

SECTION 70(1)(m) HEALTH ACT ORDER

On 24 March 2020, the Prime Minister, with agreement of the Minister of Health, issued an epidemic notice under section 5 of the Epidemic Preparedness Act 2006.

This allows the use of special powers by Medical Officers of Health in accordance with section 70 of the Health Act 1956 for the purposes of preventing the outbreak and spread of COVID-19.

For the purpose of preventing the spread of Covid-19, an infectious disease, I, Dr Ashley Bloomfield, Director-General of Health, acting as medical officer of health for all districts of New Zealand (that is, nationally) with the authority of the Minister of Health and/or in circumstances where a state of emergency has been declared under the Civil Defence Emergency Management Act 2002 and/or there being an epidemic notice in force, make the following order pursuant to s 70(1)(m) of the Health Act 1956:

1. I require to be closed, until further notice, all premises within all districts of New Zealand except those listed in the Appendix to this order.
2. I forbid people to congregate in outdoor places of amusement or recreation of any kind or description (whether public or private) in all districts of New Zealand until further notice.

For the purpose of this order “congregate” does not include people maintaining at all times physical distancing as defined in the Appendix to this order.

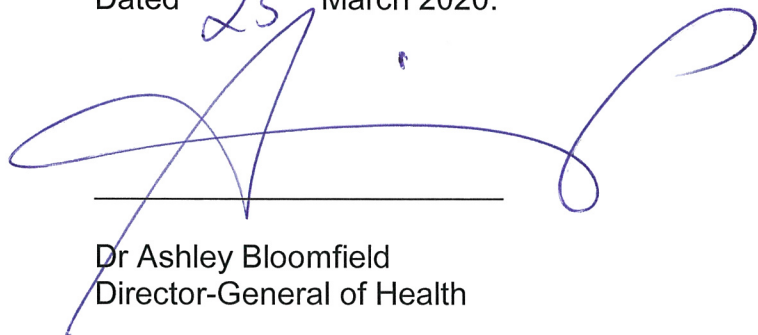
Under section 71A of the Health Act, I request that constables do anything reasonably necessary to assist in ensuring compliance with this instruction. This includes, but is not limited to:

- helping a Medical Officer of Health, or any person authorised by a Medical Officer of Health, in the performance of functions under s70;
- preventing persons from obstructing or hindering a Medical Officer of Health, or any person authorised by a Medical Officer of Health;
- compelling, enforcing, or ensure compliance with a requirement of a Medical Officer of Health, or any person authorised by a Medical Officer of Health;
- preventing or reducing the extent of the doing of a thing that a Medical Officer of Health, or any person authorised by a Medical Officer of Health, has forbidden or prohibited in the exercise of performance of powers or functions under s70.

Under section 72 of the Health Act, a person who breaches this order commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, a fine not exceeding \$4,000, or both.

This order takes effect from 11.59pm Wednesday 25 March 2020 and remains in force until further notice.

Dated 25th March 2020.



Dr Ashley Bloomfield
Director-General of Health

APPENDIX

This order does NOT apply to:

(a) any premises that are, or any part of any premises that is, used solely as a private dwellinghouse; or

(b) any premises within the parliamentary precincts (within the meaning of section 3 of the Parliamentary Service Act 2000); or

(c) any premises whose principal or only use is as a courtroom or judge's chambers, or a court registry; or

(d) any premises that are, or are part of, a prison (within the meaning of section 3(1) of the Corrections Act 2004); or

(e) any premises necessary for the performance or delivery of essential businesses as defined further below; or

(f) any vehicle, ship, or aircraft, or any premises that need to remain open to provide access to that vehicle, ship, or aircraft.

For the purposes of this order:

- “**essential businesses**” means businesses that are essential to the provision of the necessities of life and those businesses that support them, as described on the Essential Services list on the [covid19.govt.nz](https://www.covid19.govt.nz) internet site maintained by the New Zealand government
- “**physical distancing**” means remaining two (2) metres away from other people, or if you are closer than two (2) metres, being there for less than 15 minutes. Physical distancing is important to help protect you and others from COVID-19, which spreads via droplets from coughing and sneezing. Staying 2 metres away from others is an effective measure.