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New South Wales

# Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) Amendment Order (No 2) 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 22nd October 2020.

BRAD HAZZARD, MP  
Minister for Health and Medical Research

## Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) 2020*—

- (a) to require a COVID-19 Safety Hygiene Marshal for a gymnasium only if more than 20 persons are being allowed to use the gymnasium at the same time, and
- (b) to allow bookings or reservations for hospitality venues for groups consisting of no more than 30 persons, and
- (c) to allow gatherings of up to 300 persons at places of public worship and for religious services if there is at least 4 metres of space for each person on the premises, and
- (d) to require the person principally responsible for organising a religious service on premises other than a place of public worship to have and comply with a COVID-19 Safety Plan, and
- (e) to allow persons to participate in outdoor public gatherings of no more than 30 persons, and
- (f) to allow persons to participate in an outdoor public gathering of no more than 500 persons for the purpose of a protest or demonstration about a governmental or political matter if there is compliance with a COVID-19 Safety Plan for the gathering, and
- (g) to update references to COVID-19 safety checklists.

## **Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) Amendment Order (No 2) 2020**

under the

Public Health Act 2010

### **1 Name of Order**

This Order is the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) Amendment Order (No 2) 2020*.

### **2 Commencement**

This Order commences at the beginning of 23 October 2020.

## **Schedule 1      Amendment of Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 5) 2020**

**[1]    Clause 9 Directions of Minister about hospitality venues**

Insert “or reservation” after “booking” in clause 9(5)(a).

**[2]    Clause 9(5)(b)**

Omit “10 persons” wherever occurring. Insert instead “30 persons”.

**[3]    Clause 10**

Omit the clause. Insert instead—

**10    Direction of Minister about gymnasiums**

The Minister directs that the occupier of a gymnasium must ensure that there is a COVID-19 Safety Hygiene Marshal on the premises if—

- (a) the gymnasium is open for use, and
- (b) more than 20 persons are being allowed to use the gymnasium at the same time.

**[4]    Clause 11 Directions of Minister about places of public worship**

Omit “100 persons” wherever occurring in clause 11(1). Insert instead “300 persons”.

**[5]    Clause 11(3)**

Omit the subclause and note. Insert at the end of the clause—

**Note.** Under clause 12, the occupier of premises on which a significant event is held is directed to ensure that the number of persons on the premises for that event is not more than the number of persons that, under clause 17, are permitted to participate in a significant event of that type.

**[6]    Clause 17 Restrictions on certain activities**

Omit clause 17(4). Insert instead—

- (4) For a religious service, other than a service or gathering mentioned in subclause (3) or (5), the maximum number of persons is the lesser of—
  - (a) the number of persons that is equivalent to 1 person per 4 square metres of space in the premises, or
  - (b) 300 persons.

**[7]    Clauses 20 and 21B**

Omit “20 participants” wherever occurring. Insert instead “30 participants”.

**[8]    Clause 20 Direction of Minister requiring COVID-19 Safety Plans**

Omit clause 20(a). Insert instead—

- (a) have and comply with a COVID-19 Safety Plan that addresses the matters required by the approved COVID-19 safety checklist set out opposite the type of event in column 3 of Schedule 1 approved on the date specified in column 4 of Schedule 1, and

**[9]    Clause 21B Direction of Minister requiring COVID-19 Safety Plan**

Omit clause 21B(a). Insert instead—

- (a) have and comply with a COVID-19 Safety Plan that addresses the matters required by the approved COVID-19 safety checklist set out opposite the type of event in column 3 of Schedule 1 approved on the date specified in column 4 of Schedule 1, and

**[10] Clause 22 Direction of Minister concerning outdoor public gatherings**

Omit “20 people” from clause 22(1). Insert instead “30 persons”.

**[11] Clause 22(4)**

Insert after clause 22(3)—

- (4) This clause does not apply to an outdoor public gathering if—
  - (a) the gathering is for the purpose of a protest or demonstration about a governmental or political matter, and
  - (b) the gathering consists of no more than 500 persons, and
  - (c) the person who is principally responsible for organising the gathering—
    - (i) has and complies with a COVID-19 Safety Plan that addresses the matters required by the approved COVID-19 safety checklist set out opposite the type of event in column 3 of Schedule 1 approved on the date specified in column 4 of Schedule 1, and
    - (ii) keeps a copy of the COVID-19 Safety Plan while the gathering occurs at the place the gathering is held or begins and makes it available for inspection by an authorised officer or a police officer as requested.

**[12] Clause 26A**

Insert after clause 26—

**26A Direction of Minister for religious services held on premises other than place of public worship**

The Minister directs that the person principally responsible for organising a religious service on premises other than a place of public worship must—

- (a) have and comply with a COVID-19 Safety Plan that addresses the matters required by the approved COVID-19 safety checklist set out opposite the type of event in column 3 of Schedule 1 approved on the date specified in column 4 of Schedule 1, and
- (b) keep a copy of the COVID-19 Safety Plan on the premises and make it available for inspection by an authorised officer or a police officer as requested.

**[13] Schedule 1, heading**

Insert “and events” after “Premises”.

**[14] Schedule 1**

Omit “and 18(1)(a)” from under the heading for the Schedule.

Insert instead “, 18(1)(a), 20(a), 21B(a), 22(4)(c)(i) and 26A(a)”.

**[15] Schedule 1, items 2, 6 and 38**

Omit “23 July 2020” wherever occurring in column 4.

Insert instead “22 October 2020”.

**[16] Schedule 1, items 7, 8, 10, 14, 15, 16, 20, 23, 26 and 29**

Omit “15 October 2020” wherever occurring in column 4.

Insert instead “22 October 2020”.

**[17] Schedule 1, item 18**

Omit “25 September 2020” from column 4. Insert instead “22 October 2020”.

**[18] Schedule 1, items 19, 21 and 34**

Omit “11 September 2020” wherever occurring in column 4.

Insert instead “22 October 2020”.

**[19] Schedule 1, item 25**

Omit the item. Insert instead—

25	Places of public worship and religious services on other premises	Places of worship and religious gatherings	22 October 2020
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**[20] Schedule 1, item 26A**

Insert after item 26—

26A	Protests or demonstrations about governmental or political matters	Outdoor protests	22 October 2020
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**[21] Schedule 1, item 37**

Omit “21 September 2020” from column 4. Insert instead “22 October 2020”.