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New South Wales

Public Health (COVID-19 Border Control) Amendment Order (No 3) 2020

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 17th August 2020.

BRAD HAZZARD, MP

Minister for Health and Medical Research

Public Health (COVID-19 Border Control) Amendment Order (No 3) 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Border Control) Amendment Order (No 3) 2020*.

2 Commencement

This Order commences at midday on Tuesday 18 August 2020.

Schedule 1 Amendment of Public Health (COVID-19 Border Control) Order 2020

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3(1)—

COVID-19 area of concern means an area in Victoria specified by the Chief Health Officer by a notice published on the New South Wales Government website (www.nsw.gov.au).

critical agriculture service means a service specified by the Minister, on the advice of the Director-General, NSW Department of Primary Industries within Regional NSW, by a notice published on the New South Wales Government website (www.nsw.gov.au).

critical service (agriculture) worker means a Victorian resident who is employed in an agricultural or primary production industry in New South Wales to provide a critical agriculture service, and includes a person who is contracted or otherwise engaged to provide that service.

[2] Clause 3, definition of “relevant COVID-19 Safety Plan”

Insert at the end of paragraph (b)—

, or

- (c) for a critical service (agriculture) worker—a COVID-19 Safety Plan, that addresses matters required by the COVID-19 safety checklist for agriculture workers approved by the Chief Health Officer and published on the New South Wales Government website (www.nsw.gov.au), prepared by—
 - (i) the head of the organisation that employs the worker, or
 - (ii) if the worker is self-employed—the person to whom the service is provided.

[3] Clause 6 Directions of Minister about providing information

Insert after clause 6(5)—

- (6) The Minister directs that a person who gives documentary evidence to another person to comply with a condition specified in Schedule 1 to this Order must not include in the evidence information that is false or misleading in a material particular.

[4] Clause 8D

Insert after clause 8C—

8D Direction of Minister about COVID-19 Safety Plans for critical service (agriculture) workers

The Minister directs that a person who prepares a COVID-19 Safety Plan for a critical service (agriculture) worker must comply with the Plan other than those parts that impose an obligation on the worker.

[5] Schedule 1 Authority to enter New South Wales

Insert after item 2B—

2C	A person who is a critical service (agriculture) worker providing a critical agriculture service— (a) not able to be provided by the person remotely, and (b) not available in New South Wales within a 100 km radius of the place where the service is provided.	Required	<p>The person must not enter New South Wales if the person has, within the previous 14 days—</p> <p>(a) been in a restricted area within the meaning of an Area Direction made under the <i>Public Health and Wellbeing Act 2008</i> of Victoria, or</p> <p>(b) been in an area that is a COVID-19 area of concern, or</p> <p>(c) travelled more than 100 km south of the border.</p> <p>The person must travel by the most practicable direct route—</p> <p>(a) to the place where the service is provided, and</p> <p>(b) from the place where the service is provided to the person’s residence or accommodation.</p> <p>The person—</p> <p>(a) must self-isolate except when providing the service, and</p> <p>(b) must have documentary evidence that the service meets the criteria specified in Column 1 signed by—</p> <p>(i) the head of the organisation that employs the person, or</p> <p>(ii) if the person is self-employed— the person to whom the service is provided, and</p> <p>(c) must not travel more than 100 km north of the border.</p> <p>The person must comply with the relevant COVID-19 Safety Plan.</p>
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Reference number:(n2020-3697)