



New South Wales

# Commencement Proclamation

under the

Public Health Amendment (Review) Act 2017 No 43

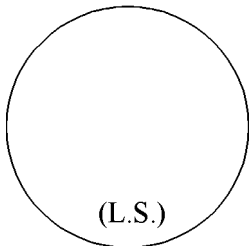
DAVID HURLEY, Governor

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Public Health Amendment (Review) Act 2017*, do, by this my Proclamation, appoint:

- (a) 1 December 2017 as the day on which Schedule 1 [6], [12] and [13] to that Act commence, and
- (b) 1 January 2018 as the day on which Schedule 1 [38]–[41] to that Act commence, and
- (c) 1 April 2018 as the day on which the uncommenced provisions of that Act (other than Schedule 1 [47] and [48]) commence.

Signed and sealed at Sydney, this 22nd day of November 2017.

By His Excellency's Command,



BRAD HAZZARD, MP  
Minister for Health

GOD SAVE THE QUEEN!

## Explanatory note

The object of this Proclamation is to commence amendments made by the *Public Health Amendment (Review) Act 2017* to the *Public Health Act 2010*:

- (a) to alter the definition of **occupier** to include, for the purposes relating to legionella control, the owners corporation of premises under a strata scheme, but only if an air-handling system or a water-cooling system is installed on the premises, and
- (b) to make it an offence where a supplier of drinking water does not have a quality assurance program or fails to comply with their quality assurance program, and
- (c) to enable regulations to prescribe matters that are to be included in a quality assurance program of a supplier of drinking water, and

- (d) to alter the definition of *skin penetration procedure* to include the penetration of a mucous membrane, and
- (e) to alter the definition of *public swimming pool or spa* to include a pool used for commercial purposes situated on private residential premises or any other pool declared by the regulations, and
- (f) to alter the definition of *swimming pool* to include water play parks and certain other recreational aquatic structures, and
- (g) to require medical practitioners to provide the Secretary with medical information in relation to certain categories of health conditions and notifiable diseases, and
- (h) to make it an offence for a medical practitioner who fails to provide certain medical information to the Secretary, such as in relation to certain types of health conditions or notifiable diseases, and
- (i) to enable the regulations to prescribe classes of persons who may request the carrying out a pathology test to determine whether a person has a Category 3 condition, and
- (j) to enable an authorised medical practitioner to make a public health order in respect of a person who has been exposed to a contact order condition, and
- (k) to enable a public health order to require a person the subject of a public health order to provide additional information and to require the person to be detained in a specified place, and
- (l) to require the Secretary to include the number of public health orders made in the annual report of the Ministry of Health, and
- (m) to require eyeball tattooing to be carried out only by medical practitioners and other persons prescribed by the regulations, and
- (n) to provide for the management of vaccine preventable diseases in child care facilities and schools.