

## **New Legislation to enforce social distancing passes**

A new, controversial piece of legislation has been passed by parliament this week to enforce certain restrictions around social distancing as part of the COVID-19 response.

The [COVID-19 Public Health Response Act 2020](#) was both assented and came into force on 13 May 2020 with 63 votes in favour and 57 against. The legislation seeks to establish a fit-for-purpose legal framework for managing the challenges of the response to the COVID-19 epidemic and crucially, allows for certain powers to be enforced without the requirement of New Zealand being in a state of emergency.

A key part of the new legislation is allowing police to enter private homes without a warrant in order to break up gatherings that break rules associated with gatherings numbers. The police enforcement powers are only enforceable under the Act if the Government has authorised a COVID-19 Alert Level notice.

The state of emergency has been lifted as the country transitions into Alert Level 2, but a National Transition Period is being put in place for a further 90 days. While New Zealand has made a great deal of progress in dealing with COVID-19, it is vital that some civil defence emergency management procedures remain to deal with the recovery post lockdown and any future measures that need to be taken as events unfold.

The [COVID-19 Public Health Response Act 2020](#) is automatically repealed after 90 days, unless a motion of parliament continues it, as it is intended to deal only with the period required to respond to COVID-19. It has been referred to a select committee for review and, which will be reported back to the house by 27 July 2020.

### **Resources:**

Legal framework for COVID-19 Alert Level referred to select committee

<<https://www.beehive.govt.nz/release/legal-framework-covid-19-alert-level-referred-select-committee>> 15 May 2020

COVID-19 Public Health Response Bill passed under urgency <<https://www.lawsociety.org.nz/news-and-communications/latest-news/news/covid-19-public-health-response-bill-passed-under-urgency>> 14 May 2020

Law setting up legal framework for Covid-19 Alert Level 2 passes

<<https://www.beehive.govt.nz/release/law-setting-legal-framework-covid-19-alert-level-2-passes>> 13 May 2020

New Zealand moves out of State of National Emergency

<<https://www.beehive.govt.nz/release/new-zealand-moves-out-state-national-emergency>> 13 May 2020