

133 Molesworth Street  
PO Box 5013  
Wellington 6140  
New Zealand  
T+64 4 496 2000

Adam Nuttall

By email: anuttallnz@gmail.com  
Ref: H202007099

Dear Adam Nuttall

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 10 September 2020 regarding face coverings.

On 29 October 2020 the Ministry contacted you to inform you that we have extended the due date for your request under section 15A(1)(b) of the Act, as further consultation necessary to complete your response was required.

Information in response to each part of your request is as follows.

- 1) *"What advice has the Ministry of Health issued to the Government concerning the mandating of face coverings on public transport?"*

The Ministry has identified six documents in scope of your request. Further information on the documents being released to you can be found in Appendix 1 of this response.

- 1(a) *"What date was this advice issued?"*

Information on the dates that each piece of advice was issued can be found in Appendix 1 attached to this response.

- 1(b) *"Exactly what scientific studies are the basis for this advice?"*

As part of reviewing international evidence, the Ministry considers other advice from international organisations including: Centres for Disease Control and Prevention, Public Health England, the European Centre for Disease Control and Prevention, Australian jurisdictions, and a range of scientific and medical journals.

The information is collated through Ministry specialist technical advisory groups whose membership include a variety of expert professions such as infection prevention and control, public health, infectious diseases, microbiology, and primary care. When reviewing evidence, we ensure it is applicable to the current New Zealand situation and can be applied in our context.

The World Health Organization (WHO) has published advice on the use of facemasks in the context of COVID-19. This includes an exploration of the risks associated with face mask use. This article can be found at the following address:

<https://www.who.int/publications/i/item/advice-on-the-use-of-masks-in-the-community-during->



[home-care-and-in-healthcare-settings-in-the-context-of-the-novel-coronavirus-\(2019-ncov\)-outbreak.](#)

1(c) *"Who if anybody outside the Ministry was consulted for the development of this advice?"*

As noted above, the Ministry utilised international evidence as well as engaging with our New Zealand expertise and advisory groups.

2). *"What advice has the Ministry of Health received from the World Health Organisation on the subject of mandating face coverings on public transport?"*

As signalled in response to part 1(b) above, the Ministry has utilised advice from the WHO and this guidance has been updated as the WHO produces new advice.

2(a) *"On what date was this advice received?"*

The Ministry began using the guidance on the WHO website on the day of its publication on 5 June 2020.

2(b) *"Exactly what scientific studies are the basis for this advice?"*

The guidance published on the WHO website features a reference section. This highlights the 80 sources that informed the proposed guidance put forward in advice document.

3. *"What advice has the Ministry of Health issued to GPs and or the Royal New Zealand College of General Practitioners concerning the definition of exempt person for the purpose of the face covering on public transport order?"*

Advice was provided to the Medical Director of Royal New Zealand College of General Practitioners (RNZCGP) on 28 August 2020. This advice was issued in the form of an email. This email has been included in the response and further information on the documents being released to you can be found in Appendix 1 of this response. There have also been responses by email to individual GPs and Healthline regarding exemptions. General information is also provided on the Ministry website for all health practitioners to access:

<https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-health-advice-public/covid-19-use-masks-and-face-coverings-community>

There is also a Q&A section on this topic specific to primary health care workers available here: <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-information-health-professionals/covid-19-primary-care/covid-19-questions-and-answers-primary-health-care-workers>

3(a) *"On what date was this advice issued?"*

The general mask webpage was last updated on the 21 September 2020. The Q&A was uploaded 15 September 2020. The advice around exemptions was provided by email to the Medical Director of RNZCGP on 28 August 2020 following a request for clarification on 27 August 2020 from RNZCPG.

4) *"What feedback has the Ministry received from the Royal New Zealand College of General Practitioners concerning the mask mandate?"*

As noted in response to part 3a), there was a request for clarification by the RNZCGP on 27 August 2020. The Ministry acknowledged this email on 28 August 2020.

I trust this information fulfils your request. Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request. Please note that this response, with your personal details removed, may be published on the Ministry's website.

Yours sincerely



Maree Roberts  
**Deputy Director-General**  
**System Strategy and Policy**

## Appendix 1: List of documents for release

#	Date	Title	Decision on release
1	22 August 2020	Health Report H20201498: Strengthening Public Health Measures to Prevent the Spread of COVID-19 at Different Alert Levels	Withheld in part under section 9(2)(a) in order to protect the privacy of natural persons.  Information deemed out of scope of the request has also been excluded.
2	27 August 2020	Health Report H20201509: COVID-19 Public Health Response Act 2020 Orders	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• 9(2)(a): to protect the privacy of natural persons; and 9(2)(h): to maintain legal professional privilege</li> </ul> Information deemed out of scope of the request has also been excluded.
3	25 August 2020	Health Report H20201514: Advice on the Mandatory Use of Face Coverings on Public Transport at Alert Level 2 and 3	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• 9(2)(a): to protect the privacy of natural persons; and</li> <li>• 9(2)(f)(iv): to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials</li> </ul> Information deemed out of scope of the request has also been excluded.
4	10 September 2020	Health Report H20201558: Further advice on the use of face coverings in public settings by Alert level	Released with some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• 9(2)(a): to protect the privacy of natural persons; and</li> <li>• 9(2)(f)(iv): to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</li> </ul> Information deemed out of scope of the request has also been excluded.

5	28 August 2020	Email: Medical exemptions for mask wearing	Withheld in part under section 9(2)(a) in order to protect the privacy of natural persons.
6	5 August 2020	Updated advice on wearing masks as part of our Resurgence Plan for COVID-19 – SWC talking points for the Minister	Refused under section 18(d) of the Act, as it will soon be made publicly available at: <a href="https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/health-response/">https://covid19.govt.nz/updates-and-resources/legislation-and-key-documents/proactive-release/health-response/</a> .

