



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HIKINA WHAKATUTUKI

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# COVID-19 Protection Framework Post-Omicron-Peak

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Changes to the traffic lights, record-keeping, and vaccination requirements

Accurate as at 28 March – content subject to the updated Protection Framework  
Order due for 4 April

See [business.govt.nz](https://business.govt.nz) or [covid19.govt.nz](https://covid19.govt.nz) for latest info



# Reasons for the shift

- Cases and hospitalisations are peaking through March
- Highly vaccinated population and COVID-19 is increasingly widespread, building even higher levels of population immunity
- The COVID-19 Protection Framework was designed in the context of Delta
- Restrictive public health measures can come with a heavy toll

# Maintaining protections

- Minimise transmission
- Prepare for future incursions
- We are keeping the most effective public health measures in place – face masks, capacity limits, testing, isolation – and can flex our response depending on the risk

These measures have seen us through the outbreak with comparatively low hospitalisations so far, we can now reap the benefits



# What will change and why?

<b>Capacity limits</b>	<ul style="list-style-type: none"> <li>• Outdoor capacity limits removed</li> <li>• Indoor limits at Red increase to 200</li> <li>• No capacity limits at Orange or Green</li> </ul>	<ul style="list-style-type: none"> <li>• Evidence that outdoors is less risky</li> <li>• Little public health impact but great for businesses</li> </ul>
<b>Face masks</b>	<ul style="list-style-type: none"> <li>• Still required in same places at Red and Orange (indoors only)</li> <li>• Not required at Green</li> </ul>	<ul style="list-style-type: none"> <li>• Face masks reduce risk and enable normal activities to resume safely</li> <li>• Green is guidance only level</li> </ul>
<b>Vaccination</b>	<ul style="list-style-type: none"> <li>• Passes no longer a requirement for entry into venues</li> <li>• Rollback of mandates for workers</li> <li>• Systems still available for use</li> </ul>	<ul style="list-style-type: none"> <li>• Always a temporary measure</li> <li>• Now have high vaccination rates</li> </ul>
<b>Record keeping</b>	<ul style="list-style-type: none"> <li>• No longer a requirement to scan in or display a QR code</li> </ul>	<ul style="list-style-type: none"> <li>• Useful when all cases were contact traced, including close and casual contacts. Now only household contacts isolate, and so tracing isn't used in most settings.</li> <li>• May be needed in the future (put your QR posters in a drawer)</li> </ul>



# Indoor – Outdoor Rules

## Indoors

- Enclosed by a ceiling and walls, or similar (limited flow of fresh air).
- Examples: gyms, nightclubs, restaurants, and halls.
- Red: capacity limit of 200, facemasks generally required

## Outdoors

- Places that have good ventilation, with free flowing, fresh air coming into the space.
- Space has no roof, less than four walls, or because walls don't go all the way up and still allow a significant amount of air flow.
- Red: no capacity limit, no facemask requirements

## Mixed venues

- Retail capacity limits apply to the indoor places in which people:
  - travel directly through to get to an outdoor space; and/or
  - need to go so they can purchase things; and/or
  - need to go to use the bathroom.
- Otherwise indoor capacity limits apply to indoor spaces.
  - examples: entertainment or dining indoors



# Food and beverage: 25 Mar – 4 Apr

## Red

### If My Vaccine Pass verification is used.

- Indoors:
  - up to 200 customers or based on 1m distancing per defined space
  - customers must be seated and separated (table service for on-licence)
  - Face masks are required when not eating/drinking
- Outdoors:
  - no capacity limit, facemasks, or seating requirements
- Must sight each customer's My Vaccine Pass, and verify a reasonable number.
- Workers must be vaccinated

### If My Vaccine Pass verification is not used.

- May operate as takeaway service only
- Capacity limit based on 1m distancing per defined space
- Face masks mandatory



# Food and beverage: From 5 Apr

Green	Orange	Red
<ul style="list-style-type: none"><li>Your business can operate without restrictions.</li></ul>	<ul style="list-style-type: none"><li>Your business can operate without number limits.</li><li>Indoors:<ul style="list-style-type: none"><li>Facemasks are required when not eating/drinking</li><li>For indoor, unseated activities over 500 people, recommend capacity limit based on 1m distancing</li></ul></li></ul>	<ul style="list-style-type: none"><li>Indoors:<ul style="list-style-type: none"><li>up to 200 customers or based on 1m distancing per defined space</li><li>customers must be seated and separated (table service for on-licence)</li><li>Face masks are required when not eating/drinking</li></ul></li><li>Outdoors:<ul style="list-style-type: none"><li>no capacity limit, facemasks, or seating requirements</li></ul></li></ul>



# Events and group activities: 25 Mar – 4 Apr

## Red

### If My Vaccine Pass verification is used

- Indoors:
  - up to 200 customers or based on 1m distancing per defined space
  - customers must be seated and separated if eating
  - Facemasks are required for workers (except performers/presenters/safety) and attendees
- Outdoors:
  - no capacity limit, facemasks, or seating requirements
- Must sight each customer's My Vaccine Pass, and verify a reasonable number.

