

13 March 2024

C177729

Colin Whiting
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Tēnā koe Colin

Thank you for your request of 31 January 2024 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about clause 7A and 9B exemptions from the COVID-19 Public Health Response (Vaccination) Order 2021. Your request has been considered under the Official Information Act 1982 (OIA).

You requested, in response to information previously provided by Corrections under the OIA (our reference C176430):

How it was possible for 220 Corrections staff to be exempted from having a Covid19 vaccination booster under clause 7A, when clause 7A was replaced by clause 9B on the 12th November 2021. It is my understanding that at the time any unvaccinated Corrections staff who had received an exemption under clause 7A, had to re-apply to receive an exemption under clause 9B. My understanding of your reply, (along with your reply from a previous FOIA request) is therefore that 220 fully vaccinated Corrections staff prior to November 12th 2021, were exempted under clause 7A from having to receive a Covid19 vaccination booster, because they had contracted Covid19.

Please be advised that Corrections provided you with the incorrect information in response to both OIA requests dated 16 October and 6 December 2023 and we wish to apologise for this error. All 220 staff referred to previously, returned to work under the version of clause 7A that came into force on 15 May 2022 which can be found [here](#). No staff were authorised under clause 9 or the version of clause 7A that was in force as of 25 October 2021.

We apologise for any confusion our prior response caused and trust the information provided is of assistance.

If you require any further information or assistance relating to the COVID-19 Public Health legislation response, please contact your lawyer.

I encourage you to raise any concerns about this response with Corrections. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Leigh Marsh
National Commissioner