

**Framework for exercise facilities in
New Zealand operating within a
COVID-19 ENVIRONMENT
under the Traffic Light system. 2021-2022**



**Version 2.03
Updated 29 November 2021**

*“There is no situation, no age, no condition
where exercise is not a good thing.”*
- Chris Witty, England’s chief medical officer

1. Introduction

This framework is in response to the Governments COVID-19 Protection Framework, otherwise known as the Traffic Light System. The intent of this framework is to provide more detail to the Government’s guidance as well as covers common examples that are more relevant to our industry.

General advice on COVID-19 should still be followed which is available on the Government’s COVID-19 website. A reminder, as with all COVID-19 advice, it will change over time, and this framework will continue to be updated.

Please see the back page for a list of the latest updates.

Produced by ExerciseNZ/REPs/YogaNZ

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This is a working document, and will continue to evolve as the government provides more guidance on how the system will work.



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BACKGROUND ON EXERCISENZ, REPS AND YOGANZ

ExerciseNZ: The Exercise Association of New Zealand Incorporated (ExerciseNZ) is a non-profit membership based body that represents some 550+ exercise facilities (gyms, recreation facilities, yoga studios, etc) as well as managing the registration of 3,500+ exercise professionals. **Our collective membership represents over 75% of both exercise providers and exercise professionals in New Zealand.**

REPs: The New Zealand Register of Exercise Professionals (REPs) is the quality mark for the exercise industry. It operates the registration body for exercise professionals and facilities in New Zealand.

YogaNZ: Yoga New Zealand supports the yoga community in New Zealand - teachers, yoga therapists, studios and those provider teaching training.

Collectively YogaNZ and REPs are part of the ExerciseNZ whanau, who provides the admin back office support to both YogaNZ and REPs.

The sector: 790,000 [Horizon survey] kiwis are members of an exercise facility in New Zealand, with a further casual use of as many as 360,000 [conservative based on Qualtrix]. Over 30% of all adults in New Zealand use our sectors services. While not a 'sport', if it was, in New Zealand 'Exercise' is bigger than Rugby, Cricket and Netball combined in terms of participation numbers.

Benefits of exercise: While not specifically outlined in this document, it should be noted here that regular exercise is one of the most beneficial activities an individual can undertake to improve their health. Normally the list of the benefits of exercise is wide and varied - everything from being protective against stroke, heart disease and many other chronic diseases and conditions, all the way through to its role in weight management and diabetes control. However, right now the focus is around mental health, and its proven benefits for 'mental robustness', which is protective against both depression and anxiety – two looming issues in a COVID-19 environment. It is so widely accepted as beneficial, that it was one of the few activities encouraged during level 4 lock-down.

This framework: This document provides solutions and recommendations for the unique environments of an exercise setting, operating within a COVID-19 environment.

This document was first produced in November 2021, and while the background and framework were developed then, the contents continues to be updated regularly to reflect the latest research advice and Government rules.

We are recommending that all exercise providers in New Zealand follow the recommendations in this document.

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BACKGROUND ON COVID-19

This introduction page was written in April 2020 and updated in November 2021

The COVID-19 pandemic disease is caused by the SARS CoV-2 virus. It is a devastating virus because while in New Zealand it only kills about 1-2% of those it infects, it infects a lot of people. The original strain was three times as infectious as the seasonal flu.

The risk of serious disease or death increases significantly with age and other health conditions like respiratory, cardiac, diabetic disease or high BMI's. Mortality rates can approach 20% for these at risk groups. While rare, it can also severely affect even young, healthy people including children.

80% of people will have mild or no symptoms. 15% will be moderate and may need hospitalisation. 5-6% will have severe symptoms, with some needing to be on a mechanical ventilator.

The problem that the human immune system has defending it is that it is a novel virus. It is new to humans, so we have no immunity from prior infection to it. This is what makes it so unpredictable.

