

News and media essential service – revised guidance

To: Hon Kris Faafoi, Minister for Broadcasting, Communications and Digital Services

From: Bernadette Cavanagh, Chief Executive, Ministry for Culture and Heritage, [REDACTED]

Date: 30 March 2020

Assessment of options for news and media essential services

1. As you are aware, the Ministry has received a number of requests for exemptions from the current criteria as to what qualifies as an essential business in the news and broadcasting category of essential services. The requests for exemptions primarily relate to non-daily or community newspapers. For clarity, the Ministry has provided guidance only – it has not made operational decisions for organisations. Where the publishers have flexible options for delivery (eg, online) they should use them.
2. In considering these requests, there are a number of objectives that need to be balanced but public health should remain at the core of decision-making on essential services. In respect of print media, MCH considers that the following objectives should be considered when assessing whether it qualifies as an essential business:
 - a. Protection of freedom of expression – limitations must not be based on content. They should be based only on reducing the risk of spread contamination (eg through production or delivery)
 - b. Provision of the latest public health information and messages – up to date information is critical
 - c. Provision of news and current affairs that support community connection
 - d. Provision of news and current affairs that support rural and/or isolated communities, and non-English speakers
 - e. Minimising the movement of people – within communities and across regions
 - f. Minimising stress on other essential services (eg, monitoring, delivery services)
3. The Ministry notes that these criteria can be reassessed and differentiated by Covid-19 level. This assessment is based on the current Alert Level 4 and the overriding objective of limiting the movement of people and products within communities and across regions.
4. The Ministry has assessed delivery mechanisms of news against these criteria. Broadcast and online delivery provide the best mechanism for providing up-to-date information and minimising risk of Covid-19 transmission.

Criteria	Broadcast	Online	Print and deliver to homes	Bulk drop to communities
Freedom of expression	Yes	Yes	Yes	Yes
Latest health information	Yes	Yes	No	No
Community connection	Yes	Yes	Yes	Yes
Reach into communities	Yes (may rely on community radio)	Yes	Yes	Partial (communities will be distributed)

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Minimal movement	Yes	Yes	No	No (but less than home delivery)
Minimise stress on other services	Yes	Yes	No	No (but less than home delivery)


Issues with physical news product and delivery

5. Due to production schedules, newspapers will not provide as up to date news and information as broadcast and online delivery, particularly in the case of non-daily publications. The Ministry notes that broadcast media have near universal reach across New Zealand and into the Pacific.
6. There is some concern that Covid-19 remains active on cardboard for between 24 and 72 hours; it is highly likely that this also applies to paper products. Protective health measures in production and distribution are therefore critical.
7. MBIE has been consulted on the issue of distribution and notes that there are policy interdependences with any decision to determine non-subscription newspapers as essential services. Local newspapers are typically a form of unsolicited circulation; agreeing that one form of unsolicited print media is an essential service may be used as a precedent that would see other forms of direct mail to households and businesses (eg. direct marketing).
8. MBIE and the Ministry of Transport are seeking to declare many aspects of direct mail as non-essential to reduce stress on the logistics and delivery system. This can be mitigated by bulk drops to supermarkets and dairies, but this will not necessarily serve isolated communities.
9. Given the potential risk of transmission in any physical delivery, Ministers may want to consider requiring newspapers to place an advisory note to customers at bulk drop collection points (eg, supermarkets and dairies). Further steps may also be required to restrict unsolicited delivery of free newspapers during the Alert Level 4 period. At the very least, non-subscribed newspaper providers should respect 'No circulars' signage on private property during this period.
10. The Ministry notes that there is no mechanism for monitoring compliance with the current or proposed revised guidance. The Ministry does not propose establishing a specific monitoring system; a high trust environment is required. It is not recommended that a monitoring function is added to the responsibilities of other agencies (eg, NZ Police) as it would add stress to the system. Newspapers will be required to provide reassurance to the Ministry as to how they will minimise transmission risks.

Expanded criteria for news and media essential services

11. Ministers may wish to consider expanding the guidance to allow for some community newspapers to remain in printed production. At present printed weekly newspapers do not meet the agreed principles so any change is moving beyond the current guidance.
12. If changes are made, the Ministry recommends that Ministers retain a principles-based approach rather than specifying individual publications. Specifying some publications as *in* and others as *out* will invite further requests for exemptions. Rather, we would prefer to set additional principles and ask publications to determine whether they can meet them and provide us with written confirmation that they can.

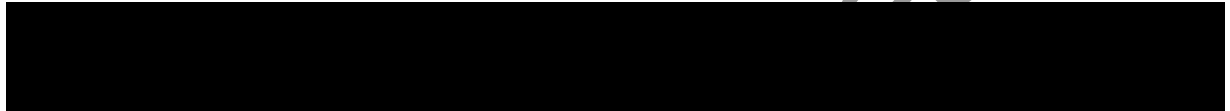
IN CONFIDENCE

13. As the expansion of the guidelines would increase the movement of people and therefore may increase the risk the spread of COVID-19, the new principles should be based on providing a service to communities that is not currently being met. The objectives that are currently not being fully met are providing newspaper coverage to communities in hard to reach areas (eg remote rural communities) or vulnerable communities (eg non-English speakers, communities less likely to access 'mainstream' media).
14. The Ministry recommends the following principles should be added to the existing criteria (see Appendix 1) for news and media essential services:
- a. Where a region does not have a daily paper widely available, a non-daily paper included under the news and media designation (eg, Tararua District, which lies between three newspapers in the Hawkes Bay, Manawatu and Wairarapa)
 - b. Where a newspaper's primary focus is hard to reach audiences due to physical location, limited digital connectivity or language issues it is included under the news and media designation (eg, isolated farmers or non-English speakers)
 - c. All newspaper publishers are required to provide written confirmation to the Ministry that they will undertake all health measures to minimise the transmission of Covid-19 during the production and delivery of new papers
 - i. Guidance: For example, delivery should be limited to distribution services that are currently operational (eg NZ Post) and/or bulk drops at dairies and supermarkets.
 - ii. Guidance: Vulnerable, at-risk and young people should not be involved in the delivery of physical newspaper products.
15. For the sake of consistency, the Ministry recommends that metropolitan newspaper producers follow the guidance.
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Recommendations

The Ministry recommends that you:

- i. **Note** that requests have been received for exemptions to the current guidance determining essential businesses in the news and media category;
- ii. **Note** the assessment that non-printed media distribution remains the safest form of providing critical news and health information;
- iii. **Note** that any changes to the current guidance are a change to agreed principles;
- iv. **Confirm** that the guidance around news and media as an essential service should be expanded as per the draft revised guidance provided as an appendix to this paper, subject to any minor changes to the language following consultation with industry groups; **Yes / No**
OR
- v. **Provide further comment** on expanding the guidance;



Appendix: Draft revised guidance for news and media

