



COVID-19 Response (Vaccinations) Legislation Bill

23 November 2021

Presented to the House of Representatives under Standing Order 272.

J.17

This legislative statement supports all **Readings** of the Covid-19 Response (Vaccinations) Bill (the Bill). The single broad policy of the Bill is to make amendments relating to matters that are aimed at assisting the Government and New Zealanders to more effectively manage, and recover from, the impacts of COVID-19.

The amendments make vaccination a more apparent part of New Zealand's COVID-19 response framework.

The Bill provides for:

- broadening of orders to better reflect the new measures and intentions under the COVID-19 Protection Framework;
- forms of acceptable evidence of compliance with COVID-19 Orders;
- making it an offence to store, process, use or manage data from Covid-19 Vaccination Certificates (CVC) through the verification process, except for law enforcement purposes
- that enforcement officers can direct a person to produce evidence to demonstrate compliance with an order under the Act

In addition, the Bill amends the COVID-19 Public Health Response Act 2020 to:

- support future vaccination or testing mandates where there is a strong public interest in doing so;
- require vaccination where the Director-General for the Ministry for Primary Industries has determined this is necessary in order to facilitate access for specific products or classes of products to specific overseas markets.
- provide for the Minister of Workplace Relations and Safety to prescribe a risk assessment tool that any employer may use to decide whether it is reasonable for work to only be done by vaccinated workers or to require testing

Amendments are also being made to the Employment Relations Act 2000 to provide for reasonable paid time off for employees to be vaccinated. In addition, a four-week termination notice is to be provided if the employer requires vaccination, but the employee is unvaccinated.

The employee will have a reasonable time to be vaccinated before the termination notice applies and the notice will cease if the employee gets vaccinated during this period.

If the employee chooses not to be vaccinated, they will receive the greater of four weeks' notice or the notice period which is in their contract. The employee will still be able to bring a personal grievance and can terminate their employment early by mutual agreement with the employer.