



# **Guidelines for New Zealand Dance Businesses and Facilities operating within the COVID-19 Protection Framework (Traffic Light System)**

*Reflecting New Zealand Government COVID-19 Protection Framework provisions  
effective 3 December 2021*

**Produced for New Zealand dance sector use by DANZ (Dance Aotearoa New Zealand)  
in consultation with Exercise Association of New Zealand  
and WorkSafe New Zealand.**

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**This document is provided as a service to both members of DANZ and to the wider dance sector of New Zealand. It will be updated in accordance with any further government guidance issued and as additional sector specific information becomes available.**

## 1. Introduction

The [COVID-19 Protection Framework](#) (otherwise known as the *Traffic Light System*) is now in force in New Zealand, and seeks to minimise nationwide impact and provide ongoing protection against COVID-19 through three settings – Red, Orange and Green. Businesses, events and facilities may operate under geographical restrictions helping to contain the risk of community transmission and protect the vulnerable. Current regional settings are set out in the [Traffic Lights Map](#).

These guidelines detail the application of COVID-19 Protection Framework rules as they apply to dance related businesses, services and facilities operating within the Traffic Light system. General COVID-19 risk containment advice provided through the official [New Zealand Government COVID-19 Website](#) continues to be relevant and should also be followed.

## 2. Objectives

The intent of this document is:

1. To provide guidance that promotes a safe operating environment for dance businesses and facilities in New Zealand that complies with New Zealand Government COVID-19 protection provisions, as well as international dance industry good practice.
2. To provide “Trust and Confidence” to both the Government and the New Zealand public, that the dance sector takes COVID-19 safety seriously and is taking all reasonable steps towards risk containment.
3. Provide supporting guidance to those operating business and community dance facilities in New Zealand on rules applicable at the three traffic light levels (Red, Orange and Green) of the COVID-19 Protection Framework.
4. To provide guidance to dance activity providers adopting use of *My Vaccine Pass* for entry to their premises, as well as to those electing not to do so.

### 3. General Guidance and Definitions

#### Standard Protocols

Key COVID-19 risk management and public health protocols remain unchanged under the new traffic light system, namely:

1. Anyone who is sick should stay home (staff, contractors, clients/customers and attendees);
2. Anyone with cold, flu or COVID-19 symptoms should get a COVID-19 test and stay home until they get a negative result;
3. QR scanning (using the COVID-19 app) or signing in to support contact tracing at all three colour settings - red, orange and green;
4. Face coverings to help reduce spread required in specified locations/settings;
5. Regular hand washing/sanitising;
6. Regular disinfecting of shared surfaces;
7. Optimum ventilation;
8. Physical distancing while out and about.

#### Definition of “Gym” Includes Dance

The traffic light system uses the term “Gym” as an umbrella label for venues conducting **structured indoor physical activity including dance**. This covers most indoor physical activity providers including gyms, studios (dance, yoga, private trainers/teachers etc,) and most settings where the public enters and gathers for physical activity and/or exercise indoors.

Also included are owned or hired studios and spaces, even if very small and only offering 1:1 services.

This document also outlines guidance for outdoor activities and private homes.

#### Definition of “Workers”

Under the COVID-19 Protection Framework “workers” covers all staff and contractors regardless of how they are engaged and who engages/pays them. In a dance studio setting for example this would mean all management, administrative, technical and artistic staff, teachers, tutors, choreographers, musical accompanists, cleaners, and any other person working in the facility. Within this document the terms “workers” and “staff” may be used interchangeably.

Workers in [Entertainment, Recreation and Exercise](#) businesses and services are legally required to be vaccinated - the first dose by **3 December 2021** (or first day of employment thereafter) and both doses by **17 January 2022**.

#### Protocols if Staff or Attendees Test Positive for COVID-19

Any person testing positive for COVID-19 must immediately self-isolate for 10 days (or 14 days if not vaccinated). All close contacts must self-isolate for 7 days and return a negative test. This could mean multiple staff may be unable to return to work for a week or more.

