



Essential Services and Restrictions Policy 2021

Effective: January 2022
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Policy Statement

Essential services are critical to sustain the functioning of the community before, during and after a (COVID-19) emergency. The Disaster Risk Management Act 2007 outlines Essential Services. The Cook Islands COVID19 Safe Response Framework outlines how the country will operate. This policy further outlines essential services and non-essential services. .

Scope

This Policy applies to all entities providing essential and non-essential services.

Linkages:

This Policy should be read in conjunction with the Cook Islands COVI-19 Safe Response Framework 2021.

(COVID-19) Legislation

Disaster Risk Management Act 2007; COVID-19 Act 2020 and Regulations; Ministry of Health Act 2013; Public Health Act 2004.

Definitions

Critical infrastructure services include essential physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, economic or social well-being or the effective functioning of government.

Entities include government agencies, non-government agencies, state-owned enterprises, island councils, Puna, private sector enterprises, schools and tertiary institutions and others involved in the supply chain for essential and non-essential services

Essential services are services that are considered critical to the safety and protection of households and functioning of the community before, during or after a State of Emergency.

“Essential Services” means any entity referred to in Section 23 and listed in the Schedule or notified by the Director pursuant to Section 6(9) of the DRM Act 2007

Essential Services are outlined in the Schedule to the Disaster Risk Management Act 2007 (the DRMA) as:

- All Ministries and offices of Government
- All State owned Enterprises and Authorities
- Cook Islands Red Cross
- Vodafone Cook Islands
- Banking Institutions

- Island Councils
- Significant Private Sector enterprises (as notified by the Director of Emergency Management Cook Islands pursuant to Section 6(8) of the DRMA)
- All schools and tertiary institutions.

Listed entities includes those entities identified under the respective emergency response codes

Non-essential services are services that are not considered critical to the functioning of the community

Small business are independently owned and operated companies limited in size and revenue

Physical distancing (also referred to as social distancing) means keeping a minimum of two metres between persons. This has to be applied at all times in public spaces e.g. banks, shops, etc.

Public health emergency is declared by the Queen's Representative, on the advice of the Minister of Health, if a case of COVID-19 presents in the Cook Islands and sufficient powers are not available under the Public Health Act 2004 and COVID-19 Act 2020.

Public health measures include Ministerial Orders, Quarantine and Isolation Orders (It is mandatory to comply with the contents of these orders and penalties are enforceable for breaches), physical distancing, hand and face hygiene, cough and sneeze etiquette, stay home when unwell, cleaning and disinfection of surfaces, and ventilating premises.

Supervised isolation means the isolation of persons or classes of persons whom have been diagnosed with COVID-19 according to rules or directives made by TMO. Isolation in this context means managed separation of known cases of COVID-19 for a period of time and in a location specified by TMO.

Supervised quarantine means the isolation of persons or classes of persons who have been in close contact with persons suspected or diagnosed with COVID-19 according to rules or directives made by TMO.

Emergency services include ambulance, police, fire, funeral and burial, coroner, water, sanitation, plumbing, waste management, electrical, security, telecommunications, infrastructure, and repairs to vehicles for essential services.

Vulnerable persons is either a minor or someone who, for physical or mental reasons, is unable to look after themselves or their finances. For the purposes of the Policy it includes but is not limited to the following:

- The elderly, infirm and people under the care of the Ministry of Health;
- Children, young people and their families, people with disabilities and women;
- Those who are living alone and are over 60 years of age;

- Those who have a physical or mental disability that may require caregiver assistance;
- Those who have a non-communicable disease and risk factors;
- Women who are pregnant;
- Those who do not have a home (displaced person);
- Children under 12 years of age;
- Unvaccinated individuals;
- Single parents;
- Individual adults who are facing hardship and unable to support themselves and/or their dependants financially.

Essential Services at a Public Health Emergency and/or State of Emergency

*Note Applications to operate as an essential service at a Public Health Emergency and/or State of Emergency should be sent to the Director of Emergency Management Cook Islands for processing and approval *accreditation*.

