

## Essential Businesses

Essential businesses, and those that support them, will continue to provide the necessities of life for everyone in New Zealand.

This means food, medicine, healthcare, energy, fuel, waste-removal, internet and financial support will continue to be available.

### What are essential businesses?

These entities will continue working but will put in place alternative ways of working to keep employees safe, including shift-based working, staggered meal breaks, flexible leave arrangements and physical distancing.

Alert Level 4 means New Zealanders not working in essential services must **stay at home** and stop all physical interactions with others outside of your household.

If you're unsure whether your business provides essential services, you should close. We need as many businesses as possible to close to slow the spread of the virus.

If your business is considered essential, you must operate in a way that minimises the risk of COVID-19 transmission. Businesses should:

- minimise, or eliminate if possible, physical interactions among staff and with and between customers
- ensure appropriate health, hygiene and safety measures are in place
- restrict activity to only what is essential during the Alert Level 4 period.

These practices may include:

- working from home as far as possible
- limiting, or eliminating if possible, physical interaction between staff, eg through physical distancing, split shifts, staggered meal breaks and flexible working arrangements
- limiting, or eliminating if possible, physical interaction with and between customers, eg through online or phone orders, contactless delivery or managed entry (while also avoiding crowding outside), and physical distancing both inside and outside the premises
- hygiene basics of hand washing and sanitisers
- frequent cleaning of premises, especially counters and eftpos terminals, and other high-touch surfaces (cleaning advice is available on the Ministry of Health website)
- protective equipment for staff as appropriate.

If you are unsure if you can operate in a manner that minimises the risk of transmission of COVID-19, you should close while you put in place appropriate measures.

### Non-essential businesses

Non-essential businesses must now close, unless able to operate from home.

All bars, restaurants, cafes (including takeaway services), gyms, cinemas, pools, museums, libraries, playgrounds and any other place where the public congregate must close their face to face function.

Physical distancing means staff and the public stay 2 metres apart, hand hygiene and cleaning must be maintained. Keeping full details of guests and keeping people away if they are sick is required.

Essential businesses and those that support them will continue to provide the necessities of life for everyone in New Zealand. This means food, healthcare, energy, internet, waste collection and financial support will always be available. They must have health measures and contact tracing in place.

We need your support to protect New Zealand and eradicate COVID-19.

Enforcement measures may be used to ensure everyone acts together, now.

### **Employers supporting staff**

Employers should support staff by ensuring they follow public health advice in the workplace.

Employers should also:

- Keep in regular contact, and deal in good faith, with those who are unwell or self-isolating
- Adopt flexible approaches to paid leave and working from home
- Fulfil all their obligations under the Health Safety at Work Act 2015 (HSWA).

### **The following services are considered essential.**

That means businesses carrying out these functions can remain open, including any critical suppliers in their supply chains, eg a firm repairing IT and data infrastructure for an essential service is okay to remain in operation.

This list will evolve over time. It was last updated at **7pm, 25 March 2020**.

<b>Sectors</b>	<b>Entities providing essential services (including their supply chains)</b>
<b>Accommodation</b> Lead agency: Ministry of Business, Innovation and Employment	<ul style="list-style-type: none"> <li>• Any entity that provides accommodation services for essential workers, isolation/quarantine, and emergency housing</li> <li>• Retirement villages.</li> </ul>
<b>Border</b> Lead agency: Customs New Zealand	<ul style="list-style-type: none"> <li>• Customs New Zealand, Immigration New Zealand and the Ministry for Primary Industries.</li> </ul>
<b>Building and construction</b> Lead agency: Ministry of Business, Innovation and Employment	<ul style="list-style-type: none"> <li>• Any entity involved in building and construction related to essential services and critical infrastructure</li> <li>• Any entity involved in building and construction required immediately to maintain human health and safety at home or work</li> <li>• Any entity that performs or is involved in building and resource consenting necessary for the above purposes.</li> </ul>
<b>Courts, tribunals and the justice system</b> Lead agency: Ministry of Justice	<ul style="list-style-type: none"> <li>• Courts of New Zealand, tribunals</li> <li>• Critical Crown entities (eg Electoral Commission).</li> </ul>

