

Tēnā koe,

The purpose of this letter is to advise you that there will be an announcement by the Minister for COVID-19 Response on 27 April about a new process for the issuing of face mask exemptions.

As you will be aware, the Ministry of Health has been working with affected stakeholder groups like yours to establish a new exemption process to make accessing businesses and services easier for both exempt people and businesses. The temporary face mask communication card currently in use was only intended to be an interim measure while a longer-term solution was developed.

The new process is under development and expected to be operational next month. It will be administered by the Ministry of Health and hosted on its website. Once it is ready for use, it can be found on the same webpage: <https://www.health.govt.nz/covid-19-novel-coronavirus/covid-19-health-advice-public/covid-19-use-face-masks-community/covid-19-advice-people-who-are-unable-wear-face-mask>

The key feature of the new card is that it will be issued to an individual named on the face of the card and, when presented, it will provide conclusive legal evidence of that person's legitimate exemption under the Covid-19 Public Health (Protection Framework) Order 2021 (the Order). This means that:

- Businesses who deny entry to people with an exemption card issued under the new system on the grounds that they are not wearing a face mask are at risk of breaching the Human Rights Act 1993; and
- People who intentionally use an exemption card that was not issued to them will be breaching the Order.

The current face mask communication cards will remain valid.

People for whom a face mask is unsuitable need to be able to access businesses and services just like everyone else. In addition, businesses have an obligation under the Human Rights Act not to discriminate against people with disabilities who are exempt from wearing a face mask.

Equally, businesses and their staff have a right to be safe from abusive and threatening behaviour and businesses will continue to have a right to exclude customers from their premises on the grounds of their behaviour where this is threatening, rude or disruptive.

The new face mask exemption is designed to support affected communities and businesses by removing any ambiguity as to whether a person can or cannot wear a face mask on a business's premises.

It is not always obvious why wearing a face covering is unsuitable for someone. For example, people who are exempt may have been victims of crime or might suffer from a mental illness or condition that is not apparent to the outside observer.

Changes to the COVID-19 legislation will be enacted to recognise this exemption card as proof of a genuine exemption and provide business owners certainty of someone with an exemption by giving access to official and recognised proof of this fact.

In addition, there is a Unite Against COVID-19 social awareness campaign currently underway which highlights some of the misconceptions about why some people have and need to be exempt from wearing a mask.

The campaign called *Do It For Each Other* encourages people to protect vulnerable/at-risk members of the community. The first round launched earlier this month across social, digital, outdoor and radio and has been well-received.

Here are three of the stories which are part of the *Do It For Each Other* campaign:

- [Chelsea's story](#)
- [Kiahan's story](#)
- [Elaine's story](#)

Our public health advice is that when most people wear masks if they are able, the risk posed by a small percentage of people not wearing masks is low. Face coverings remain only one part of New Zealand's COVID-19 response.

More information about masks and face coverings can be found here:
www.covid19.govt.nz/health-and-wellbeing/protect-yourself-and-others/wear-a-face-covering/#who-does-not-need-to-wear-a-face-covering.

Nāku noa, nā



Robyn Shearer
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COVID-19 Health System Response