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30 April 2024

Erika Whittome

By email: fyi-request-26171-05b7aea3@requests.fyi.org.nz
Ref: H2024039112

Tēnā koe Erika

Response to your request for official information

Thank you for your follow up request (H2024038079 refers) under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 8 April 2024 for information. You requested:

Please would you share further information on these fines from the MoH.

1. Who exactly issued these fines?

Infringement notices were issued by Enforcement Officers in accordance with section 29 of the COVID-19 Public Health Response Act 2020.

2. What is the authority and jurisdiction to issue these fines?

In the case of Ministry Enforcement Officers, these were Ministry staff authorised by the Director-General in accordance with section 18(1)(g) of the COVID-19 Public Health Response Act 2020 Act.

3. Where is the delegation? I do not see any gazetted on the New Zealand Gazette, but I may be missing something.

The notices were issued by the Enforcement Officers in accordance with the COVID-19 Public Health Response Act 2020. There was no need for delegation as they were issued by the authorised persons.

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to be 'Phil Knipe', written in a cursive style.

Phil Knipe
Chief Legal Advisor/Privacy Officer
Government and Executive Services | Te Pou Whakatere Kāwanatanga