



New South Wales

Public Health Amendment (COVID-19 Delta Outbreak) 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 object of this Regulation is to update cross-references in provisions authorising the issue of penalty notices as a consequence of the remaking of an order under the *Public Health Act 2010*, section 7.

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

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1 Name of Regulation

This Regulation is the *Public Health Amendment (COVID-19 Delta Outbreak) 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

Schedule 4 Penalty notice offences

Omit all matter relating to section 10 of the Act. Insert instead—

Section 10, for an offence of failing to comply with a direction of the Minister in an order made under the Act, section 7—

- | | | | |
|-----|--|---------|----------|
| (a) | for a direction to carry or wear a face covering— | | |
| | (i) if the person who commits the offence is 18 years of age or older, or | \$500 | |
| | (ii) if the person who commits the offence is 16 or 17 years of age, or | \$80 | |
| | (iii) if the person who commits the offence is 15 years of age or younger, or | \$40 | |
| (b) | for a direction prohibiting coughing or spitting on a public official or other worker | \$5,000 | |
| (c) | for a direction under the following provisions of the <i>Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order (No 2) 2021</i> — | | |
| | (i) clause 3.18, 4.19 or 5.8, | \$2,000 | \$10,000 |
| | (ii) clause 3.13, 4.14, 5.3–5.6 or 6.4(5) or (6), | \$3,000 | |
| | (iii) clause 6.2 or 6.3(1)(b) or (c), or | \$5,000 | |
| (d) | for a direction under the <i>Public Health (COVID-19 Self-Isolation) Order (No 2) 2021</i> , or | \$5,000 | |
| (e) | for any other direction, if the offence occurs between 26 March 2020 and 31 December 2021 | \$1,000 | \$5,000 |