ministry holds personal information in accordance with the Privacy Act 2020 and the Health Information Privacy Code 2020. The Code and the Privacy Act 2020 regulate how the Ministry collects and manages personal information. Further information about privacy law in New Zealand at: [www.privacy.org.nz/privacy-act-2020/privacy-principles](http://www.privacy.org.nz/privacy-act-2020/privacy-principles).

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā



Maree Roberts  
**Deputy Director-General**  
**Strategy, Policy and Legislation**