SARS-2 virus can last on surfaces like glass, plastic and cardboard for up to two or three days but it is unlikely that virus on those surfaces would be infectious after much more than 48 hours as viral numbers drop to low levels by then.

There are two main routes of infection:

1. Respiratory (inhaled virus through the air).
2. Contact an infected surface with your hand and then touch your mouth, nose or eyes.

It is possible from 'sneeze studies' that some virus could be exhaled in small, light 'aerosol' type particles and remain airborne beyond 2 meters.

The usual medical rule for transfer is that individuals need to have to be in close range for more than 10 minutes to pick up virus through inhaled air (unless someone is spraying saliva as they talk, or are sneezing).

Some of the best ways to keep your immune system working well are getting enough sleep, staying physically active, and maintaining a healthy diet.

Delta Variant: The emergence of the more contagious Delta variant in New Zealand in August 2021, together with vaccination being widely available has changed the way the government is dealing with COVID-19. The new traffic light system focuses on ensuring activities that have high degree of close contacts are encouraged to use compulsory vaccination certificates (CVCs), as well as allowing for much more freedoms for those that use them. Over time the restrictions for those that test positive for COVID-19 may also change as it becomes more endemic in New Zealand.

4 OBJECTIVES

The objectives of this framework are:

1. To develop a framework that provides a safe environment for New Zealanders to return to exercise facilities in New Zealand that meets both New Zealand Government's requirements, but also considers international best practice.
2. Provide guidance to those operating exercise facilities in New Zealand.
3. To provide 'Trust and Confidence' to both the Government, and the New Zealand public, that the exercise industry provides takes COVID-19 safety seriously, and is taking all practicable steps to ensure this.
4. To provide guidance for exercise providers to use at Green, Orange and Red.
5. To provide options and information for those using Compulsory Vaccination Certificates (CVCs) as well as those that choose not to.



5 GENERAL GUIDANCE

Many of the key principles of COVID-19 remain the same under the new traffic light system, namely:

1. Anyone who is sick, stay home (staff/contractors as well as members)
2. Anyone with cold/flu like symptoms should get a COVID-19 test
3. Scanning (using the COVID-19 app) will remain at all colours

Definition of a gym

The current traffic light system uses the term 'gym' as a placeholder name for a whole range of exercise venues. We have been advised that this will cover the vast majority of indoor exercise providers including gyms, studios (PTs, Yoga, Dance) and most settings where the public enters and gathers together to exercise indoors. It includes studios, and spaces hired for exercise, even if very small and only offering 1:1 services.

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

Definition of a worker

From a COVID-19 traffic light perspective, 'worker' covers all staff & contractors regardless of how/who engages/pays them. This means in a gym/exercise setting, gym staff, PTs, group ex instructors, yoga teachers, cleaners, and any person who is working from/out of the facility is covered by the CVC rules. When reading this document the terms 'staff', 'worker' and 'contractor' can be used interchangeably, as they are all covered by the same CVC rules.

COVID-19 times are uncertain

This document has been developed at a time where there are still many questions as to how the traffic light system will be implemented, and what this means for the exercise industry. At the same time there is a lot of information that has been provided to ExerciseNZ via government agencies that provides much more detail than the government's COVID-19 site, and therefore we have chosen to share this information, while also indicating how confident/certain we are that this is correct.

Throughout this document we have used the following key:

Black Text - Known with a high degree of confidence.

Dark blue text – we are uncertain about this, but this is the best information we have.

* A reminder that rules for COVID-19 will continue to change rapidly and regularly. So even things that we are confident about today can be changed by the Government anytime.

Protocol for if staff or members test positive for COVID-19

The existing protocols for any person testing positive for COVID-19 require immediate self-isolation for 10 days (or 14 days if not vaccinated) and all close contacts must self-isolate for 7 days and return a negative test – for exercise venues this could mean multiple staff are unable to return to work for a week or more.

We believe this protocol may change under the new traffic light system, but have received no formal guidance on this yet. We continue to ask for information on this with the utmost urgency.