#### Interpreting 1m Distancing, 100 Capacity Limit and “Defined Space”

At various times the term “defined space” is used in the context of capacity limits. Dance venues can potentially have multiple “defined spaces” subject to the rules below:

1. A **defined space** is an indoor area that has no direct airflow to another indoor area being used. It may also be an outdoor area that is separated from other outdoor areas by 2 metres. Separate defined spaces must be managed so that, so far as is reasonably practicable, groups do not mix entering, leaving, or using the premises.
2. Whenever the 1 metre rule applies to indoor spaces (GREEN for non-Vaccine Pass venues and RED for Vaccine Pass venues), then the 1 metre should be used to work out capacity i.e. how many attendees can fit into the space with 1 metre distancing. This creates a hard upper limit for the space, or 100 people, whichever is the **lower** number. It does not mean that participants must at all times be 1 metre apart, but they should use best endeavours to be so.
3. For outdoor activities the same approach applies with a 100, 50 or 25 person upper limit as outlined in the tables at the end of this document.

### Children under 12 years and 3 months

If your facility has children attending under the age of 12 years and 3 months, they may be treated as “vaccinated”, and they must be counted in terms of any capacity limits. This means they can interact with all staff and other vaccinated attendees over the age of 12 years 3 months who are present on the premises where proof of vaccination is required.

### Fines

Fines for breaches of rules related to COVID-19 have recently been increased. They are now up to \$15,000 for a business, and \$4,000 for an individual. Fines apply to a range of situations, including allowing non vaccinated individuals (workers or clients) into a space where *My Vaccine Passes* are required; or not sighting/verifying the vaccine pass of a person coming on to the premises.

### Signage

Businesses and facilities must display posters advertising whether they require people entering to have a *My Vaccine Pass*.

## 4. Use of *My Vaccine Pass* and *NZ Pass Verifier*

### Terminology

The Ministry of Health has used the terms **My Vaccine Pass** and **Covid Pass** interchangeably to refer to the QR code people are required to show to prove vaccination status within New Zealand. The **International Travel Vaccination Certificate** is used to show proof of vaccination status when travelling overseas. Both the pass and the certificate are generated from the same place – <https://mycovidrecord.health.nz/>. Some people may use the term “certificate” to mean “pass”.

### Use of My Vaccine Pass and NZ Verifier App

New Zealand business and facilities will only be able to scan **My Vaccine Pass** using the **NZ Pass Verifier** <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/my-covid-record-proof-vaccination-status/nz-pass-verifier#download>

**Any indoor physical activity facility** is mandated to require Vaccination Passes/Certificates for all staff (including contractors) and all clients/members/attendees if it opens under ORANGE or RED.

While there is an option to operate at GREEN without requiring Vaccine Passes/Certificates, there are restrictions placed on any business doing this, and some major operational issues and communication risks are created swapping in and out of requiring proof of vaccination along with confusion for attendees. We do not therefore recommend swapping between requiring and not requiring Vaccine Pass use.

Full details of how to verify *My Vaccine Pass* are available at <https://www.business.govt.nz/news/requiring-my-vaccine-passes-for-entry/> and is also summarised below:

1. The staff member/contractor/client/attendee creates an account at <https://mycovidrecord.health.nz> and links this to their vaccination record.
2. The customer generates a *My Vaccine Pass*, which is emailed to them. This contains a QR code that stores their name and expiry date (6 months from when the pass is generated). As at 5 December over 3.6 million *My Vaccine Passes* have been issued nationally.
3. The business must sight the pass, and it is strongly recommended that the pass be verified using the Ministry of Health supplied *NZ Pass Verifier App* (available for Android and Apple devices).
4. Businesses that have members (such as studios and gyms) may, with the permission of the individual, record that they have sighted/verified the pass and expiry date. That means the member can access the premises without showing their pass again until the date of expiry.
5. *My Vaccine Pass* can be viewed digitally (e.g. via Zoom or other computer video link), but it is still strongly recommended to digitally verify the pass shown onscreen using the *NZ Pass Verifier* app.
6. Showing ID is optional. We recommend developing a clear policy for when this will be required and applying this consistently e.g. when it is suspected an individual may be using someone else’s pass.

