

## COVID-19 Legislation Amendment (Emergency Measures) Bill 2020

The *COVID-19 Legislation Amendment (Emergency Measures) Bill 2020* was introduced in the NSW Parliament this morning, 24 March 2020, and is being debated in the Legislative Council today. It will commence on assent.

The purpose of the Bill is to amend the following acts:

- (a) *Child Protection (Working with Children) Act 2012*,
- (b) *Children (Detention Centres) Act 1987*,
- (c) *Civil and Administrative Tribunal Act 2013*,
- (d) *Constitution Act 1902*,
- (e) *Crimes (Administration of Sentences) Act 1999*,
- (f) *Crimes (Domestic and Personal Violence) Act 2007*,
- (g) *Criminal Procedure Act 1986*,
- (h) *Electronic Transactions Act 2000*,
- (i) *Environmental Planning and Assessment Act 1979*,
- (j) *Evidence (Audio and Audio Visual Links) Act 1998*,
- (k) *Health Practitioner Regulation (Adoption of National Law) Act 2009*,
- (l) *Jury Act 1977*,
- (m) *Local Government Act 1993*,
- (n) *Mental Health Act 2007*,
- (o) *Motor Accident Injuries Act 2017*,
- (p) *Private Health Facilities Act 2007*,
- (q) *Public Health Act 2010*,
- (r) *Retail Trading Act 2008*,
- (s) *Subordinate Legislation Act 1989*,
- (t) *Workers Compensation Act 1987*.

The proposed amendments would have various effects, but for the most part they are intended to achieve one or more of the following objectives:

1. To prohibit or excuse a person from attending a particular location if to do so would present a public health risk;
2. To enable or assist a person to perform a task remotely where the legislation currently requires or presumes in-person attendance;
3. To delay the effect of a provision which would otherwise produce a particular result due to the failure of a person to be present in a location, or where a delay might otherwise be expected as a result of the COVID-19 outbreak; or
4. To confer a power to make regulations for one or more of these purposes.

Apart from these purposes, some of the amendments are directed to more specific public health related ends. For example, the amendment to the *Health Practitioner Regulation (Adoption of National Law) Act 2009* permits the Secretary of the Ministry of Health to exempt premises used for the storage and distribution of vaccines and medicines from current statutory requirements.

Amendments to the *Public Health Act 2010* confer powers on police officers directed to the enforcement of the provisions of that Act and public health orders made under it.

Some, but not all, of the amendments include expiration dates after which they will no longer continue in effect.

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