



New South Wales

# Public Health (COVID-19 Spitting and Coughing) Amendment Order 2020

under the

Public Health Act 2010

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

Dated 19<sup>th</sup> April 2020.

A handwritten signature in black ink, appearing to read 'Brad Hazzard'.

Minister for Health and Medical Research

## Explanatory note

The object of this Order is to deal with the public health risk of COVID-19 and its possible consequences by giving a Ministerial direction about intentionally spitting at or coughing on workers in the workers' place of work or while travelling to or from the place of work. The definition of workers is not limited but includes retail workers, persons who work at an airport, persons who work for utility companies, persons who work in the transport industry and members of the Australian Defence Force.

This Order is made under section 7 of the *Public Health Act 2010*.

## **Public Health (COVID-19 Spitting and Coughing) Amendment Order 2020**

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### **1 Name of Order**

This Order is the *Public Health (COVID-19 Spitting and Coughing) Amendment Order 2020*.

### **2 Commencement**

This Order commences on 20 April 2020.

**Note.** This Order commences at the beginning of 20 April 2020. See section 24 of the *Interpretation Act 1987*.

## **Schedule 1      Amendment of Public Health (COVID-19 Spitting and Coughing) Order 2020**

### **Clause 5**

Omit the clause. Insert instead—

#### **5    Direction—spitting or coughing on public official or other worker**

- (1) The Minister directs that a person must not intentionally spit at or cough on any of the following persons in a way that would reasonably be likely to cause fear about the spread of COVID-19—
  - (a) a public official,
  - (b) another worker while the worker is—
    - (i) at the worker's place of work, or
    - (ii) travelling to or from that place of work.
- (2) If the worker's place of work is the worker's residential premises, the place of work does not, for the purposes of this clause, include any part of the premises used solely for residential purposes.
- (3) Without limiting subclause (1)(b), a worker includes the following—
  - (a) a retail worker,
  - (b) a person who works at an airport,
  - (c) a person who works for an electricity, gas, water or other utility company,
  - (d) a person who works in the transport industry or a transport-related industry,
  - (e) a member of the Australian Defence Force.

**Note.** Examples of public officials and workers include hospital staff, bus drivers, train drivers, ferry deckhands, taxi drivers, ride share drivers, food delivery workers, security guards, electricity, gas and water meter readers and postal delivery staff (including persons working for an entity under a contract, directly or indirectly, on behalf of the NSW Government).