

LEGISLATIVE COUNCIL

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

(Amendments to be proposed in Committee by Ms SYMES)

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.