



New South Wales

Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) Amendment Order 2020

under the

Public Health Act 2010

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

Dated 15 October 2020.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) 2020* to make provision for a safe travel zone between Australia and New Zealand.

Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) Amendment Order 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) Amendment Order 2020*.

2 Commencement

This Order commences on 16 October 2020.

Schedule 1 Amendment of Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) 2020

[1] Clause 3 Definitions

Insert in alphabetical order—

New Zealand COVID-19 hotspot means an area in New Zealand specified by the Chief Health Officer as a New Zealand COVID-19 hotspot by a notice published on the New South Wales Government website www.nsw.gov.au.

quarantined person means—

- (a) a relevant person, and
- (b) a person who is subject to a direction from the Chief Health Officer under clause 5A(2)(a) or (b).

[2] Clause 3, definition of “NSW Health Air Transportation Guideline”

Omit “24 June 2020” from paragraph (a). Insert instead “14 October 2020”.

[3] Clause 3, definition of “relevant flight crew member”

Insert “or New Zealand” after “Australia” in paragraph (b).

[4] Clause 3, definition of “relevant person”

Insert “or New Zealand” after “Australia” in paragraph (a)(ii).

[5] Clause 3, definition of “relevant person”

Omit “*Public Health (COVID-19 Border Control) Order 2020*” from paragraph (b).

Insert instead “*Public Health (COVID-19 Border Control) Order (No 2) 2020*”.

[6] Clause 5 Directions—persons arriving in NSW by aircraft, including flight crew members

Omit “*Public Health (COVID-19 Border Control) Order 2020*” from clause 5(3)(b).

Insert instead “*Public Health (COVID-19 Border Control) Order (No 2) 2020*”.

[7] Clause 5A

Insert after clause 5—

5A Directions—persons arriving from New Zealand COVID-19 hotspot

- (1) This clause applies to a person who —
 - (a) arrives in Australia from New Zealand, and
 - (b) is not a relevant person, and
 - (c)
 - (i) has been in a New Zealand COVID-19 hotspot in the previous 14 days, or
 - (ii) is assessed by the Chief Health Officer to pose an unacceptable public health risk of transmission of COVID-19.
- (2) The Minister directs that a person to whom this clause applies must do one of the following as determined by the Chief Health Officer—
 - (a) go directly to a quarantine facility,
 - (b) go directly to a medical facility for treatment,
 - (c) immediately leave Australia by air.

- (3) The Minister directs that a person who is the subject of a direction by the Chief Health Officer under subclause (2) must comply with any determination of the Commissioner of Police in relation to the person's transit at the airport and travel.

[8] Clause 6 Directions—entering, remaining and departing quarantine or medical facilities

Omit “relevant person” wherever occurring. Insert instead “quarantined person”.

[9] Clause 6

Insert “or 5A” after “clause 5” wherever occurring.

[10] Clause 7 Directions—declared flight crew members

Omit “New South Wales” from clause 7(1)(a)(ii) and (3)(b). Insert instead “Australia”.

[11] Clause 8 Direction—declared flight crew members' employers

Omit “New South Wales” wherever occurring. Insert instead “Australia”.

[12] Clause 12A

Insert after clause 12—

12A Transitional arrangements for Public Health (COVID-19 Air Transportation Quarantine) Order (No 3) Amendment Order 2020

- (1) This clause applies to a relevant person who arrived in New South Wales from New Zealand before 16 October 2020 and who has, under clause 5, been directed to a quarantine facility or a medical facility.
- (2) A person to whom this clause applies is required to remain at the quarantine facility or medical facility and comply with any direction under clause 6.