

**COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS
AMENDMENT BILL 2020**

(Amendments made by the Legislative Council)

1. Clause 16, page 12, after line 12, insert —
"249A Definitions
 - (1) For the purposes of this Division—
protective services officer has the same meaning as in the
Victoria Police Act 2013;
Worksafe inspector means an inspector within the meaning of the
Occupational Health and Safety Act 2004;
health service provider has the same meaning as in the Health
Practitioner Regulation National Law.
 - (2) For the purposes of this Division, an authorised officer is
appointed under the temporary provisions if the authorised
officer is appointed under section 30(1A), as notionally inserted
by section 250."
2. Clause 16, page 12, lines 24 and 25, omit ", experience or otherwise" and
insert "or experience".
3. Clause 16, page 12, lines 26 and 27, omit all words and expressions on these
lines and insert—
 - "(b) a police officer;
 - (c) a protective services officer;
 - (d) a Worksafe inspector;
 - (e) an employee in the public sector of a State other than
Victoria, or a territory;
 - (f) a health service provider."
4. Clause 16, page 12, after line 27, insert—
**"250A Limitation on the powers that may be conferred on
authorised officers appointed under the temporary provisions**
 - (1) Despite section 189, the Chief Health Officer may only authorise
an authorised officer appointed under the temporary provisions to
exercise the following public health risk powers—

- (a) if the authorised officer is a police officer or a protective services officer, the public health risk powers referred to in sections 190(1)(c), (d), (e) and (f);
 - (b) if the authorised officer is a Worksafe inspector, the public health risk powers referred to in sections 190(1)(c), (d), (e), (f), (g), (h), (i), (j) and (k);
 - (c) if the authorised officer is a person appointed under section 30(1A)(a), the public health risk powers referred to in sections 190(1)(d) and (e);
 - (d) if the authorised officer is a person appointed under section 30(1A)(e) or (f), the public health risk powers specified in the authorised officer's instrument of appointment.
- (2) Despite section 199, the Chief Health Officer must not authorise an authorised officer who is appointed under the temporary provisions to exercise any of the emergency powers.

Note

The emergency powers include powers to detain persons or groups of persons.

- (3) This section does not limit the restrictions to which the appointment of an authorised officer may otherwise be subject under this Act."

5. Clause 16, page 13, lines 1 to 35, page 14, lines 1 to 35 and page 15, lines 1 to 16, omit all words and expressions on these lines.

Certified -

Clerk of the Legislative Council