

02 OCT 2020

Greg Keen

fyi-request-13818-5b30cc41@requests.fyi.org.nz

Dear Mr Keen

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 16 September 2020 to the Ministry of Justice (Ministry), regarding offences relating to compliance with orders, made under the COVID-19 Public Health Response Act 2020 (Act). Your requests and my responses are set out below.

Firstly: As of the date of replying to this request, how many instant \$300 instant fines have been issued and how many \$1000 fines have been issued through the court for non-compliance of mandatory mask wearing on public transport.

Secondly: What is the legislation which allows for people to be fined for non-compliance of mandatory mask wearing on public transport?

In response to your request for the number of \$300 instant fines that have been issued, I can advise that this part of your request was transferred to New Zealand Police on 17 September 2020. They will respond to you directly.

In response to your request for the number of \$1000 fines that have been issued through the court, I must advise there is only one offence code used for all charges relating to breaching orders made under the Act. Convictions under this offence code may be for a range of actions, not exclusively for instances of failure to wear a mask on public transport. Therefore, I am refusing your request as allowed by section 18(g)(i) of the OIA as the Ministry does not hold this information, and there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority.

However, it may assist you to know that information relating to charges for Breach of COVID-19 restrictions offences is available on the Ministry's commonly requested data tables. This information can be found at justice.govt.nz/justice-sector-policy/research-data/justice-statistics/data-tables/#offence

In response to your second question, Section 26 of the Act sets out the penalties for offences relating to the failure to comply with a COVID-19 order. If you have further questions relating to the Act, which is administered by the Ministry of Health (Health), you may wish to contact Health by telephone on 0800 855 066, or by email to info@health.govt.nz in the first instance.

If you require any clarification of the information contained in this response please contact Julia Goode, Media Manager, Communication Services, by calling (04) 918 8836 or 021 636 416; or emailing media@justice.govt.nz

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz

Yours sincerely



Jacquelyn Shannon

Group Manager, Courts and Tribunals, Regional Service Delivery

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