



11 November 2021

[REDACTED]
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Ref: OIA-2021/22-0433

Dear [REDACTED]

Official Information Act request relating to lockdown based on vaccination rates

Thank you for your Official Information Act 1982 (the Act) request received on 14 October 2021. You requested:

*"- Please provide the meeting minutes at which the decision to continue the "lockdown" of Auckland was to be based on the level of Covid-19 vaccination in the community
- Please advise which item of legislation empowered the Government to continue the "lockdown" of Auckland on the basis of the level of Covid-19 vaccination in the community."*

In response to your first question, on 4 October 2021, Cabinet agreed to add vaccination rates (particularly for priority populations) to the public health factors to be considered by the Director-General in his assessment of health factors to inform Cabinet decisions on COVID-19 Alert Level settings.

Decisions on Alert Level settings are not made solely on vaccination rates. In addition, Cabinet uses the following health factors to guide decisions on the appropriate Alert Level settings:

- The Director-General of Health's satisfaction on four health matters:
 - the source of the case(s) or outbreak (noting new variants of concern), and the number and geographical distribution of clusters;
 - the length of time the virus has been in the community and the potential for undetected transmission (i.e. between the source and the case);
 - the containment of the case(s) and/or cluster(s), including consideration of the potential for undetected community transmission occurring in New Zealand or in quarantine-free travel countries; and
 - the capacity and capability of our public health systems, including our surveillance and contact tracing systems.

The proposed measures are then assessed against the following non-health factors to further inform the decision:

- evidence of the effects of the measures on the economy and society more broadly;
- evidence of the impacts of the measures for at risk populations in particular;
- public attitudes towards the measures and the extent to which people and businesses understand, accept, and abide by them; and
- our ability to operationalise the restrictions, including satisfactory implantation planning.

We will be proactively releasing the Cabinet Papers and associated minutes regarding the August 2021 resurgence, which will contain information relevant to your request. These will be available on the Unite Against COVID-19 website at:

<https://covid19.govt.nz/alert-levels-and-updates/proactive-releases/>.

In response to your request regarding under what legislation changes to Alert Level restrictions are given effect to, this is done through an Order, or amendment to an Order, made by the Minister for COVID-19 Response under section 11 of the COVID-19 Public Health Response Act 2020. The current Order is available online at:

<https://www.legislation.govt.nz/act/public/2020/0012/latest/LMS344134.html>.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response may be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Cheryl Barnes
Deputy Chief Executive, COVID-19 Response