At Alert Level 3 only:	
<b>Education</b> Lead agency: Ministry of Education	<ul style="list-style-type: none"> <li>Any person employed or contracted as teaching, nursery and childcare staff, including specialist education professionals and others who provide support (eg to disabled children)</li> <li>Any person employed by or contracted to an educational facility</li> <li>Any entity supplying educational facilities or educational materials (eg printers)</li> </ul>
<b>Fast-moving consumer goods</b> Lead agency: Ministry of Business, Innovation and Employment	<ul style="list-style-type: none"> <li>Any entity involved in the supply, delivery, distribution and sale of food, beverage and other key consumer goods essential for maintaining the wellbeing of people. This includes the online sales and contactless delivery of alcohol.</li> </ul>
<b>Financial services</b> Lead agencies: Financial Markets Authority and Reserve Bank of New Zealand	<ul style="list-style-type: none"> <li>Banks, insurers and other financial institutions, including any entity that contracts or provides services to them (eg secure money delivery services)</li> <li>Securities registries</li> <li>NZX.</li> </ul>
<b>Health</b> Lead agency: Ministry of Health	<ul style="list-style-type: none"> <li>District Health Boards (and all of their facilities), Pharmac, New Zealand Blood Service, Health Promotion Agency, Health Quality and Safety Commission</li> <li>Any person employed or contracted as a doctor, nurse, midwife, pharmacist, paramedic, medical laboratory scientists, kaiāwhina workers, social workers, aged care and community workers, and caregivers more generally</li> <li>Hospitals, primary care clinics, pharmacies, medical laboratories, care facilities (eg rest homes)</li> <li>Emergency dental care services</li> <li>Any entity providing ambulance services</li> <li>Any entity involved with the deceased/tūpāpaku (eg funeral homes, crematories, cemeteries)</li> <li>Any entity producing health sector equipment, medicines and PPE.</li> </ul>
<b>Local and national government</b> Lead agencies: Department of Internal Affairs (local government) and State Services Commission (national government)	<ul style="list-style-type: none"> <li>Any entity involved in COVID-19 response, enforcement, planning or logistics or that has civil defence/emergency management functions (including any entity that supplies services for these purposes)</li> <li>Key public services.</li> </ul>
<b>Primary industries, including food and beverage production and processing</b> Lead agency: Ministry for Primary Industries	<ul style="list-style-type: none"> <li>Any entity involved in the packaging, production and processing of food and beverage products, whether for domestic consumption or export</li> <li>Any entity involved in relevant support services, such as food safety and verification, inspection or associated laboratory services, food safety and biosecurity functions</li> <li>Any entity providing veterinary services</li> <li>Any entity whose closure would jeopardise the maintenance of animal health or welfare standards</li> </ul>

(including the short-term survival of a species).

### **Public safety and national security**

Lead agency: National Emergency Management Agency

- The Department of Corrections, Fire and Emergency New Zealand, Ministry of Defence, Ministry of Justice, New Zealand Defence Force, New Zealand Police, New Zealand Security Intelligence Service, Government Communications Security Bureau
- Courts of New Zealand
- Any person employed or contracted in a public safety or national security role.

### **Science**

Lead agency: Ministry of Business, Innovation and Employment

- ESR, GNS, GeoNet, NIWA, MetService
- Any entity (including research organisations) involved in COVID-19 response
- Any entity (including research organisations) involved in hazard monitoring and resilience
- Any entity (including research organisations) involved in diagnostics for essential services like biosecurity, public health
- Laboratories and Physical Containment level 3 (PC3) facilities that could provide essential services and products that could be used to respond to COVID-19
- Other significant research facilities including animal facilities, clinical trials and infrastructure that requires constant attention (eg samples, collections and storage facilities) that are important to New Zealand.

### **Social services**

Lead Agency: Ministry of Social Development/Oranga Tamariki

- Those entities, including non-government organisations, that provide welfare and social services to meet immediate needs, to be specified jointly by the Ministry of Social Development and Oranga Tamariki.

