



Reflections on Best Practices from New Zealand Vis-À-Vis Elimination of Covid-19 in Early Phase

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Abstract

New Zealand with a five million people population has witnessed only twenty-two Covid-19 deaths. On 21st March 2020, Prime Minister (PM) Rt Hon Jacinda Ardern introduced the National Four Stage Alert System for COVID-19 with Level 2. The four stages are – Prepare, Reduce, Restrict and Eliminate. The government quickly moved to Level 4 in only four days. Eliminate was implemented for an initial four-week period. The situation was monitored and reviewed during this time. Level 4 – Eliminate was a COVID-19 suppression strategy that aims to ensure that the health system capacity is not exceeded by preventing widespread outbreaks. This strategy consisted of eliminating “chains of transmission” for at least four weeks consecutive after the last infected person left isolation. At all levels, essential services including health services, emergency services, utilities and goods transport remain up and running. Employers in those sectors continue to meet their health and safety obligations. The victory against this health, economic and social emergency involved a number of legislations - Health Act, 1956; Epidemic Preparedness Act, 2006 and Civil Defence and Emergency Management Act, 2002. A new legislation named COVID-19 Public Health Response Act, 2020 was enacted on 13th May, 2020 to support a public health response to COVID-19. Such response aims at prevention, and limitation of the risk of, the outbreak or spread of COVID-19 and avoidance, mitigation, or remedying the actual or potential adverse effects of the COVID-19 outbreak and consist has enforceable measures. A State of National Emergency was declared due to COVID-19 and remained in force between 25th March 2020 and 13th May 2020. The study would discuss how the rest of the countries may learn from the example and best practices of New Zealand. The study is based on the hypothesis that timely and far-sighted approach is the key to elimination of the pandemic from the country. The study shall use doctrinal method of study, using the official public documents available on the websites of the government of New Zealand.

Keywords: Alert; Covid-19; legislation; New Zealand

Introduction

The present paper is an attempt to highlight the steps taken by New Zealand in eliminating Covid-19 and implementation of the “Stamp it out” plan afterwards. It would discuss how the rest of the countries may learn from the example and best practices of New Zealand. The study is based on the hypothesis that timely and far-sighted approach is the key to elimination of the pandemic from the country. The study shall use doctrinal method of study, using the official public documents available on the websites of the government of New Zealand. A State of National Emergency was declared due to COVID-19. It was in force between 12:21pm on 25 March 2020 and 12:21pm on 13 May 2020. It covered all of New

Zealand including the Chatham Islands, Stewart Island and other offshore islands. The declaration was made by the Minister of Civil Defence Hon Peeni Henare in consultation with the Prime Minister Rt Hon Jacinda Ardern following advice from the Director of CDEM. On Monday 23 March, the Prime Minister issued an Epidemic Notice under section 5 of the Epidemic Preparedness Act 2006. An Epidemic Notice is a public policy tool to help Government agencies respond swiftly and effectively in a rapidly evolving situation. An epidemic notice enables the use of a number of ‘special powers’ in legislation. The step was based on advice received from the Director-General of Health in response to the increasingly complex and far-reaching response to COVID-19. On 23 June 2020, the Prime Minister renewed the Epidemic Notice

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pursuant to section 7 of the Epidemic Preparedness Act 2006. The government has decided to delay the upcoming general election by four weeks to October 17, 2020.

National Four Stage Alert System for COVID-19

New Zealand's 4-level Alert System lists the measures to be taken against COVID-19 at each level. The Alert System was introduced in March 2020 to manage and minimise the risk of COVID-19 in New Zealand. The system helps people understand the current level of risk and the restrictions that legally must be followed. The measures may be updated on the basis of new scientific knowledge about COVID-19, and information about the effectiveness of intervention measures in New Zealand and elsewhere. The Alert Levels may be applied at a town, city, and territorial local authority, regional or national level. At all levels, essential services including health services, emergency services, utilities and goods transport will remain up and running. Employers in those sectors legally must continue to meet their health and safety obligations. The country had been at Level 1 since June 9, during which life largely returned to normal. Its border remains closed to foreign nationals.

Advice and Health Advice Categories

<https://www.health.govt.nz> specifies advice for health professionals. The health advice in general and advice for specific categories is also shared. The specific audience covers higher risk people, travellers, disabled people and their family, older people and their family, pregnant women and new mothers. The list further mentions guidelines for businesses and services, for the border sector, parents, people who receive hospice care in homes etc. Further guidance for organisers and attendees of gatherings are also issued. Free health advice and information, 24x7 is available on 0800611116. For connecting to a professional Counsellor, free call or text may be made on 1737. Calls from international numbers on another number also available.

Legislative Framework Regarding Regulation of Covid-19

Health Act, 1956

Health Act, 1956 is a lengthy legislation containing 140 Sections. Part 3 of the Schedule 1 specifies Quarantinable infectious diseases. Now, Covid -19 has also been included in the Schedule. Sections 70-87A deal with infectious and notifiable diseases. Sections 72 A – 92ZZH deal with management of infectious diseases. Quarantine provisions are given under Sections 93-112AA.

