

## Face Covering guidelines - Alert Level 4 Exempt Businesses or Services

Section 17A(5) of the [COVID-19 Public Health Response \(Alert Level Requirements\) Order \(No 9\) 2021](#) makes it an infringement offence where a person does not wear a face covering when on the premises of an alert level 4 businesses or service.

An alert level 4 business or service is defined as one of the following:

- supermarkets and dairies
- petrol stations, including any stores operating as part of the petrol station
- licensing trusts
- pharmacies
- food banks
- self-service laundries
- hardware and do-it-yourself stores
- public areas of courts and tribunals
- visiting a health service
- social and community based services provided to support persons to maintain critical well-being or as crisis support for people who are unsafe or homeless.

### Exemptions from face covering requirements

Face coverings do not need to be worn if:

- it is unsafe, for example if wearing one means a driver cannot safely operate the vehicle
- there is an emergency
- the person is communicating with someone who is deaf or hard of hearing
- the person is asked to remove the face covering to prove their identity
- it is not required by law
- a child is under 12
- they have a physical or mental illness or condition or disability that makes wearing a face covering unsuitable
- the person needs to take medicine
- the person needs to remove the face covering to eat or drink.

Drivers and transport operators will not prevent people without face coverings from boarding public transport, but may encourage passengers to wear a face covering.

### Exemption card for face coverings

Some people who have a disability or health condition may not be able to wear a face covering safely or comfortably. If they cannot wear one, they can get an exemption card. They can show their exemption card when needed, for example to a bus driver.

People do not need to have an exemption card but may feel more comfortable showing something official to confirm they cannot wear a face covering.



Please advise people to call Healthline 0800 358 5435, or contact the Disabled Persons Assembly NZ 04 801 9100 or [info@dpa.org.nz](mailto:info@dpa.org.nz) to obtain an exemption card. These cards are not individually addressed.

The sample card attached is what the DPA is providing to applicants.

There was previously a link which allowed people to download their own card. This link has been removed however there are a number of cards in the community that are being used by people without any genuine need.

The Police position is that the card should be taken on face value as there is no way for staff to validate the genuineness of their need.

## Graduated Response Model

Police has provided the following guidance to alert level 4 businesses or services that has an educational approach:

1. It is important to recognise the circumstances where people are EXEMPT from wearing a face covering. People do not need to have an exemption card but may feel more comfortable showing something official to confirm they cannot wear a face covering.
2. If possible face coverings are made available to customers.
3. If the customer is threatening or disorderly, then call 111.

### **Police should refrain from making adverse comment to the business about the presence of the non-compliant customer.**

At all times we need to take a graduated response to any situation we encounter and apply a common sense understanding to the intent of what we are asking everyone in our communities to achieve.

**Engage** with the parties and communicate with them to identify whether their current behaviour or activities are contrary to the government's response to COVID-19.

**Educate** them on the current requirements (if necessary) to correct their behaviour or activities

**Encourage** compliance measures if required

**Enforcement** – only resort to prosecutorial measures if **necessary**.

Consider a **warning** if this response is appropriate to the offence.

### **Staff should consider their Health and Safety**

This remains a fluid situation, for the latest information and advice on Health and Safety requirements please check our [Ten One intranet page](#).