### If My Vaccine Pass verification is not used

- Events/group activities are not allowed
- Businesses may host gatherings
  - up to 25 people
  - customers must be seated and separated if eating
  - Facemasks are required at indoor gatherings (except performers/presenters/safety)



# Events and Group Activities: From 5 Apr

## Green

- Your business can operate without restrictions.

## Orange

- Your business can operate without number limits.
- Indoors:
  - Facemasks are required for workers only (except performers/presenters/safety)
  - For indoor, unseated events over 500 people, recommend capacity limit based on 1m distancing
- Outdoors:
  - no capacity limit, facemasks, or seating requirements

## Red

- Indoors:
  - up to 200 customers or based on 1m distancing per defined space
  - customers must be seated and separated if eating
  - Facemasks are required for workers and attendees (except performers/presenters/safety)
- Outdoors:
  - no capacity limit, facemasks, or seating requirements





# Accommodation

Green	Orange	Red
<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Shared facilities can operate as normal</li></ul> <ul style="list-style-type: none"><li>• Any food and beverage service, or events need to follow those rules.</li></ul>	<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Shared facilities can operate as normal</li></ul> <ul style="list-style-type: none"><li>• Any food and beverage service, or events need to follow those rules</li></ul>	<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Shared facilities can operate as normal</li></ul> <ul style="list-style-type: none"><li>• Any food and beverage service, or events need to follow those rules</li></ul>



# Outdoor community gatherings: 25 Mar – 4 Apr

	Red
<p><b>If My Vaccine Pass verification is used.</b></p> <p>For events where My Vaccine Pass requirements can be implemented, such as a fair:</p>	<ul style="list-style-type: none"><li>• No capacity limits</li><li>• Face masks not required.</li><li>• Must sight each customer's My Vaccine Pass, and verify a reasonable number.</li></ul>
<p><b>If My Vaccine Pass verification is not used.</b></p> <p>For outdoor community events with uncontrolled access, such as a public parade:</p>	<ul style="list-style-type: none"><li>• Restricted to 25 attendees per defined space (ie 2m gap between groups).</li><li>• Face masks not required.</li></ul>



# Outdoor community gatherings: from 5 Apr

Green	Orange	Red
<ul style="list-style-type: none"><li data-bbox="98 448 450 486">• No restrictions</li></ul>	<ul style="list-style-type: none"><li data-bbox="631 448 983 486">• No restrictions</li></ul>	<ul style="list-style-type: none"><li data-bbox="1244 448 1595 486">• No restrictions</li></ul>



# General retail rules

- General retail stores
- Banks and other customer-facing financial services,
- Greengrocers, butcheries, bakeries, takeaway food businesses

Green	Orange	Red
<ul style="list-style-type: none"><li>• Retail may open without number limits.</li><li>• Face coverings encouraged</li></ul>	<ul style="list-style-type: none"><li>• Retail may open with capacity limits based on 1m distancing.</li><li>• Face coverings are mandatory</li></ul>	<ul style="list-style-type: none"><li>• Retail may open with capacity limits based on 1m distancing</li><li>• Face coverings are mandatory</li></ul>

- Supermarkets, Dairies/convenience stores, Petrol stations, Pharmacies MAY NOT ask customers for My Vaccine Passes

# Close proximity services: 25 Mar – 4 Apr

- Services requiring worker and customer to be within 1 metre of each other, and where service generally lasts 15 minutes or more
- Includes but is not limited to barbers, beauty parlours, hairdressers, nail salons, non-medical massage, tattoo parlours

## Red

### If My Vaccine Pass verification is used.

- Your business can operate with health measures in place.
- Face masks are required.
- You must sight all customers' My Vaccine Passes, and verify a reasonable number

### If My Vaccine Pass verification is not used.

Your business can't operate.