### **Transport and logistics**

Lead agency: Ministry of Transport

- The Ministry of Transport has provided specific advice for the transport sector. This may be updated as the response evolves.  
[Ministry of Transport: Essential services\(external link\)](#)
- Any small passenger service vehicle driver (who holds the relevant licence) such as ride-share or taxi drivers
- Any entity providing services to keep vehicles operational for essential work purposes (eg vehicle testing, mechanics, tyre services)
- Ministry of Transport, New Zealand Customs, New Zealand Transport Agency, Civil Aviation Authority (including Aviation Security Service), Maritime New Zealand (including the Rescue Coordination Centre), Airways NZ, MetService, KiwiRail (including Interislander), and any entity which is contracted by these entities
- Any entity that provides, or is contracted to an entity that provides, logistics services, including New Zealand Post and courier services
- Any entity providing, or is contracted by an entity that provides, transport services to the Ministry of Health, a District Health Board, a Medical Officer of Health, or a Controller (as defined in section 4 of the Civil Defence and Emergency Management Act 2002)
- Any entity which provides services related to the maintenance and ongoing operation of critical infrastructure (eg roads, rail, ports, airports)

- Any entity which operates or is contracted by an entity listed in Schedule 1 of the Civil Defence and Emergency Management Act 2002, an aerodrome, a passenger and/or freight aviation service, a passenger and/or freight shipping service, a road freight service, a rail freight service, a vehicle recovery service; or a public transport service (under contract with a Regional Council).

### **Utilities and communications, including supply chains**

Lead agency: Ministry of Business, Innovation and Employment, and Ministry for Culture and Heritage (for broadcasting)

- Any entity involved in the production, supply, sale distribution or disposal of electricity, gas, water, wastewater (eg sanitation), waste (eg rubbish collection), fuel, telecommunication services, and any entity that is contracted by these entities
- The delivery of firewood for immediate needs (eg home heating) or fulfilling existing orders, is an essential service.
- News (including news production) and broadcast media
- Internet service providers
- Any entity that provides maintenance and repair services for utilities and communications, including supply chains
- Any entity supplying services to an essential workplace that are required for the safe operation of that workplace (eg cleaning, security services)
- Commercial cleaners that clean common areas of apartment buildings may also continue to operate, where there is high traffic (eg lifts, stairwells).
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### **Additional decisions and exemptions – updated 7pm, 25 March 2020**

- Butchers, bakeries and similar small-scale food retailers are considered non-essential, as similar products are readily available in supermarkets
- Natural health services are considered non-essential
- Security is considered an essential service, even if security services are being provided in relation to a premise for a non-essential service
- Critical support services to ensure businesses and workers can continue working from home are considered to be essential. This includes functions such as **IT** and **Payroll**
- Dairies can remain open, with a one-in-one-out rule, and cannot sell cooked food
- Food delivery is prohibited, except meals-on-wheels and whole food delivery (eg subscription food boxes are okay)
- Every restaurant, café and bar must close all aspects of their operation
- Liquor stores must close, unless they are within Licensing Trust areas (in which case they can operate with a one-in-one-out rule)
- Self-service laundries can stay open, with 2 metre physical distancing to be enforced
- Retirement villages are included as an essential service
- The Warehouse must close
- Bunnings, Placemakers, Mitre 10 and other retailers essential to the supply chain for building and construction can stay open to trade customers for essential purposes only
- The Tiwai Point smelter is exempt from closure
- NZ Steel is to shut down in a way that allows for production to recommence easily
- Pulp and paper plants are to shut down their non-essential elements in a way that allows for production to recommence easily, and while maintaining essential production
- Methanex can remain in production, but at a scale consistent with the stability of gas supply.

