



21 September 2021

Reference: IR-01-21-26352

Will Maynard
fyi-request-16563-fcf1f26c@requests.fyi.org.nz

Dear Will

I am writing in response to the email you submitted on 29 August 2021. Your request has been considered pursuant to the Official Information Act 1982 (the Act). Specifically, you requested:

Please advise under what law or right you have to arrest/fine someone if they have an exemption under the Covid19 public health response (Alert level requirements) order 2020 regarding face masks.

The COVID-19 Public Health Response Act 2020 establishes a legal framework for managing the ongoing response to COVID-19 at all Alert Levels and establishes an infringement regime for certain breaches.

A person who has an exemption from the Health Order requirement to wear a face covering, in certain locations or situations, will have a defence to any prosecution.

If a person is exempt from wearing a face covering and produces an exemption card, they will not be issued with an infringement notice.

I trust that you are satisfied with my response to your request. If not, you have the right under section 28(3) of the Act to ask the Ombudsman to seek an investigation and review of my decision.

Yours sincerely,

Superintendent Eric Tibbott
Director: Community Partnerships & Prevention

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
Telephone: 04 474 9499. Fax: 04 498 7400. www.police.govt.nz