# Close proximity services: from 5 April

Green	Orange	Red
<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Face masks are encouraged</li></ul>	<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Face masks are required</li></ul>	<ul style="list-style-type: none"><li>• Your business can operate.</li><li>• Face masks are required</li></ul>



# Public Facilities: 25 Mar – 4 Apr

	Red
<b>There are no My Vaccine Pass requirements.</b>	<ul style="list-style-type: none"><li>• Indoors:<ul style="list-style-type: none"><li>• Capacity limits based on 1m distancing.</li><li>• Face masks are required (except for at swimming pools).</li></ul></li><li>• Outdoors:<ul style="list-style-type: none"><li>• no capacity limit, or face mask requirements</li></ul></li><li>• Any food and beverage service, or event needs to follow those rules.</li></ul>



# Public facilities: from 5 Apr

Green	Orange	Red
<ul style="list-style-type: none"><li>• No restrictions</li></ul>	<ul style="list-style-type: none"><li>• No capacity limit.</li><li>• Face masks are required indoors (except for at swimming pools).</li><li>• Any food and beverage service, or events need to follow those rules.</li></ul>	<ul style="list-style-type: none"><li>• Indoors:<ul style="list-style-type: none"><li>• Capacity limits based on 1m distancing.</li><li>• Face masks are required (except for at swimming pools).</li></ul></li><li>• Outdoors:<ul style="list-style-type: none"><li>• no capacity limit, or face mask requirements</li></ul></li><li>• Any food and beverage service, or events need to follow those rules.</li></ul>





# Workplaces

- Workplace rules are broad. If the more specific settings more accurately describe your workplace, then those restrictions apply
- Workplaces include where work takes place off-site, or in private homes

Green	Orange	Red
<ul style="list-style-type: none"><li>• Workplaces can open (including any in-home services).</li><li>• Face masks encouraged.</li></ul>	<ul style="list-style-type: none"><li>• Workplaces can open (including any in-home services).</li><li>• Face masks encouraged.</li></ul>	<ul style="list-style-type: none"><li>• Workplaces can open (including any in-home services).</li><li>• Working from home may be appropriate for some staff.</li><li>• Face masks encouraged.</li></ul>



# Opting to use additional health measures

## Staff:

Health & Safety and Employment Law apply

- Implementing additional measures eg staff vaccine requires either
  - a health and safety risk assessment; or
  - change in employment conditions
- Normal processes required, including staff consultation
- For health and safety policy:
  - PCBUs will need to review their risk assessments
  - Public health advice to inform assessments/measures available next week

## Customers:

Private Property Rights and Health & Safety Law apply

- Businesses can opt to request My Vaccine Passes
  - Private property rights mean you can require MVP for access, unless prohibited; or
  - Undertake a health and safety risk assessment



# Resources

- [COVID-19 controls at work - employer vaccination requirements and other measures | WorkSafe](#)
- <https://www.employment.govt.nz/leave-and-holidays/other-types-of-leave/coronavirus-workplace/covid-19-vaccination-and-employment/>
- [Requiring My Vaccine Passes for entry — business.govt.nz](#)



# Face mask requirements at Orange and Red



- Businesses are responsible for:
  - Ensuring their workers comply with relevant face mask rules while at work
  - Mitigating risks where workers cannot wear face masks for legitimate reasons
- Businesses are not responsible for ensuring members of the public comply with face mask rules
  - Businesses may opt to request customers wear face masks (this is a business choice)
  - MBIE and WorkSafe's view is that businesses confronting individuals for not wearing a face covering can create conflict and put workers at risk of abuse and aggression
- Businesses can and should continue to address instances of bad behaviour
  - Businesses should use existing systems and processes for dealing with dangerous, aggressive, or intoxicated customers/clients

# Other issues

- Business continuity planning remains important
  - Winter flu season
  - COVID – omicron tail, future outbreaks (isolation and/or illness)
  - Leave balances
  - Other events
- Employment law continues to apply
  - Sick leave entitlements
  - Workers must isolate in accordance with COVID restrictions
  - Returning to work
    - Cases can return after 7 days and no symptoms
    - Not required to have a negative test to return to work, unless that is business policy (business will need to provide test)
    - Household contacts will need a negative test on day 7 to return to work



# What's next?

- Key dates:
  - 11.59pm 4 April most vaccine mandate and all My Vaccine Pass requirements removed
  - 4 April Cabinet will review the traffic light colour
- Guidance
  - available now on [covid19.govt.nz](https://www.covid19.govt.nz)
  - New red settings advice on [business.govt.nz](https://www.business.govt.nz) now
  - Guidance for workplaces on developing their own health and safety policies this week
  - Guidance on new CPF settings (orange, green, vaccination) on [business.govt.nz](https://www.business.govt.nz) by 5 April