



New South Wales

Public Health Amendment (COVID-19) 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 amend the *Public Health Regulation 2012* as follows—

- (a) to enable the Secretary of the Ministry of Health to generally approve, rather than on a case-by-case basis only, the retention of bodies for longer than 5 days by persons who are not funeral directors,
- (b) to extend the period during which the Secretary of the Ministry of Health may appoint members and members of staff of the Department of Customer Service and the NSW Food Authority to be authorised officers, either generally or in relation to a particular function exercisable by authorised officers relating to public health, until 26 March 2022,
- (c) to prescribe 26 March 2022 as the day on which the COVID-19 emergency measures provisions contained in the *Public Health Act 2010*, as defined by the Act, section 135(2), are repealed,
- (d) to allow penalty notices to be served for offences occurring between 26 March 2020 and 26 March 2022 against certain provisions of the *Public Health Act 2010* that involve contravening—
 - (i) a Ministerial direction that deals with a public health risk, or
 - (ii) an order to close public premises on public health grounds, or
 - (iii) a public health order relating to COVID-19.

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1 Name of Regulation

This Regulation is the *Public Health Amendment (COVID-19) 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 54 Retention of bodies by a person who is not a funeral director**

Insert “generally or” after “approve,” in clause 54(2).

(2) **Clause 99A Appointment of authorised officers**

Omit “31 December 2021” from clause 99A(2). Insert instead “26 March 2022”.

(3) **Clause 99B**

Insert after clause 99A—

99B COVID-19 emergency measures—repeal of provisions

(1) For the purposes of the Act, section 135(1)(b), 26 March 2022 is prescribed.

(2) This clause is repealed on 27 March 2022 at the beginning of the day.

(4) **Schedule 4 Penalty notice offences**

Omit “31 December 2021” wherever occurring under the heading “**Part 1 Offences under the Act**”.

Insert instead “26 March 2022”.