


Examined and certified by:

  
 Clerk of the Parliament

In the name and on behalf of Her Majesty Queen Elizabeth the Second I hereby assent to  
 this Act this 26<sup>th</sup> day of November, 2021


  
 Queen's Representative

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#### An Act to amend the COVID-19 Act to—

- (a) extend the duration of the Act until the close of 31 July 2022; and
- (b) include a provision expressly binding the Crown; and
- (c) enable regulations to be made for the purpose of the Act with respect to entry to the Cook Islands, contact tracing, and other matters; and
- (d) make other minor and technical changes.

#### The Parliament of the Cook Islands enacts as follows—

- 1 **Title**  
This Act is the COVID-19 (Extension of Duration and Regulations) Amendment Act 2021.
- 2 **Commencement**  
This Act comes into force on the day after the date on which it is assented to by the Queen's Representative
- 3 **Principal Act**  
This Act amends the COVID-19 Act 2020.
- 4 **Section 4 amended (Commencement and duration)**
  - (1) Replace section 4(2) with:
    - “(2) This Act is repealed at the close of 31 July 2022 unless—
      - “(a) it is repealed sooner by Order in Executive Council; or

“(b) it is extended by Parliament.”

**5 Section 6 amended (Interpretation)**

In section 6(1), insert the following definition in its appropriate alphabetical order:

“**contact tracing** means the tracing of persons who are contacts or possible contacts of a person who is or may be infected with COVID-19”

**6 New section 6A inserted (Act binds Crown)**

After section 6, insert:

“**6A Act binds Crown**  
This Act binds the Crown.”

**7 Section 11 amended (Quarantine powers: individual)**

Replace section 11(1) with:

“(1) A health officer may order a person into quarantine if —  
“(a) the health officer has reason to suspect that the person may be a carrier of, or at risk of carrying and transmitting, COVID-19; or  
“(b) **paragraph (a)** does not apply to the person but the health officer agrees with the person that the person should go into quarantine.”

**8 Section 20 amended (Obligation on persons regarding health questions)**

Replace section 20(1) with:

“(1) A person must provide full and accurate information in response to any question or request for information relating to COVID-19 made in an official document (whether online or in hard copy) or in person by a health officer or other authorised official.”

**9 New sections 34 to 37 inserted**

(1) After section 33, insert:

“**34 Border entry regulations**

“(1) The Queen’s Representative may, by Order in Executive Council, for the purpose of this Act, make regulations with respect to entry to the Cook Islands.

“(2) Regulations under **subsection (1)** may, without limitation, do any of the following:

“(a) specify requirements that must be met for a person to enter the Cook Islands, for example, that the person—

“(i) has had a specified number of negative tests for COVID-19 within a specified period before their arrival in Cook Islands:

“(ii) has been fully vaccinated against COVID-19:

“(iii) has not been in a specified country within a specified period immediately before their arrival in the Cook Islands:

“(iv) has been in a specified country for a specified period immediately before their arrival in the Cook Islands:

“(v) must enter quarantine or isolation on entry to the Cook Islands:

- “(vi) must have a specified number of negative tests for COVID-19 at specified periods before being released from quarantine or isolation:
  - “(b) impose other conditions on the entry of persons to the Cook Islands:
  - “(c) impose requirements on air carriers in respect of persons travelling to the Cook Islands:
  - “(d) specify requirements for applications to enter the Cook Islands under the regulations:
  - “(e) specify detailed requirements relating to the requirements in **paragraphs (a) to (d)**:
  - “(f) impose fees and charges for—
    - “(i) applications to enter the Cook Islands under the regulations; and
    - “(ii) isolation and quarantine, and related matters, for persons who enter the Cook Islands:
  - “(g) exempt diplomatic and consular officials, members of the New Zealand armed forces, and other persons or classes of person from any or all requirements in the regulations:
  - “(h) prescribe any other border-related matters.
- “(3) This section is subject to **sections 32 and 33**.