Interpreting 1 metre & 100 capacity limit and a ‘defined space’

There are various times when the term ‘defined space’ is used in the context of capacity limits. Gyms and exercise 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 that is being used; or an outdoor area that is separated from other outdoor areas by 2 metres. Separate 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 CVCs venues and RED for CVC venues), then the 1 metre should be used to work out capacity i.e. how many customers can fit into the space with 1 metre distancing. This creates a hard upper limit for the space, or 100, whichever is the lower number. This does not mean that customers must stay 1 metre at all times, but they should generally attempt to do so. This includes all attendees, and does not include workers.
3. For outdoor activities the same process applies with a 100, 50 or 25 max upper limit as outlined in tables 7 & 8.

Children (under 12 years and 3 months)

If your facility has children under the age of 12 years and 3 months, then they can be treated as ‘vaccinated’ for the purpose of CVCs, and also they are counted in terms of any capacity limits. This means from the rules perspective they can interact with staff and customers in the same way as a vaccinated customer. You can choose to have your own rules on top of this for the under 12s, but that is optional.

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 large range of activities, including as allowing non vaccinated individuals (staff/contractors or customers) into a space where CVCs are required/not sighting/verifying a persons covid pass.

Signage

Businesses must display posters advertising if they require people entering to have a My Vaccine Pass.



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USE OF COMPULSORY VACCINATION CERTIFICATES (CVCS)

Terminology

The Ministry of Health is currently using the term 'Covid Pass' and "My Vaccine Pass" for the QR code people show businesses in New Zealand and 'Covid Certificate' for international travel. Both are generated from the same place – mycovidrecord. New Zealand businesses will only be able to scan the 'Covid Pass'. Many people will use the term 'certificate' to mean pass.

Any indoor exercise business is mandated to use Compulsory Vaccination Certificates (CVCs) for all its staff (including contractors) and members if it opens under orange or red.

While there is an option to operate at green without CVCs, there are restrictions put on any business doing this, and it would create a number of major operational issues swapping back to/out of using CVCs, and we do not recommend that exercise venues swap between using CVCs and not using CVCs.

Full details of how to verify a CVC is valid will be made public on the Government's COVID-19 site, and is also summarised below:

1. The customer / staff member / contractor creates an account on mycovidrecord and links this to their vaccination records
2. The customer generates a covid pass, which is emailed to them, that contains a QR code that stores their name and expiry date (which is 6 months from when the covid pass is generated). This is available now.
3. The business must sight the pass, and it is strongly recommended to verify the pass using the MOH supplied NZ Pass Verifier App. (Available for Android and Apple devices). We recommend your business develops a policy for if/when verification is needed and consistently apply it.
4. Businesses that have members (such as gyms and studios), with the permission of the member may store that they have sighted/verified the pass from the member and record the expiry date. That means the member can access the club without showing their pass until this date.
5. A pass can be viewed digitally (e.g. over zoom) , but it is still strongly recommended to verify passes viewed digitally.
6. ID is optional – a business can ask for it or not. We recommend developing a clear policy for when this will be required and consistently apply it.

Notes:

- For staff and contractors, the same steps as outlined in item 4 can be used – namely 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 that does not give permission for this to be recorded will need to show their pass and have it verified each time they wish to enter the facility.
- There are no exemption for back office workers or those not dealing with customers. Any person (staff, contractor or customer) that is entering the facility will be required to show their pass and have it verified. We are waiting for clarification for brief visitors (e.g. a courier driver dropping off a package) but it is clear that any person that is in the facility for more than a very brief time needs to have their pass verified even if they are not customer facing.
- Staff may continue to work from home if their position allows, and not be vaccinated.
- The verifying app does not store any data (including who was scanned), so can safely be put on staff's personal phones. Businesses can have as many scanning/verification devices as they want.
- There should be a clearly defined 'scanning point' (or points if multiple entrances) where any person entering will have their pass scanned and verified (a reminder verification is not required but is strongly recommended) if they have not already done so. Where this is will vary by facility and business type, but should be as close as practical to the front door/entrance as possible. For many gyms the entry door/turnstile location would be suitable.
- Any person aged 12 years and 3 months or over can create a mycovidpass account and pass

