

16 March 2020

Special powers of medical officer of health

On 16 March 2020, Hon Dr David Clark, Minister of Health, authorised the further use of special powers by Medical Officers of Health in accordance with section 70 of the Health Act 1956 (the Act) for the purposes of preventing the outbreak and spread of COVID-19.

I am designated as a Medical Officer of Health for all health districts in accordance with section 7A of the Act.

All persons arriving in New Zealand (except those arriving from Category 2 countries) after 1.00am Monday 16 March 2020 are expected to be quarantined for 14 days. This quarantine should be in accordance with Ministry of Health guidance on self-isolation which can be found at <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-novel-coronavirus-health-advice-general-public/covid-19-staying-home-self-isolation>.

If I do not consider the measures taken by those arriving into New Zealand are adequate for the protection of public health, I direct the persons concerned to be quarantined, in a manner that I see fit, for up to 14 days (in accordance s70(1)(f) of the Act), and to be medically examined and undergo such preventative treatment as may be required in each case, in accordance with s70(1)(f) and s70(1)(h).

Under s71A, I request that constables do anything reasonably necessary to assist in ensuring compliance with this instruction. This includes, but is not limited to:

- helping a Medical Officer of Health, or any person authorised by a Medical Officer of Health, in the performance of functions under s70;
- preventing persons from obstructing or hindering a Medical Officer of Health, or any person authorised by a Medical Officer of Health;
- compelling, enforcing, or ensure compliance with a requirement of a Medical Officer of Health, or any person authorised by a Medical Officer of Health;
- preventing or reducing the extent of the doing of a thing that a Medical Officer of Health, or any person authorised by a Medical Officer of Health, has forbidden or prohibited in the exercise of performance of powers or functions under s70.

Under s72, it is an offence for persons to fail, or refuse to comply with, or delay complying with, a direction of a Medical Officer of Health, or any person authorised by a Medical Officer of Health.

This instruction will continue to remain in force for up to a 14-day period, unless revoked or modified beforehand. This instruction may be renewed for further 14-day periods before expiry.



Dr Harriette Carr
Medical Officer of Health
Deputy-Director of Public Health