**“35 Contact tracing regulations**

- “(1) The Queen’s Representative may, by Order in Executive Council, for the purpose of this Act, make regulations with respect to contact tracing.
- “(2) Regulations under **subsection (1)** may, without limitation, do any or all of the following:
- “(a) specify persons to whom, or circumstances in which, specified contact tracing requirements apply:
  - “(b) require persons to collect, retain, disclose, or dispose of specified information in a specified way:
  - “(c) require persons to put in place record-keeping systems and processes to facilitate contact tracing:
  - “(d) require persons to take, or refrain from taking, any specified action to facilitate contact tracing, or comply with specified measures to facilitate contact tracing:
  - “(e) provide for other matters relating to contact tracing.

**“36 Other regulations**

- “(1) The Queen’s Representative may, by Order in Executive Council, for the purpose of this Act, after approval by the Secretary of Health, make regulations under this section for 1 or more of the following purposes:
- “(a) to require persons to refrain from taking any specified actions that contribute to the risk of the outbreak or spread of COVID-19, or to take any specified actions, or comply with any specified measures, that contribute to or are likely to contribute to preventing the risk of the outbreak or spread of COVID-19, including (without limitation) requiring persons to do any of the following:

- “(i) stay in any specified place or refrain from going to any specified place:
  - “(ii) refrain from associating with specified persons:
  - “(iii) stay physically distant from any persons in any specified way:
  - “(iv) refrain from travelling to or from any specified area:
  - “(v) refrain from carrying out specified activities (for example, business activities involving close personal contact) or require specified activities to be carried out only in any specified way or in compliance with specified measures:
  - “(vi) be vaccinated in any specified way to go to specified places, carry out specified work or other specified activities, or attend specified types of events or gatherings:
  - “(vii) be quarantined or isolated in any specified place or in any specified way:
  - “(viii) refrain from participating in gatherings of any specified kind, in any specified place, or in specified circumstances:
  - “(ix) undergo medical examinations or testing of any kind in any specified way or in specified circumstances:
  - “(x) provide, in specified circumstances or in any specified way, any information necessary for the purpose of contact tracing:
  - “(xi) satisfy any specified criteria before entering the Cook Islands from a place outside the Cook Islands, which may include being registered to enter a quarantine or isolation facility on arrival in the Cook Islands:
- “(b) in relation to any places, ports, premises, crafts, vehicles, animals, or other things, to require specified actions to be taken, require compliance with any specified measures, or impose specified prohibitions that contribute or are likely to contribute to preventing the risk of the outbreak or spread of COVID-19, including (without limitation) any of the following:
- “(i) requiring things to be closed or only open if specified measures are complied with:
  - “(ii) prohibiting things from entering any port or place, or permit the entry of things into any port or place only if specified measures are complied with:
  - “(iii) prohibiting gatherings of any specified kind in any specified places or premises, or in any specified circumstances:
  - “(iv) requiring things to be quarantined, isolated, or disinfected in any specified way or specified circumstances:
  - “(v) requiring the testing of things in any specified way or specified circumstances.
- “(2) Regulations that are made under this section are not invalid despite being capable of being made under another section of this Act.

**“37 General provisions applying to making of regulations**

- “(1) Regulations made under this Act may—
- “(a) impose different measures for different circumstances and different classes of persons or things:
  - “(b) apply generally throughout the Cook Islands or in any area of the Cook Islands, however described:
  - “(c) exempt (with or without conditions) any person or thing or class of persons or things from compliance with, or the application of, any provisions of the regulations:
  - “(d) authorise any person or class of persons to—
    - “(i) grant an exemption (with or without conditions) referred to in **paragraph (c)**; or
    - “(ii) authorise (with or without conditions) the carrying on of a specified activity that would otherwise be prohibited by the regulations:
  - “(e) impose fees or charges, or a method for calculating a fee or charge, and may—
    - “(i) identify persons liable for paying the fees or charges; and
    - “(ii) identify the persons, if any, exempt from paying the fees and charges.
- “(2) A breach of a condition of an exemption or a condition of an authorisation under any regulations made under this Act is a breach of the provision of the regulation to which the exemption or authorisation relates.
- “(3) In this section and **section 36**, **things** means any things mentioned in **section 36(1)(b)**, including places, premises, ports, crafts, vehicles, and animals.”

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This Act is administered by the Ministry of Health.

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