



New South Wales

Public Health (COVID-19 Border Control) Amendment Order (No 5) 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 11 September 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 Border Control) Order 2020* in relation to critical service (agriculture) workers crossing the Victorian New South Wales border to provide critical agricultural services.

Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020*.

2 Commencement

This Order commences at the beginning of 12 September 2020.

Schedule 1 Amendment of Public Health (COVID-19 Border Control) Order 2020

[1] Clause 3 Definitions

Omit “Victorian resident” from the definition of *critical service (agriculture) worker* in clause 3(1).

Insert instead “person”.

[2] Clause 3(1), definition of “critical service (agriculture) worker”

Insert “or Victoria” after “New South Wales”.

[3] Part 4, Division 4

Insert after Division 3—

Division 4 Provisions consequent on Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020

19 Definitions

In this Division—

amending Order means the *Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020*.

commencement means the commencement of the amending Order.

20 Existing critical service (agriculture) entry permits

- (1) This clause applies if, immediately before the commencement, a person held an entry permit mentioned in item 2C of Schedule 1 as in force immediately before the commencement.
- (2) From the commencement, the entry permit—
 - (a) is taken to be an entry permit mentioned in item 2C of Schedule 1 as substituted by the amending Order, and
 - (b) is subject to the relevant conditions specified in relation to an entry permit mentioned in item 2C of Schedule 1 as substituted by the amending Order, and
 - (c) continues in force for the balance of the period (if any) for which it was issued, unless sooner revoked.

[4] Schedule 1 Authority to enter New South Wales

Omit “in New South Wales” from paragraph (b) in Column 1 for item 2C.

Insert instead “in the State where the service is provided”.

[5] Schedule 1, item 2C

Omit “concern, or” from paragraph (b) in the first entry in Column 3.

Insert instead “concern.”

[6] Schedule 1, item 2C

Omit paragraph (c) from the first entry in Column 3.

[7] Schedule 1, item 2C

Omit the third entry in Column 3. Insert instead—

The person must have documentary evidence that the service meets the criteria specified in Column 1 signed by—

- (a) the head of the organisation that employs the person, or
- (b) if the person is self-employed—the person to whom the service is provided.

If the person is a Victorian resident, the person must—

- (a) self-isolate except when providing the service, and
- (b) not travel more than 100 km north of the border.

If the person is a NSW resident, the person must—

- (a) not travel more than 100 km south of the border, and
- (b) self-isolate on returning to NSW except when providing a critical agriculture service in NSW, unless the NSW resident self-isolated for the whole time the person was in Victoria except when providing the critical agriculture service.