



New South Wales

Public Health (COVID-19 General) Order (No 2) Amendment (No 5) Order 2022

under the

Public Health Act 2010

I, Kerry Chant, the Chief Health Officer and delegate for the Minister for Health, make the following Order under the *Public Health Act 2010*, section 7.

Dated 7 January 2022.

Time 4:18pm.

DR KERRY CHANT PSM
Chief Health Officer

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 General) Order (No 2) 2021* to—

- (a) provide that an occupier of a hospitality venue, entertainment facility, nightclub or recreation facility (major) must not allow a person to sing or dance on the premises, subject to certain exceptions, and
- (b) remove a redundant provision.

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1 Name of Order

This Order is the *Public Health (COVID-19 General) Order (No 2) Amendment (No 5) Order 2022*.

2 Commencement

This Order commences at the beginning of 8 January 2022.

Schedule 1 Amendment of Public Health (COVID-19 General) Order (No 2) 2021

[1] Clause 13A, heading

Omit the heading. Insert instead—

13A Restriction on number of persons in indoor areas of hospitality venues and nightclubs

[2] Clause 13B

Insert after clause 13A—

13B No singing or dancing on certain premises

- (1) The occupier of premises that are any of the following must not allow a person to sing or dance on the premises—
 - (a) a hospitality venue,
 - (b) an entertainment facility,
 - (c) a nightclub,
 - (d) a recreation facility (major).
- (2) Subclause (1) does not apply to—
 - (a) a performer who is performing or rehearsing on the premises, or
 - (b) a person who is instructing, or being instructed, in singing or dancing on the premises, or
 - (c) a wedding service, or a gathering immediately following a wedding service, held on the premises.

[3] Clause 14A Music festivals prohibited in Newcastle

Omit the clause.

[4] Schedule 1 Dictionary

Insert in alphabetical order in the note—

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.