### **Additional decisions and exemptions – updated 2.00 pm, 29 March 2020**

- **All supermarkets and dairies are considered essential services.** A supermarket's primary focus is selling food product and is a retail store operating on a self-service basis, selling groceries, fresh produce, meat, bakery and dairy products, and sometimes an assortment of non-food goods. Dairies must operate a one-in-one-out rule and cannot sell cooked food.
- **Food delivery** other than cooked prepared meals such as takeaways is allowed (eg supermarket home delivery, food parcels from charitable organisations, subscription food boxes, or any other whole-food delivery service). Meals-on-Wheels and alternative meals on wheels services that have been referred from a DHB, ACC or MSD may continue to deliver prepared food. Ordering, payment and delivery must be contactless, and the business must operate safely within the general health guidelines such as physical separation and hygiene.
- **Food banks** are considered an essential social service. Food banks must operate a one-in-one-out rule and cannot sell or provide cooked food.
- **Multi-product retailers** that supply food and beverage as an ancillary service are not an essential service (eg The Warehouse).
- **Locksmiths** can undertake essential work on emergency callouts and essential activity to maintain the security of premises/personal properties.
- **Turf maintenance** is not considered an essential service and should not be undertaken at this time.
- **Pet care services** are not considered to be essential, except where necessary to maintain existing boarding of animals in pet care, or for long-term care when no other alternatives are available.
- **Vehicle washing services** must only be undertaken when supporting essential services to ensure they are complying with the necessary health and safety requirements eg washing off contaminated or biohazard materials.
- **Road safety equipment for road construction** should only be used only where maintenance is essential.
- **Farmers markets** are not considered to be an essential service, as alternatives are available.
- **Liquor stores** must close to the public unless they are in Licensing Trust Areas and the liquor store is operated by the Licensing Trust in that area. Open premises in Licensing Trust Areas can operate with a one-in-one-out rule.
- **Pest management** may be undertaken only where required for human health and safety, and it is essential during the Alert Level 4 period. However, operators must ensure people have somewhere safe to go while the process is underway, in particular where a property is being vacated.
- **Campgrounds** may continue to operate under very strict protocols and management of access. Eg contact to be maintained only with people staying in the same abode/room; common social and recreation areas to be closed; split shift access to common areas.
- **Backpacker accommodation** providers may continue to operate under very strict protocols and management of access conditions. Eg contact to be maintained only with

people staying in the same room; common social and recreation areas to be closed; split shift access to common areas.

- **Butchers, bakeries and similar small-scale food retailers** are considered non-essential, as similar products are readily available in supermarkets.
- **Furniture moving**, in general, is not considered to be essential. However, as the deadline for domestic travel has been extended until midnight Friday 27 March, anyone in the process of moving house will need to complete their move before the end of Friday. Similarly, all furniture deliveries currently in transit would need to be also be delivered by the end of Friday.
- **Natural health services** are considered non-essential.
- **Security** is considered an essential service, even if security services are being provided in relation to a premise for a non-essential service.
- **Self-storage facilities** can operate only to facilitate access for essentials. New sales or expiries of units are considered non-essential. Access to existing lockers is permitted for essential items or services only, eg fridges.
- **Critical support** services to ensure businesses and workers can continue working from home are considered to be essential. This includes functions such as **IT** and **Payroll**.
- **Rental cars** may be accessed in some circumstances. Ministry of Transport has put out documentation on essential transport logistics and services.
- Every **restaurant, café and bar** must close all aspects of their operation.
- **Self-service laundries** can stay open, with 2-metre physical distancing to be enforced.
- **Bunnings, Placemakers, Mitre 10 and other retailers** essential to the supply chain for building and construction can stay open to trade customers for essential purposes only.
- **The Tiwai Point smelter** is exempt from closure.
- **NZ Steel** is to shut down in a way that allows for production to recommence easily.
- **Pulp and paper plants** are to shut down their non-essential elements in a way that allows for production to recommence easily, and while maintaining essential production.
- **Methanex** can remain in production, but at a scale consistent with the stability of gas supply.

For the avoidance of doubt, sectors and occupations specified in the following are also included in this list of essential services:

- Schedule 1 of the Civil Defence and Emergency Management CDEM Act 2002 Schedule 1 of lifeline utilities AND
- Employment Relations Act 2000 Schedule 1 of essential services.

**If you have any queries around essential services you can get in touch with MBIE at 0508 377 388 or email [essential@mbie.govt.nz](mailto:essential@mbie.govt.nz).**

**Please note that this is general advice only and will vary for each specific situation. In addition, this continues to be an evolving situation. For specific and current advice relating to your unique situation, please get in touch with an expert from our employment team.**