

COVID-19

COVID-19 Public Health Response Amendment Act (No 2) 2021

November 2021

Fact Sheet 1: Overview

Previous state

The COVID-19 Public Health Response Act 2020 was enacted on the 13th May 2020. Since then, this Act has provided Government with the tools required to prevent the spread of COVID-19 throughout New Zealand. Primarily it enables the Minister for COVID-19 Response to issue Orders to aid in responding to COVID-19 in New Zealand. Orders have been issued that set out rules and requirements for us all, including what is allowed in each Alert Level and who must enter quarantine upon arrival in New Zealand.

The COVID-19 Public Health Response Act 2020 has been vital in helping New Zealand be successful in keeping COVID-19 out. But over the last year we have identified some areas of the Act that could be improved based on what we now know. These changes will enable Government to respond to the challenges posed by COVID-19 more quickly and effectively.

What has changed?

The Orders made under the Act have had a direct impact on New Zealanders lives. It is important to note that the Bill will not be changing any of these Orders, it will only be changing the Act that empowers them.

Many of the changes made by this Bill will be technical in nature. These include clarifying some terms in the Act and improving transparency around decision making. Some of the more substantive changes include:

- Strengthening the infringement regime for Order breaches:
 - Increasing fees and fines to provide for a greater deterrent to breaches of the Order and better reflect the grave risk to the community when people do the wrong thing
 - Establishing separate fees and fines for individuals and businesses
- Expanding the purpose for which Orders under the Act can be made.
- Providing for efficient oversight and management of our COVID-19 testing infrastructure.
- Changing the default liability for Managed Isolation and Quarantine (MIQ) charges. Everyone will be liable for charges unless specifically exempted. This is a technical amendment and will not change who is currently liable to pay for MIQ or how much is paid.
- People who enter MIQ will be required to provide accurate contact information for invoicing purposes.
- MBIE will be required to establish an internal complaints review process for the decisions they make regarding the running of MIQ.
- Additional protections for contact tracing information.

How will this impact you?

Most of the changes in this Amendment Act will not have direct impacts on the general public. However, future Orders made under the Act using these changes may impose obligations or requirements on individuals to ensure the Government can suppress and minimise COVID-19 and reconnect New Zealand.

A few of the changes will affect certain groups, for example there will be a new requirement for those going through MIQ to provide contact information upon leaving an MIQ facility.

The one change that will have a direct impact on all New Zealanders is the increase of infringement penalties for people who breach orders under the Act. The Government believe these higher penalties will more accurately reflect the risks associated with breaching an order. Education and encouragement will continue to be the primary strategy for ensuring people follow these orders.

Want to know more?

For further information about the COVID-19 Public Health Response Amendment Act visit the Ministry of Health [website](#).

Read the [Regulatory Impact Statement](#).