Sectors		
Health services	<ul style="list-style-type: none"> • Acute/emergency care to continue <ul style="list-style-type: none"> ○ Primary care: urgent cases and emergency dental care ○ Community care: palliative, home visits, mental health, elderly, disabled • Clinical support to continue: blood, laboratory, radiology, pharmacy, patient referrals (acute) • Support services to continue: delivering medical items and personal care • Health supply chains to be maintained: Personal Protective Equipment (PPE), medical supplies, gas and equipment • Disease surveillance and response, vector control services if considered an imminent threat to health and safety (pest control and fumigation) 	
Social services	<ul style="list-style-type: none"> • Church/religious gatherings to cease – move to Online/radio church services and programmes • Burial services allowed with strict PPE and hygiene protocols as well as limits on attendance as prescribed by TMO. Gatherings will be limited in number as approved by TMO. • Day care services and schooling for children of essential service workers only with strict infection prevention and control protocols to be observed <ul style="list-style-type: none"> ○ In-person schooling suspended for children of non-essential workers: move to home based (or online) teaching and learning • Social services that can continue with strict infection prevention and control protocols to be observed as advised by TMO: accommodation, caregiving, food, welfare and financial support for the vulnerable and displaced, meals on wheels. 	
Food	<ul style="list-style-type: none"> • Food supply to continue: plant nursery, growers/producers, importers, traders and logistics ensuring mask wearing and social distancing is observed • Supermarkets, convenience stores, food markets to continue (as approved by TMO, adhering to strict infection prevention and control protocols) • Food and beverage outlet with take-away services only (ie no dining in) 	

Sectors		
	<ul style="list-style-type: none"> • Food caterers, packing, packaging and deliveries (as approved by TMO) • Food safety, hygiene and support services (as approved by TMO) • Food deliveries (Contactless services as approved by TMO) 	
Energy and gas	<ul style="list-style-type: none"> • Electricity generation, transmission and distribution • Gas importing, bottling and distribution • Fuel importing, storing and distribution • Petrol stations • Emergency electrical repair services or gas repairs gas petroleum 	
Water, Waste and Environment	<ul style="list-style-type: none"> • Potable water supply, collection and distribution • Cleaning and management of storm water drains • Emergency plumbing services • Waste and rubbish collection and disposal services • cleaning services for essential services • Toxic/bio-hazardous waste management • Meteorological services 	
Transportation and storage	<ul style="list-style-type: none"> • Air traffic control: airport operations, air transport (runway maintenance and security) • Shipping services with enhanced infection prevention and control protocols: safety and navigation, port services • Public transport services, key support services and suppliers (Mask wearing required with distancing between passengers) • Monitoring of traffic and road operations • Third party freight forwarders, trucking, courier services • Food Delivery Services (as approved) • Warehouses and storage facilities for essential services • Food Delivery Services (as approved) • Transportation to support other essential services 	

Sectors		
Information and communication technology (ICT)	<ul style="list-style-type: none"> • Telecommunications: fixed, mobile, internet access, hotspots • Broadcasting services: radio and television • Submarine cable and satellite operations • Postal and courier services • Newspapers • ICT support tools, software and services to enable telecommuting, videoconferencing, e-commerce/finance • Repairs and maintenance for networks used by essential services • Courier services for essential services only • Online printing services and publication 	
Defense and security	<ul style="list-style-type: none"> • Security firms that protect public properties, businesses and homes (as approved) • Police & Correctional Services • Entities that provide humanitarian relief, search and rescue services • Border control and biosecurity agencies • First responders to emergencies i.e. Crash Fire and (trained) Volunteer Fire services 	
Construction, facilities and critical public infrastructure	<ul style="list-style-type: none"> • Epidemic control: Approved entities & contractors for sanitation, disinfection, cleaning and laundry (as approved) • Construction work, emergency repairs and maintenance for critical public infrastructure, that represents an imminent threat to health and safety, e.g. broken live power line • Maintenance and repairs to critical public infrastructure to ensure public safety example roads and bridges (with social distancing and masking protocols to be observed) • Facilities management to support essential services: plumbing, electrical, air conditioning and mechanical, fire protection, security and surveillance (as approved) • Landscaping services such as tree trimming/remove fallen trees, that represent an imminent threat to public health and safety (as approved) • Regulators involved in issuing building, health, sanitation and environmental permits that are deemed critical to either support Essential services or mitigate and imminent health and safety risk • Repairs to support essential services example water supply, communications, power lines, health 	

