



New South Wales

# Public Health Amendment (Miscellaneous) Regulation 2021

under the

Public Health Act 2010

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Health Act 2010*.

BRAD HAZZARD, MP  
Minister for Health and Medical Research

## Explanatory note

The objects of this Regulation are—

- (a) to allow for the issue of penalty notices for an offence occurring between 26 March 2020 and 31 December 2021 against a provision of the *Public Health Act 2010* involving a contravention of the following—
  - (i) a Ministerial direction to deal with a public health risk,
  - (ii) an order to close public premises on public health grounds,
  - (iii) a public health order relating to COVID-19, and
- (b) to extend the operation of clause 99A of the *Public Health Regulation 2012* to allow the Secretary of the Ministry of Health to appoint members and members of staff of the Department of Customer Service and the NSW Food Authority as authorised officers, either generally or in relation to particular functions exercisable by authorised officers relating to public health until 31 December 2021, and
- (c) to omit a reference to repealed legislation.

This Regulation is made under the *Public Health Act 2010*, including sections 118, 126(1) and 134 (the general regulation-making power).

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### 1 Name of Regulation

This Regulation is the *Public Health Amendment (Miscellaneous) Regulation 2021*.

### 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

### 3 Amendment of Public Health Regulation 2012

#### (1) Clause 99A Appointment of authorised officers

Omit “26 March 2021” from clause 99A(2). Insert instead “31 December 2021”.

#### (2) Schedule 4 Penalty notice offences

Omit the matter relating to “Section 10, for an offence against clause 6 of the *Public Health (COVID-19 Border Control) Order (No 2) 2020*” from under the heading “**Part 1 Offences under the Act**”.

#### (3) Schedule 4

Omit “25 March 2021” wherever occurring under the heading “**Part 1 Offences under the Act**”.

Insert instead “31 December 2021”.