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New South Wales

Public Health (COVID-19 Quarantine) Order 2020

under the

Public Health Act 2010

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

Dated 16 March 2020.

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 by giving a Ministerial direction that a person who arrives in New South Wales and who has been in a country other than Australia within 14 days before that arrival must after that arrival isolate themselves for a quarantine period of 14 days. The direction does not apply to the flight crew of aircraft or person transiting through an airport in New South Wales on their way to another State or Territory or another country.

Section 10 of the *Public Health Act 2010* creates an offence if an individual fails to comply with a direction with a maximum penalty of imprisonment for 6 months or a fine of up to \$11,000 (or both) plus a further \$5,500 fine each day the offence continues. Corporations that fail to comply with a direction are liable to a fine of \$55,000 and \$27,500 each day the offence continues.

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Public Health (COVID-19 Quarantine) Order 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Quarantine) Order 2020*.

2 Commencement

This Order commences on 17 March 2020.

Note. This Order commences at the beginning of 17 March 2020. See section 24 of the *Interpretation Act 1987*.

3 Definitions

(1) In this Order—

the Act means the *Public Health Act 2010*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

(2) Notes included in this Order do not form part of this Order.

4 Grounds for concluding that there is a risk to public health

It is noted that the basis for concluding that a situation has arisen that is, or is likely to be, a risk to public health is as follows—

- (a) public health authorities both internationally and in Australia have been monitoring international outbreaks of COVID-19, listed in the Act as Novel Coronavirus 2019,
- (b) COVID-19 is a potentially fatal condition and is also highly contagious,
- (c) a number of cases of individuals with COVID-19 have now been confirmed in NSW, as well as other Australian jurisdictions.

5 Direction of the Minister

(1) The Minister directs that a person who arrives in New South Wales and who has, within 14 days immediately before that arrival, been in a country other than Australia must do the following—

- (a) travel from the point of arrival in New South Wales to premises suitable for the person to reside in during the quarantine period,
- (b) except in exceptional circumstances, reside in the premises during the quarantine period,
- (c) not leave the premises during the quarantine period except—
 - (i) for the purposes of obtaining medical care or medical supplies, or
 - (ii) because of an emergency, or
 - (iii) in circumstances where the person is able to avoid close contact with other persons,

- (d) not permit any other person to enter the premises during the quarantine period unless the other person—
 - (i) usually resides at the premises, or
 - (ii) is also complying with this direction for the same quarantine period, or
 - (iii) enters the premises for medical purposes or because of an emergency,
 - (e) otherwise comply with the *NSW Health Self Isolation Guidelines* during the quarantine period.
- (2) The direction under subclause (1) does not apply to the following persons—
- (a) a person who arrives in New South Wales in the person’s capacity as a member of the flight crew of an aircraft,
 - (b) a person who arrives in New South Wales at an airport and does not leave the airport before taking a flight out of New South Wales.
- (3) In this clause—
- NSW Health Self Isolation Guidelines*** means the *NSW Health Self Isolation Guidelines* issued by the Chief Health Officer and approved by the Minister on the making of this Order and published on the website of NSW Health.
- Note.** www.health.nsw.gov.au
- quarantine period*** means the period commencing when the person arrives in New South Wales and ending at midnight on the 14th day after that arrival.

6 Repeal of Order

This Order is repealed at the beginning of 15 June 2020.