

FAQs

What do you need to do to be compliant with the requirement?

You will be responsible having systems and processes in place to enable, so far as is reasonably practicable, people scan in using the [COVID-19 tracer app](#), or manually record their visit.

What is reasonably practicable will differ between businesses. Workplaces (and public transport services) will continue to be required by law to display QR codes. Alternative systems to make a record will also now be required where record keeping is mandatory. For example, a manual register for those who are not able to scan and/or your business or service's booking system.

What does it mean for someone to 'record a visit'?

This can be done by scanning QR codes with the [COVID-19 tracer app](#) or making a manual record, either by providing details using the method available when at a business or location which may include writing your details down. You also can keep your manual record of where you have been and when, either in the COVID-19 Tracer App or by keeping a list elsewhere.

Ideally you would keep a digital copy of this list to ensure you have a backup. If your business/location has controlled access or booking systems that meet the record-keeping requirements, that will also be sufficient.

For businesses it means having the processes in place to ensure people can easily scan QR code posters or make a manual record of their visit.

What is the best way to record visits?

Using the [COVID-19 tracer app](#) is best. This is particularly valuable for when contact tracing needs to occur as it provides accurate locations and timings for visits and helps speed up contact tracing efforts. Remember from now on, scan in wherever you go out and about. Before you walk through the door, don't forget to scan in. It's a simple action that could make a huge difference.

What are the best alternative sign-in systems for those who cannot use the COVID-19 tracer app?

There is no one right method of collecting, but some possible methods include:

- Setting up a ballot box with individual paper slips or cards for people to fill in their name, phone number, date and time of visit.
- Having an employee manually record visitor details – this ensures that staff maintain control over the records and do not leave contact information is not visible to others.
- Consider an electronic system, like a tablet sign-in app, work timesheet or an existing booking system.
- Using a work cell phone to receive texts from customers. Simply publicise the cell phone number around the entrance to your service or business and let customers text you their name.

Do not use a paper-based register if it is left in a public-facing position where personal information is visible to others. This is a leading cause of COVID-related privacy breaches.

What constitutes acceptable record keeping?

Displaying your business or services' unique QR Code in a visible and accessible position for staff and visitors to scan.

To meet the requirement, you must collect the name of the person, the time they were there and a phone number to contact them. If your existing systems do this then you're ok, but if not, you need to collect it.

How long do I have to keep the records for?

60 days. When this time elapses, you must securely destroy the physical records (i.e., manual sign-in records) and electronic records if alternative methods were used like a tablet or a 'burner phone' which individuals text into. If you ordinarily use electronic sign-in as part of your business, e.g., you operate a gym, secure deletion is not required for the purposes of this order.

What if a person refuses?

There will be no expectation or requirement for a person responsible for the place or gathering to enforce non-compliance with record keeping requirements. The obligation on businesses is to have systems and processes in place to ensure (as far as reasonably practicable) so that customers or visitors make a record.

Businesses will not be required or expected to turn people away who may refuse to make a record of their visit, particularly if the person becomes aggressive or abusive. This will be at the discretion of the business.

Who is responsible for ensuring people are record keeping?

Mandatory reporting applies to listed businesses and services where there is likely to be close contact between workers and visitors, or between visitors who do not know each other. The business owner or service provider is responsible.

Sport and recreation providers often use indoor space or services 'owned' by others. Where this occurs, responsibility for mandatory reporting requires a common-sense and collaborative approach and may vary case-by-case.

Example 1 - A swimming club hosts its club championships at the local Council owned Swimming Pool.

In this case, the Council will be responsible for mandatory reporting for all users of its swimming pool, including the swimming club running its event. It would be helpful for the club to assist the pool operators to ensure all its participants sign-in and follow the rules the Council has put in place.

Example 2 - a table-tennis club is running its weekly table-tennis club day at the local school hall.

In this case, the table-tennis club will be responsible for mandatory reporting for all its participating club members. This will include fulfilling all requirements of acceptable record keeping (as above).

What should I tell users about privacy?

Use a simple privacy statement alongside your alternative record keeping system to let people know why the information is needed and how long you need it for. See the Office of the Privacy Commissioner's advice on Covid tracing at www.privacy.org.nz for an example.

How do I keep the sign-in records secure?

Customers should not be able to view the details of others who have signed into the business or service. Physical records should be stored securely in a place where only those that may need access can access them.

If you accidentally lose physical or electronic sign in records and they cannot be recovered, use the NotifyUs tool on the Officer of the Privacy Commissioner's website:

<https://privacy.org.nz/responsibilities/privacy-breaches/notify-us/>.

What enforcement will be in place if businesses or event organisers fail to meet record keeping requirements?

If a person responsible for a business or location has failed to meet record keeping requirements, they are committing an infringement offence and will liable to an infringement fee of \$300 or court imposed fine not exceeding \$1,000.

Failing to display a QR code will continue to be an infringement offence carrying an infringement fee of \$300 or court imposed fine not exceeding \$1,000.