



23 March 2022

Jeremy Nimmo  
fyi-request-18687-527c9ac4@requests.fyi.org.nz

Ref: OIA-2021/22-1041

Dear Jeremy Nimmo

### Official Information Act request for advice regarding face coverings

Thank you for your Official Information Act 1982 (the Act) request received on 25 February 2022. You requested:

*"I have been informed by the Ministry of Health that the changes to face covering requirements that imposed additional costs on poor and working-class New Zealanders were not actually motivated by public health concerns (c.f. <https://fyi.org.nz/request/18410-changes-to-mask-face-covering-requirements-lack-of-support-for-those-impacted> ).*

*They have suggested that they have forwarded a request to you for all communications, advice, reports, notes, agendas, meeting attendance lists, minutes, and decision documents relating to:*

*1) The decision to ban the use of bandanas and other facial coverings that can be utilized at low or no cost for protection in areas where masks are required, as an equivalent substitute for commercial masks, despite the fact that numerous scientific studies have proven they are more effective than the masks the MoH suggests citizens buy from Foodstuffs and Woolworths (c.f.doi:10.1001/jamainternmed.2020.8168). This should particularly include communications with agencies such as the NZ Police lobbying against facial coverings for non-medical reasons, or commercial entities seeking to lobby for changes to mask requirements."*

A search was undertaken for information regarding decision-making around face masks. The Cabinet paper *COVID-19 Protection Framework: Updates to Red settings* was found to be within scope of your request. The decision to strengthen face mask requirements was based on public health advice, as outlined in the Cabinet paper. The Department of the Prime Minister and Cabinet is the lead agency for this paper.

One of the key changes made was to require that face coverings be attached to the face by loops around the ears or head. While this means that people can no longer use scarves, bandanas or t-shirts as face coverings, people can still use fabric face masks provided they are attached to the face by loops around the ears or head.

The cabinet paper as well as other decision documents and advice regarding mask use are already publicly available or will be proactively released on the Unite Against COVID-19 website in the coming weeks:

<https://covid19.govt.nz/about-our-covid-19-response/proactive-releases/>

Accordingly, I am refusing this part of your request under section 18(d) of the Act, as the information requested is or will soon be publicly available.

More information on face mask requirements can be found on the Unite Against COVID-19 website:

<https://covid19.govt.nz/prepare-and-stay-safe/keep-up-healthy-habits/wear-a-face-mask/>

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

A handwritten signature in blue ink, appearing to read 'Ruth Fairhall', is positioned above the typed name.

Ruth Fairhall  
**Head of Strategy & Policy**  
**COVID-19 Response**