

Epidemic Preparedness (COVID-19) Notice 2020

Pursuant to section 5 of the Epidemic Preparedness Act 2006, the Prime Minister gives the following notice—

- a. with the agreement of the Minister of Health; and
- b. on, and after considering, the written recommendation of the Director-General of Health.

Notice

1. Title

This notice is the Epidemic Preparedness (COVID-19) Notice 2020.

2. Commencement

This notice comes into force on 25 March 2020.

3. Declaration relating to COVID-19

The Prime Minister declares that she is satisfied that the effects of the outbreak of COVID-19 are likely to disrupt or continue to disrupt essential governmental and business activity in New Zealand significantly.

Dated at Wellington this 24th day of March 2020.

Rt HON JACINDA ARDERN, Prime Minister.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

By this notice, the Prime Minister declares that she is satisfied that the effects of the outbreak of COVID-19 are likely to disrupt or continue to disrupt essential governmental and business activity in New Zealand significantly.

This notice comes into force on 25 March 2020. Under section 5(3) of the Epidemic Preparedness Act 2006, the notice expires on the day that is 3 months after its commencement, unless—

- an earlier expiry date is notified; or
- the notice is renewed under section 7 of that Act.

The notice is one way in which the following powers under the Health Act 1956 are activated (they can also be activated by the Minister of Health authorising their use or by a state of emergency being declared under the Civil Defence Emergency Management Act 2002):

- the special powers of medical officers of health under section 70 of the Health Act 1956:
- the requisition powers of medical officers of health under section 71 of that Act.

The notice also activates section 24 of the Epidemic Preparedness Act 2006, which will enable certain Judges and Associate Judges to, in particular cases, modify rules of court as they think necessary in the interests of justice to take account of the effects of COVID-19.

The notice is a prerequisite for—

- the making of notices under section 74C of the Health Act 1956 (these notices can require that medicines under the control of the Crown or a Crown entity are administered, dispensed, prescribed, or supplied in accordance with priorities determined by the Director-General of Health);
- the making of epidemic management notices under section 8 of the Epidemic Preparedness Act 2006, which can—
 - activate dormant provisions of the Criminal Procedure Act 2011, the Immigration Act 2009, the Parole Act 2002, the Sentencing Act 2002, and the Social Security Act 2018 that are intended to deal with an outbreak of disease; and
 - activate prospective modification orders under section 11 and 12 of that Act (these orders may modify requirements or restrictions in legislation, either for the purpose of enabling the effective management of an outbreak or dealing with requirements or restrictions that are or may well be impossible or impracticable to comply with);
- the making of immediate modification orders under section 14 and 15 of that Act (these orders are similar in

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purpose and effect to prospective modification orders, but do not require an epidemic management notice to activate them).

This notice is also relevant to—

- whether the Chief Electoral Officer may, under the Electoral Act 1993, adjourn voting at polling places and use alternative voting processes (*see* sections 195 to 195B of that Act):
- whether liability for certain people, including employees of the Department of Corrections, may be excluded for failures to comply with the Corrections Act 2004 or regulations made under it (*see* sections 179C and 179E of that Act).

This notice is administered by the Ministry of Health.

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24-03-2020 12:00
