



New South Wales

Public Health (COVID-19 Restrictions on Gathering and Movement) Amendment Order 2021

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 10 March 2021.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The objects of this Order are—

- (a) to repeal the *Public Health (COVID-19 Aged Care Facilities) Order (No 4) 2020*, and
- (b) to require operators of residential aged care facilities to consider advice from the Chief Health Officer in relation to certain matters, including visitors, face masks and vaccinations.

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1 Name of Order

This Order is the *Public Health (COVID-19 Restrictions on Gathering and Movement) Amendment Order 2021*.

2 Commencement

This Order commences at the beginning of 11 March 2021.

3 Repeal of Public Health (COVID-19 Aged Care Facilities) Order (No 4) 2020

The *Public Health (COVID-19 Aged Care Facilities) Order (No 4) 2020* is repealed.

Schedule 1 **Amendment of Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2021**

[1] Clause 37 Direction of Minister about holiday homes and short-term rentals

Omit “unless all of those persons are from the same household” from clause 37(1).

[2] Part 2, Division 9, heading

Omit “**Lord Howe Island**”. Insert instead “**Miscellaneous**”.

[3] Clause 40A

Insert after clause 40—

40A Direction of Minister about residential aged care facilities

(1) The Minister directs that the operator of a residential aged care facility must consider the advice of the Chief Health Officer in relation to the following matters—

- (a) the management of visitors to the premises of the facility,
- (b) the screening of staff and visitors before entering the premises of the facility,
- (c) the conduct of group recreational or other activities for residents of the facility,
- (d) the wearing of face masks by staff and visitors,
- (e) vaccinations against influenza or COVID-19 for staff, visitors and residents.

(2) In this clause—

operator of a residential aged care facility means the person who owns, controls or operates the facility.

residential aged care facility means a facility at which the following services are provided to a person in relation to whom a residential care subsidy or flexible care subsidy is payable under the *Aged Care Act 1997* of the Commonwealth—

- (a) accommodation,
- (b) personal care or nursing care.