



New South Wales

Public Health (COVID-19 Interstate Hotspots) Order 2020

under the

Public Health Act 2010

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

Dated 1st July 2020 (original order).

As amended on 4 July 2020 at 6.30 pm and 6 July 2020 at 6.15 pm.

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 number of Ministerial directions in respect of persons who have been in certain COVID-19 hotspots in Victoria within the previous 14 days.

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.

Editorial note

This is the order as amended by the *Public Health (COVID-19 Interstate Hotspots) Amendment Order 2020*, as in force from 11.59 pm on 4 July 2020, and the *Public Health (COVID-19 Interstate Hotspots) Amendment Order (No 2) 2020*, as in force from the beginning of 7 July 2020.

Public Health (COVID-19 Interstate Hotspots) Order 2020

under the

Public Health Act 2010

1 Name of Order

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

2 Commencement

This Order commences at the beginning of 2 July 2020.

3 Definitions

(1) In this Order—

affected person means a person who has been in a COVID-19 hotspot within the previous 14 days.

COVID-19 hotspot means an area outside of New South Wales that is specified in Schedule 1.

essential services includes the following—

- (a) emergency services,
- (b) freight and logistics,
- (c) the maintenance and repair of critical infrastructure,
- (d) health services,
- (e) law enforcement,
- (f) Commonwealth defence and security services.

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

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 and responding to outbreaks of COVID-19, also known 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 New South Wales, as well as other Australian jurisdictions, in particular in Victoria.

5 Certain persons must not enter New South Wales

The Minister directs that an affected person must not enter New South Wales unless—

- (a) the person's usual place of residence is in New South Wales, or
- (b) the person enters New South Wales for any of the following purposes—
 - (i) to obtain medical or other care,
 - (ii) to fulfil a legal obligation or giving effect to a Court order,
 - (iii) to provide an essential service.

6 Affected persons must not leave place of residence

- (1) The Minister directs that an affected person must, immediately on entering New South Wales, travel directly to—
 - (a) the person's place of residence, or
 - (b) another place that is suitable for the person to reside in.
- (2) The Minister directs that an affected person must remain at the person's place of residence or other suitable place until 14 days have passed since the person was in a COVID-19 hotspot.
- (3) The Minister directs that, while residing at the residence or other suitable place under a direction under this Order, an affected person must do the following—
 - (a) not leave the residence or place except—
 - (i) for the purposes of obtaining medical care or medical supplies, or
 - (ii) for the purposes of complying with a legal obligation, or
 - (iii) in an emergency situation, or
 - (iv) to provide an essential service, or
 - (v) to leave New South Wales by a direct route,
 - (b) not permit any other person to enter the residence or place unless—
 - (i) that other person usually lives at the residence or place or the other person is also complying with a direction under this Order, or
 - (ii) the entry is for medical or emergency purposes, or
 - (iii) the entry is to a place (other than a residence) for the purposes of delivering food or essential items,
 - (c) otherwise comply with the *NSW Health Self-Isolation Guidelines*.
- (4) The Minister directs that an affected person must, when not at the person's place of residence or other suitable place, take all reasonable steps to minimise contact with other persons.

7 Exceptions

Nothing in this Order applies to a person who transits through a COVID-19 hotspot by road or rail, including to attend an airport, provided the person does not exit the motor vehicle or train in which the person is travelling while in the COVID-19 hotspot.

8 Exemptions

The Minister may, in writing and subject to the conditions that the Minister considers appropriate, grant an exemption to this Order or specified provisions of this Order.

9 Repeal of Order

This Order is repealed at the beginning of 30 September 2020.

Schedule 1 COVID-19 hotspots

The following local government areas in Victoria but not including Melbourne Tullamarine Airport or Avalon Airport:

Local Government Areas

Banyule City,
Bayside City,
Boroondara City,
Brimbank City,
Cardinia Shire,
Casey City,
Darebin City,
Frankston City,
Glen Eira City,
Greater Dandenong City,
Greater Geelong City,
Hobsons Bay City,
Hume City,
Kingston City,
Knox City,
Macedon Ranges Shire,
Manningham City,
Maribyrnong City,
Maroondah City,
Melbourne City,
Melton City,
Mitchell Shire,
Monash City,
Moonee Valley City,
Moorabool Shire,
Moreland City,
Mornington Peninsula Shire,
Murrindindi Shire,
Nillumbik Shire,
Port Phillip City,
Stonnington City,
Whitehorse City,
Whittlesea City,
Wyndham City,
Yarra City,
Yarra Ranges Shire