Sectors		
Banking and finance	<ul style="list-style-type: none"> • Maintenance of monetary and financial stability • Banking services: deposits, withdrawals, funds transfers, treasury management, lending, payments, securities registries • Trade finance and asset management services • Online banking and business services • Branch customer service hours limited to simple transactions • Government cash management and payments • Essential Asset management services (as approved) • Payment services: funds transfers, credit and debit payments • Insurance • Government Payroll services 	
Legal services (limited)	<ul style="list-style-type: none"> • Essential matters in high courts: civil, family and criminal • Commercial transactions with deadlines: contractual obligations • Urgent and essential Wills/probates • Justice: Registry and Coroner services • Legal advice to the government • Legislative drafting for emergency legislation and regulations 	
Others	<ul style="list-style-type: none"> • Selected accommodation providers for displaced or quarantined persons (All hotels, motels or hostels must close on-site recreational facilities e.g. swimming pools) • Optometry services and sale of optical products (as approved) • Motor vehicle repairs for emergency vehicle services – no vehicle grooming • Hardware stores for building and maintenance tools to support essential services (as approved) • Repairs to household electronics or appliances (as approved) • Laundry services (as approved) • Livestock and veterinary services for emergency animal care • Support services for essential government functions. 	

Sectors		
Essential Government Agencies	<ul style="list-style-type: none"> • Agencies involved in the operations of this Emergency Response Plan, including but not limited to the following: TMO, Police, OPM, MFAI, MFEM, MOE, Biosecurity-MOA, Ports and Airport Authority, OPSC, CLO (or as approved). • Agencies involved in the operations of critical infrastructure (as approved). • Agencies required in the operations of the essential services as identified above. 	

Non-essential services

Entities that are not an essential service provider are encouraged to continue operations through remote means, or otherwise cease operations until there's a return to Level 2 or 1.

Note: Non-essential services are those that are not included in previous definition of an essential service. Non-governmental organisations and businesses must apply to TMO to be accredited as an essential service provider.

Non-essential services include:

- Cinemas, entertainment venues and night clubs
- Gyms and indoor sporting venues and recreation centres
- Real estate businesses
- Arts and crafts producers and retailers
- Personal services (beauty, nail, tanning, waxing and tattoo salons)
- Spa and massage parlours, excluding health related services such as physiotherapy
- Arcades and play centres (indoor and outdoor)
- Galleries, historic sites, museums
- Fitness centres, wellness centres, swimming pools
- Community facilities such as community halls, libraries
- Gaming and gambling venues e.g. Housie
- Indoor and outdoor markets (excluding food markets)
- Entertainment and recreational activities e.g. lagoon cruise, fishing charters, party bus, cross-island walks.

Compliance

The Covid-19 Act provides penalties for breaches to ministerial orders and isolation/quarantine orders.

Health Officers under warrant have the power to ensure persons and entities adhere to Quarantine and Isolation Orders issued by the Secretary of Health, including Ministerial Orders issued by the Minister of Health.

Police Officers as officers of the law have the power to arrest any person or entity who breaches the Act.

DRM Act 2007:

Section 5(2) - The functions of Emergency Management Cook Islands.

Section 6(8) - prepare a written notice of the list of Essential Services, based on those contained in the Schedule

Section 6(10) - provide a report to the Council on the findings and recommendations of the audits which were undertaken in relation to Essential Services

Application to be accredited as an Essential Service Provider

An application to operate as an essential service (other than a government agency) will require:

- i) The nature of the business/trade/operation
- ii) The trading name of the entity (this must be registered name)
- iii) The entity to demonstrate it is providing essential services
- iv) The contact details and position of the person applying
- v) The number of employees that will be working during this period
- vi) Shop space available (if a retail store) specify free floor space available in the premises (as there should only be one person permitted for every 2 square meters of floor space.

