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New South Wales

Public Health (COVID-19 Mandatory Face Coverings) Order No 2 Amendment (No 2) Order 2021

under the

Public Health Act 2010

I, Brad Hazzard, the Minister for Health and Medical Research, make the following Order under the *Public Health Act 2010*, section 7.

Dated 20 June 2021.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to require persons in specified local government areas to wear fitted face coverings in particular circumstances and to extend the meaning of the term *Greater Sydney* to include the local government areas of the City of Shellharbour and the City of Wollongong.

Public Health (COVID-19 Mandatory Face Coverings) Order No 2 Amendment (No 2) Order 2021

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Mandatory Face Coverings) Order No 2 Amendment (No 2) Order 2021*.

2 Commencement

This Order commences on 20 June 2021 at 4pm.

Schedule 1 Amendment of Public Health (COVID-19 Mandatory Face Coverings) Order (No 2) 2021

[1] Clause 5 Direction of Minister to wear fitted face coverings

Insert at the end of clause 5(1)(c)—

, and

- (d) a person must wear a fitted face covering at all times when the person is in an indoor area in any of the following premises, or parts of premises, in a relevant local government area—
 - (i) retail premises, or business premises, that provide goods or services to members of the public who attend the premises, including the following—
 - (A) supermarkets,
 - (B) shopping centres, but not a recreation facility (indoor) in a shopping centre,
 - (C) bank branches,
 - (D) post offices,
 - (E) hairdressing salons,
 - (F) nail salons,
 - (G) beauty salons,
 - (H) tanning salons,
 - (I) waxing salons,
 - (J) spas,
 - (K) tattoo parlours,
 - (L) massage parlours,
 - (M) betting agencies.
 - Note—**
Premises that are used for the purpose of providing health services are not retail premises or business premises.
 - (ii) any part of premises licensed under the *Liquor Act 2007* that is used primarily for the purposes of gaming, including a gaming lounge,
 - Note—**
Licensed premises include pubs, registered clubs and casinos.
 - (iii) entertainment facilities,
 - (iv) premises, including places of public worship, being used for public worship or religious services,
 - (v) residential aged care facilities, and
- (e) a person working at a hospitality venue in a relevant local government area whose functions require the person to deal directly with members of the public must wear a fitted face covering at all times while carrying out the functions.

[2] Clause 5(1C)

Omit “Subclause (1)(c) does”. Insert instead “Subclause (1)(c), (d)(i)–(iv) and (e) do”.

[3] Clause 5(1D) and (1E)

Insert after clause 5(1C)—

- (1D) Subclause (1)(d)(v) does not apply to a person at a residential aged care facility who is a resident of the facility.
- (1E) The Minister directs that the operator of a hospitality venue in a relevant local government area must ensure all persons working at the venue comply with subclause (1)(e).

[4] Clause 5(6), definition of “Greater Sydney”

Omit the definition.

Insert instead—

Greater Sydney means—

- (a) the Greater Sydney Region within the meaning of the *Greater Sydney Commission Act 2015*, and
- (b) the local government areas of the City of Shellharbour and the City of Wollongong.

[5] Clause 5(6)

Insert in alphabetical order—

hospitality venue means the following—

- (a) a casino,
- (b) a food and drink premises,
- (c) a micro-brewery, small distillery holding a drink on-premises authorisation under the *Liquor Act 2007* or cellar door premises,
- (d) a pub,
- (e) a registered club,
- (f) a small bar.

relevant local government area means the following local government areas—

- (a) Bayside,
- (b) Canada Bay,
- (c) City of Sydney,
- (d) City of Randwick,
- (e) Inner West,
- (f) Waverley,
- (g) Woollahra.

residential aged care facility means a facility at which the following services are provided to a person in relation to whom a residential care subsidy or flexible care subsidy is payable under the *Aged Care Act 1997* of the Commonwealth—

- (a) accommodation,
- (b) personal care or nursing care.

[6] Clause 5(7)

Omit “Subclauses (1)(c), (1B), (1C)”. Insert instead “Subclauses (1)(c)–(e), (1B)–(1E)”.