Data Integration options for CVC's

MOH has a data integration option that allows software databases to integrate with the MOH data (subject to strict rules). Contact your database provider to see if they intend to offer this. Those that choose to use this option can regard any customer that gives permission for their data to be shared to have been sited/verified for the purposes of CVC requirements

Medical Exemptions

Those who have been granted a medical exemption from being vaccinated are very rare in New Zealand (likely to be a few hundred individuals nationwide). Those that do have an exception will still be able to generate a covid vaccination pass and show this in the normal way (i.e. the business will not know that they have an exemption, and verifies the pass in the normal way. Letters of exemption (including those from Doctors) are not a valid exemption – in all cases ask for a pass.

Customer Emailing Covid Passes

We have had it confirmed by the MOH that membership based businesses (like gyms) may offer the ability for members to email their covid pass, with the following special conditions:

1. That it is sited/verified in the normal way (i.e. using the verify app), checking DOB and name
2. Only the expiry date is recorded in the members' records
3. The email is deleted.

The last step is important as covid passes must not be stored in any way (including in email archives). This means exercise providers can allow members who cannot make it into the facility, or just want to do it in advance, to email in their pass.

Areas shared with other businesses/tenants etc

Where an exercise business shares an entrance or has shared services (eg toilets) with another business, as long as they both use the same CVC rules then there are no issues. There are challenges when the exercise operation is using CVCs and the other business does not, especially if there are shared facilities.

Guidance from MBIE is that in shared spaces the CVC and general rules requirements apply by activity. If your business carries out a number of different activities, or you are in a shared space, you may need to apply different rules. For example, a gym may be in a mall (general retail rules apply), or run a café (food and beverage rules apply), or have sub tenants.

For large recreation facilities, where some of the area is not using CVCs, then any shared spaces should follow the rule for 'public facilities' when operating within CVCs, and then have an entrance check in the gym/exercise space to site/verify CVCs. Important: This the few times when 'public facility' rules apply – gyms/indoor exercise or not regarded as a public facility for the purposes of the new traffic light system.

A reminder that hairdressers and hospitality venues (eg cafes) will likely be using CVCs too, so the areas that are potentially challenging are health based services (eg physiotherapists) that need to have vaccinated staff, but do not for customers. Massage therapists are yet to receive guidance on their need to be vaccinated, and it is unclear if they will fall under 'close contact' businesses where customers need to be vaccinated.

Our recommendation is to keep rules as simple as possible - if you have sub-tenants, then it is reasonable (and perhaps the easiest) to apply the exercise venue's rules on all sub-tenants - while they may not have to use CVCs (e.g. a physiotherapist) for their customers, it is reasonable to enforce your rules on any sub-tenant for health and safety if that is your choice.

If you are the sub-tenant/co-tenant, and have shared services with a business that has non-vaccinated customers and you are using CVCs, then you will need to ensure the practices within the shared services are based on being an 'unvaccinated space' - ie masks & distancing. We are awaiting final rules on how this will work, and will update this once known.

Overseas Vaccinations (What to ask for)

Individuals who received a vaccination from overseas can apply to the MOH to have this recognised (the process is outlined in full on the MOH web site). Those that are successful then receive a regular NZ Covid Pass - so in brief do not accept an overseas certificate/ vaccine passport - only accept a NZ issued MOH Covid Pass.