### Notes:

- For staff and contractors, the same steps as outlined in Step 4 above can be used i.e. with the permission of the staff member/contractor the business can record that the pass has been verified, and the expiry date recorded. Any person who does not give permission for this will need to show their pass and have it verified **each time** they wish to enter the facility.

- There are no exemptions for non-public facing back office workers or those not dealing with clients. Any person (staff, contractor or client) entering the facility will be required to show their pass and have it verified.
- Unvaccinated staff may continue to work from home if their position allows.
- The *NZ Pass Verifier* app does not store any data (including who was scanned), so can safely be uploaded on staff's personal phones/devices. Facilities may have as many scanning/verification devices as they wish.
- There should be a clearly defined "scanning point" (or points if multiple entrances) where any person entering will have their pass scanned and verified. This will vary by facility and business type but should be as close as possible to the front door/entrance.
- Any person aged 12 years and 3 months or over can create a *My Vaccine Pass* account to generate the vaccine pass.

### Data Integration Options

The Ministry of Health has a data integration option that allows software databases to integrate with the MOH data (subject to strict rules). Check with your database provider to see if they offer this. Those choosing to use this option can regard any attendee who gives permission for their data to be shared to have had their *My Vaccine Pass* sited/verified as required under the Framework rules.

### Emailing Client Vaccine Passes

The Ministry of Health has confirmed that membership-based facilities and businesses such as dance studios and gyms may offer members the option of emailing through their *My Vaccine Pass*, with the following special conditions:

1. That it is sited/verified in the normal way i.e. using the *NZ Pass Verifier* app;
2. Only the expiry date is recorded under each member's record.
3. The email is then deleted.

***The last step is essential as vaccine passes must not be stored in any way*** (including in email archives). This process allows operators to permit members to have their vaccine passes verified in advance by emailing it in.

### Areas Shared with Other Businesses/Tenants

Where a studio or business shares an entrance or has shared services (e.g. toilets) with another tenant, there should be no issue as long as both follow the same *My Vaccine Pass* requirement rules.

There are challenges when one operator requires vaccine passes and another does not, especially if there are shared facilities. Government guidance is that in a shared space, vaccine pass and general rule requirements apply according to activity. If you are an operator who carries out a number of different activities, or you operate in a shared space, you may need to apply different rules. For example, a dance studio or activity may be set up in a mall (general retail rules apply) or may run adjoining café services (food and beverage rules apply) or may have sub tenants.

For large recreation facilities operating with vaccine passes, any shared spaces should follow the rules for "public facilities", and then have an entrance check set up for individual studio spaces to site/verify passes. Note: This is one of the few times when "public facility" rules apply as indoor physical activity businesses/facilities are not regarded as public facilities under the traffic light system.

We recommend keeping rules as simple as possible. If you have sub-tenants, then it is reasonable (and perhaps easiest) for your venue's rules to apply equally to all subtenants.



If you are the sub-tenant/co-tenant, and have shared services with a business that has non-vaccinated customers while you are operating with vaccine passes, then you will need to ensure the practices within the shared service area are based on it being an “unvaccinated space” i.e. masks and distancing will apply.

### Overseas Vaccinations

Individuals who were vaccinated overseas can apply to the Ministry of Health to have this recognised (the process is outlined in full on the MOH website). Those that are successful then receive a regular New Zealand *My Vaccine Pass*. Do not accept an overseas certificate/vaccine passport - only accept a New Zealand Government issued *My Vaccine Pass*.