Civil Defence Emergency Management Act, 2002

Civil Defence Emergency Management Act, 2002 repealed and replaced the Civil Defence Act, 1983. It aims to improve and

well-being and safety of the public and also to the protection of property; and encourage and enable communities to achieve promote the sustainable management of hazards in a way that contributes to the social, economic, cultural, and environmental acceptable levels of risk and provide for planning and preparation for emergencies and for response and recovery in the event of an emergency, so on.

Epidemic Preparedness Act, 2006

Epidemic Preparedness Act 2006 aims to try to prevent the outbreak of epidemics in New Zealand; and to respond to epidemics in New Zealand; and to respond to certain possible consequences of epidemics (whether occurring in New Zealand or overseas). It also seeks to ensure that certain activities normally undertaken by people and agencies interacting with government agencies can continue to be undertaken during an epidemic in New Zealand and to enable the relaxation of some statutory requirements that might not be capable of being complied with, or complied with fully, during an epidemic. Sections 5-10 deal with power of the Prime Minister and the Parliament with respect to epidemic notices and epidemic management notices.

Covid-19 Public Health Response Act, 2020

COVID-19 Public Health Response Act, 2020 was enacted on 13th May, 2020 to support a public health response to COVID-19. Such health response prevents, and limits the risk of, the outbreak or spread of COVID-19 (taking into account the infectious nature and potential for asymptomatic transmission of COVID-19); and avoids, mitigates, or remedies the actual or potential adverse effects of the COVID-19 outbreak (whether direct or indirect); and is co-ordinated, orderly, and proportionate; and allows social, economic, and other factors to be taken into account where it is relevant to do so; and is economically sustainable and allows for the recovery of MIQF costs; and has enforceable measures, in addition to the relevant voluntary measures and public health and other guidance that also support that response. Sections 8-13 contains provisions to limit the risk of outbreak or spread of COVID-19. Sections 18-32 provide for Enforcement, offences, and penalties. This Act has brought amendments in Civil Defence Emergency Management Act, 2002 and Oranga Tamariki Act, 1989. The enforcement authority may issue infringement notice and reminder notice under the said Act.

Post July, 2020 Strategy

On 15th July, 2020, the Government has unveiled a “Stamp it out” plan for responding to new cases of COVID-19 in the community. The approach to reducing the chance of a new outbreak is based on four pillars namely border controls, surveillance and testing, contact tracing and hygiene measures.

There will be strong national oversight over any response, regardless of whether the response is local or national in scale. In August 2020, after more than three months of its last case of community spread, New Zealand has four new cases of the coronavirus from an unknown source in the city of Auckland. Immediately, the city was brought under lockdown.

Contact Tracing App: NZ COVID Tracer

NZ COVID Tracer is a Ministry of Health app that permits creating a digital diary of places being visited by scanning the official QR codes. The application allows contact tracers to identify anyone who may have been exposed to COVID-19 so and quickly break the chain of transmission. Any information recorded by NZ COVID Tracer that one chooses to share for contact tracing is encrypted before it is sent to the Ministry via the AWS cloud services platform. The Ministry retains control of the decryption keys. The application requires and email address and creation of a password. To complete the sign-up process, a 6-digit code on email is sent. After signing up, one needs to share personal information and contact details. All registration information is optional, other than the email address. The contact alert process for NZ COVID Tracer does not involve transmitting any information from the phone. The personal information and contact details through NZ COVID Tracer are provided to the Ministry of Health so contact tracers can quickly get in touch if a person identified as a close contact of someone who has COVID-19. Digital diary entries are automatically deleted after 60 days. The Ministry of Health must ensure that the Privacy Act 1993, the Health Information Privacy Code 1994, the Official Information Act 1982 and any other relevant legislation is followed when considering data requests. The study concludes that the implementation of the contact tracing application and all the measures relating to it are in conformity with the relevant legislative provisions. The voluntary use of the application shows that the government of New Zealand is pro-privacy in the modern world of forced surveillance. With time, more and more people would start using the application and increase the desired results.

Conclusions

The Corona pandemic has alarmed the governments of all the countries. Innovations are introduced at various levels. New Zealand has been one of the success stories in responding to the pandemic. Led by Prime Minister Jacinda Ardern, the government has employed a “go hard, and go early” strategy. Government has chosen to go hard and go early in the response to COVID-19 for public health reasons. New Zealand enacted a new legislation to regulate Covid 19 and other legislations are also working hand in hand. The package of measures introduced since 14 March have helped New Zealand take a precautionary approach to managing COVID-19. The victory against this health, economic and social emergency involved a number of legislations - Health Act, 1956; Epidemic Preparedness Act, 2006 and Civil Defence and Emergency Management Act, 2002. A new legislation named COVID-19 Public Health Response Act, 2020 was enacted.

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