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New South Wales

Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020

under the

Public Health Act 2010

I, Brad Hazzard, the Minister for Health and Medical Research, under section 7 of the *Public Health Act 2010*, make the following Order.

Dated 29 June 2020 at 9 pm.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to deal with the public health risk of COVID-19 and its possible consequences.

Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020*.

2 Amendment of Public Health (COVID-19 Air Transportation Quarantine) Order (No 2) 2020

- (1) Insert in alphabetical order in clause 3(1)—
full day means a period of 24 hours commencing at 12.00 am and ending at 12.00 am on the following day.
- (2) Omit the definition of *quarantine period* from clause 3(1). Insert instead—
quarantine period means, for a person arriving in New South Wales, the period—
 - (a) starting when the person arrives in New South Wales, and
 - (b) ending when the sooner of the following occurs—
 - (i) at least 14 full days have passed and, having regard to any testing carried out by or on behalf of NSW Health, the Chief Health Officer is satisfied that the person does not pose a risk of infecting any other person with COVID-19,
 - (ii) 24 full days have passed.
- (3) Insert at the end of clause 3—
Note. Section 128 of the *Public Health Act 2010* provides for the delegation of the Chief Health Officer's functions.
- (4) Insert after clause 12(3)—
 - (3A) If, immediately before the commencement of this Order, a delegation by the Commissioner of Police under the repealed Order was in effect, that delegation has effect as if it were made for the purposes of this Order.
- (5) Insert after clause 12—

13 Transitional arrangement for Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020

To remove any doubt, the definition of *quarantine period* in clause 3(1), as substituted by the *Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020* (the **Amendment Order**), applies to a person who was subject to a direction under clause 6(1) immediately before the commencement of the Amendment Order.

3 Amendment of Public Health (COVID-19 Maritime Quarantine) Order (No 2) 2020

- (1) Insert in alphabetical order in clause 3(1)—
- full day* means a period of 24 hours commencing at 12.00 am and ending at 12.00 am on the following day.
- quarantine period* means, for a person arriving in New South Wales, the period—
- (a) starting when the person disembarks from the vessel on which the person arrived in New South Wales, and
 - (b) ending when the sooner of the following occurs—
 - (i) at least 14 full days have passed and, having regard to any testing carried out by or on behalf of NSW Health, the Chief Health Officer is satisfied that the person does not pose a risk of infecting any other person with COVID-19,
 - (ii) 24 full days have passed.
- (2) Insert at the end of clause 3—
- Note.** Section 128 of the *Public Health Act 2010* provides for the delegation of the Chief Health Officer's functions.
- (3) Omit clause 5(3). Insert instead—
- (3) The Minister directs that a person required to go to a quarantine facility or hospital or other medical facility under subclause (2) must comply with any determination of the Commissioner of Police in relation to the person's transit at the port or travel to the quarantine facility or hospital or other medical facility.
 - (4) The Minister directs that a person required to go to a quarantine facility or hospital or other medical facility under subclause (2) must remain at the quarantine facility or hospital or other medical facility as directed by the Commissioner of Police (or another quarantine facility or hospital or other medical facility as directed by the Commissioner of Police) during the quarantine period unless—
 - (a) the Commissioner directs otherwise, or
 - (b) there is an emergency that requires the person to leave the quarantine facility or hospital or other medical facility.
- (4) Insert after clause 10(3)—
- (3A) If, immediately before the commencement of this Order, a delegation by the Commissioner of Police under the repealed Order was in effect, that delegation has effect as if it were made for the purposes of this Order.
- (5) Insert after clause 10—

11 Transitional arrangement for Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020

To remove any doubt, the definition of *quarantine period* in clause 3(1), as inserted by the *Public Health (COVID-19 Air Transportation and Maritime Quarantine) Amendment Order (No 2) 2020* (the **Amendment Order**), applies to a person who was subject to a direction under clause 5(2) immediately before the commencement of the Amendment Order.