7 GUIDANCE FOR INDOOR EXERCISE PROVIDERS USING CVCS

Below is a table that outlines the common scenarios for exercise venues that choose to use CVCs for their workers and members

Item	Green	Orange	Red
Can the venue open?	Yes, no restrictions. Also applies to outdoors if using CVC	Yes, no restrictions. Also applies to outdoors if using CVC	Yes. Capacity 1 metre distancing/100 max. per defined space. Also applies to outdoors if using CVC
Mask Requirements	Optional	Optional	Optional
Saunas	Can open	Can open	Can open, 1 metre distancing
Training unvaccinated outdoors	Yes. Capacity 1 metre distancing/100 max.	Yes. Capacity 1 metre distancing/50 max.	Yes. Capacity 1 metre distancing/25 max.
Water Coolers	Can be used	Can be used	Can be used
Contact Activities (eg pad work/boxing, client/trainer contact)	Allowed	Allowed	Likely permissible
Non vaccinated staff	Can work remotely but not inside the facility	Can work remotely but not inside the facility	Can work remotely but not inside the facility
Can trainers train non vaccinated individuals in clients homes?	Yes	Unknown	Unknown
Group Exercise	No restrictions	No restrictions	Yes. Capacity 1 metre distancing/100 max.
Rules for fans/air circulation	Awaiting advice from MBIE/MOH	Awaiting advice from MBIE/MOH	Awaiting advice from MBIE/MOH
Can single jabbed individuals access the facility	Workers yes until 17 January. All others no.	Workers yes until 17 January. All others no.	Workers yes until 17 January. All others no.

Key

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8 GUIDANCE FOR INDOOR EXERCISE PROVIDERS NOT USING CVCs

Below is a table that outlines the common scenarios for exercise venues that choose not to use CVCs for their workers and members

Item	Green	Orange	Red
Can the venue open?	Yes. Capacity 1 metre distancing/100 max.	No	No
Mask Requirements	Optional	Not permitted/relevant	
Saunas	Can open with 1 metre distancing		
Water Coolers	Can be used		
Contact Activities (eg pad work/boxing, client/trainer contact)	Likely permissible		
Non vaccinated staff	Can work inside facility		
Group Exercise	Yes. Capacity 1 metre distancing/100 max.		
Rules for fans/air circulation	Awaiting advice from MBIE/MOH		
Training unvaccinated outdoors	Yes. Capacity 1 metre distancing/100 max.	Yes. Capacity 1 metre distancing/50 max.	Yes. Capacity 1 metre distancing/25 max.
Can trainers train non vaccinated individuals in their homes?	Likely permissible	Unknown	Unknown

Key

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9 Framework Updates

October 2021 - Work on this framework started

18.11.2021 - Draft release

18.11.2021 - Updated with information on shared areas/sub-tenants

19.11.2021 - Public version released

19.11.2021 - Updated terminology, rules for outdoors, capacity limits and under 12s

22.11.2021 - Clarification with the 100 person limit added

23.11.2021 - Update guidelines of emailing vaccine passes and rules for 1:1 sessions in homes

24.11.2021 - Fines section added and clarification around single shot vaccinations.

25.11.2021 - Overseas Vaccination information added

26.11.2021 - Added clarification on worker/staff/contractors

26.11.2021 - **Major Update:** Added CVC Signage requirement, Defined 'defined space', Updated max numbers for training unvaccinated outdoors, CVC pass scanning - now 'strongly advised'.

26.11.2021 - Clarified rules for Database integration

26.11.2021 - Shared Space information updated

29.11.2021 - Reformatted section on 'defined spaces' and number limits

This framework document has been provided without charge to the exercise industry of New Zealand.

Paid members of Exercise New Zealand can contact us for support regarding understanding this document and/or implementation questions.

We also extend our support to individuals who are registered with REPs and/or members of Yoga New Zealand who have questions regarding their individual practice/business.

For Information on joining Exercise New Zealand, REPs and YogaNZ, please visit

www.exercisenz.org.nz

www.reps.org.nz

www.yoganewzealand.org.nz

NOTE: We are a non profit membership based organisation and do not receive any regular government funding therefore rely on membership support to exist.