Applications to operate as an essential service **at Public Health Emergency and/or State of Emergency** should be sent to the Director of Emergency Management Cook Islands for processing and approval.

A final decision on application for accreditation as an Essential Service Provider will be made by the Director of EMCI in consultation with TMO-HIU (assessing health risk v benefit of the service) or the appropriate Regulator as required (e.g. electrical or building control – assessing the Health & safety risk) and communicated to the applicant by way of formal letter ('Accreditation Letter') identifying the service as an Essential Service Provider to be kept on file at all times and produced when requested. Individual workers will be issued an ID/Accreditation Pass.

All essential services must ensure that PPE and social distancing are observed at all times subject to any Ministerial Orders in force at the time.

Restrictions on Movement will require Cabinet Approval or Ministerial Orders to enforce the following aspects of each Traffic light level.

Roles and Responsibilities

TMO – SoH	- Leads advice to cabinet on Alert Level changes
TMO – HPU	- Enforce social distancing protocols (as empowered by the SoH) - Airport health checkpoints ensuring protocols are adhered to and respond to incidents as required
TMO – Clinical	- On standby for Emergencies
TMO – HIU	- Provides advice and intelligence to the SoH - Supports decision making for the SoH
MOT	- Work with TMO to develop and enforce health and Safety protocols
OPM-EMCI	- Declare and coordinate on TMO on a state of emergency event. - Assist TMO's all of government response.
Pa Enea Island Governments	- Island Governments will transition to DRM Committees responsible under the DRM Act 2007.

	<ul style="list-style-type: none"> - Executive Officers shall ensure Government Policies are being implemented in all of Government responses.
Police	<ul style="list-style-type: none"> - Enforce on-island travel restrictions - Assist in enforcing social distancing and other public health protocols under Levels 3 and 4
Airport Authority	<ul style="list-style-type: none"> - Ensure the effective and safe operation of Rarotonga and Aitutaki Airport - Assist in ensuring public health protocols are adhered to within the airport terminal and grounds.
Cook Islands Tourism Authority	<ul style="list-style-type: none"> - Coordinate with TMO to alert travellers and Tourists of alert level changes - In case of Level 3, work with accommodators and travellers in initiating managed returns - Assist TMO with Communications - Assist TMO in the managed returns process
MFAI	<ul style="list-style-type: none"> - Coordinate with NZMFAT on joint country responses to level changes - Assist with the managed return and repatriation flight (if necessary) at level 3 & 4 - Manage international border restrictions
Air Rarotonga	<ul style="list-style-type: none"> - Assist in enforcing on flight health protocols - Provide essential supplies to pa Enea during Level 2, 3 and 4 pauses in passenger flights
Air New Zealand	<ul style="list-style-type: none"> - Assist in enforcing on flight health protocols - Provide essential supplies to the country during Level 2, 3 and 4 pauses in passenger flights with continued freight flights
Infrastructure Cook Islands	<ul style="list-style-type: none"> - Provide advice around critical health and safety threats across infrastructure to inform the permission of essential work to be done.
Crown law	<ul style="list-style-type: none"> - Draft emergency legal orders as required - Provide legal advice to cabinet as required
Ports Authority	<ul style="list-style-type: none"> - Ensure the effective and safe operation of Rarotonga and Aitutaki ports - Assist in ensuring public health protocols are adhered to within ports' grounds

Persons with Disabilities Impact Considerations:

Communications and access to information: All communications will be sent to all agencies as appropriate- including the National Disability Council so it may be disseminated to their membership. All official communications on TV will have someone sign.

Health System

Te Marae Ora will continue to provide the necessary healthcare services under any level as essential services.

Society

With the above there will also need to be considerations around financial and disability specific assistance (including access to services, information and communications)

Services: At all alert levels will be according to the Essential Services Policy. Persons with Disabilities will need to know what is available and how to access the services. The Ministry of Internal Affairs has a National Disability Coordinator who liaises with NGO stakeholders CINDC, Creative Centre, Te Vaerua, Te Kainga and Are Pa Metua and who has a listing of services available.