### Medical Exemptions

There will only be a small number of individuals within New Zealand who have been granted a medical exemption from being vaccinated. Those who do have a medical exemption will still be able to generate a *My Vaccine Pass* and show this in the normal way i.e. facilities will not know when someone has a medical exemption, and can verify the pass in the usual way. Letters of exemption (including those from doctors) are not valid exemptions – in all cases ask for a *My Vaccine Pass*.

### Special Temporary Exemption Letters

The Ministry of Health announced that immediately prior to activation of the Traffic Light System on 3 December, over 70,000 temporary exemptions were granted to applicants unable to secure a *My Vaccine Pass* pending resolution of processing issues. These included individuals whose overseas records were not yet loaded or had other errors needing correction. The MOH media release may be viewed here: <https://www.health.govt.nz/news-media/media-releases/interim-solution-people-waiting-their-my-vaccine-pass>

MOH has asked that business operators and facilities accept these exemption letters (valid until 11.59pm 14 December 2021) in lieu of *My Vaccine Pass*. A sample of the letter follows and if one of these is presented to you, you may accept the person onto your premises.

### Link to EXAMPLE Special Temporary Exemption Letter:



## 5. Guidance for Facilities Operating with My Vaccine Pass Requirement

The following table highlights some key requirements for indoor physical activity facilities requiring proof of vaccination for access to their premises.

TOPIC	RED	ORANGE	GREEN
<b>CAN THE VENUE OPEN?</b>	Yes. Capacity limit 1 metre distancing or 100 people per defined space (whichever is lesser). Same applies outdoors.	Yes - no number limits. Same applies outdoors.	Yes - no number limits. Same applies outdoors.
<b>MASK REQUIREMENT</b>	Encouraged including outdoors.	Encouraged indoors. Not mandatory during exercise.	Optional
<b>CLASSES/TRAINING UNVACCINATED OUTDOORS</b>	Yes. Capacity limit 1 metre distancing or 25 people.	Yes. Capacity limit 1 metre distancing or 50 people.	Yes. Capacity limit 1 metre distancing or 100 people.
<b>WATER COOLERS</b>	Can be used	Can be used	Can be used
<b>CONTACT ACTIVITIES (E.G. CLIENT/TEACHER CONTACT)</b>	Allowed	Allowed	Allowed
<b>UNVACCINATED STAFF</b>	Not allowed on premises. Can only work remotely.	Not allowed on premises. Can only work remotely.	Not allowed on premises. Can only work remotely.
<b>GROUP ACTIVITY</b>	Yes. Capacity limit 1 metre distancing or 100 people.	No restrictions	No restrictions
<b>FANS / AIR CIRCULATION</b>	Awaiting advice from MBIE/MOH	Awaiting advice from MBIE/MOH	Awaiting advice from MBIE/MOH
<b>ACCESS TO PREMISES BY SINGLE JABBED INDIVIDUALS</b>	Workers - yes until 17 January. All others - no.	Workers - yes until 17 January. All others - no	Workers - yes until 17 January. All others - no.

## 6. Guidance for Facilities Not Operating with My Vaccine Pass Requirement

The following table outlines common scenarios for facilities electing **not** to require proof of vaccination for access to their premises.

TOPIC	RED	ORANGE	GREEN
CAN THE VENUE OPEN?	No	No	Yes. Capacity limit 100 people based on 1 metre distancing per defined space.
MASK REQUIREMENT	Not applicable		Optional. Recommended when not exercising.
WATER COOLERS			Can be used.
CONTACT ACTIVITIES (E.G. CLIENT/TEACHER CONTACT)			Likely permissible. TBC
UNVACCINATED STAFF			Can work inside facility.
GROUP ACTIVITY			Yes. Capacity limit 1 metre distancing/100 people.
FANS / AIR CIRCULATION			Awaiting advice from MBIE/MOH
CLASSES/TRAINING UNVACCINATED OUTDOORS			Yes. Capacity 1 metre distancing/25 max.