

## LEGISLATIVE COUNCIL

PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC  
MANAGEMENT) BILL 2021(Amendments and New Clause to be proposed in Committee by Dr CUMMING)

1. Clause 4, page 4, lines 22 to 24, omit all words and expressions on those lines.
2. Clause 4, page 5, lines 24 and 25, omit "there is a pandemic outbreak of that infectious disease" and insert "it is declared or otherwise assessed by the World Health Organisation to be such a disease".
3. Clause 4, page 5, line 28, omit "if—" and insert "if, at that time, it is not a pandemic disease but is the subject of a public health emergency of international concern as determined by the World Health Organisation.".
4. Clause 4, page 5, lines 29 to 34 and page 6, lines 1 to 5, omit all words and expressions on those lines.

## NEW CLAUSE

5. Insert the following New Clause to follow clause 8—

**'8A Function of Councils**

In section 24(f) of the Principal Act, for "children living" **substitute** "people living, working".

6. Clause 12, page 8, line 11, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
7. Clause 12, page 9, lines 5 to 29, omit all words and expressions on those lines and insert—
  - "(3) The Premier may only make a pandemic declaration if the pandemic disease is present in Victoria at the time of making the declaration."
8. Clause 12, page 11, line 16, omit "from—" and insert "from a pandemic disease".
9. Clause 12, page 11, lines 17 to 31, omit all words and expressions on those lines.
10. Clause 12, page 12, lines 7 to 8, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
11. Clause 12, page 12, lines 10 to 13, omit all words and expressions on those lines and insert—
  - "(5) A pandemic declaration may be extended under subsection (1) for a period of no longer than—
    - (a) 3 months at a time, until the date that is 12 months since the pandemic declaration came into force; or

(b) one month at a time for any later extension.

(5A) An extension referred to in subsection (5)(a) or (b) does not take effect unless it is approved by a motion passed by a majority of members present and voting in each House of the Parliament."

12. Clause 12, page 12, lines 22 to 36 and page 13, lines 1 to 3, omit all words and expressions on those lines.
13. Clause 12, page 14, line 8, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
14. Clause 12, page 14, line 27, omit "within 3 business days" and insert "on the day".
15. Clause 12, page 16, after line 12 insert—

**"165AHA Parliament sitting when pandemic declaration is in force**

The Premier must make the Premier's best endeavours to ensure that, during the period when a pandemic declaration is in force, each House of the Parliament continues to sit as if the pandemic declaration were not in force."

16. Clause 12, page 19, lines 27 and 28, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
17. Clause 12, page 20, line 2, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
18. Clause 12, page 20, line 7, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
19. Clause 12, page 23, line 12, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
20. Clause 12, page 23, line 20, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
21. Clause 12, page 24, line 6, omit "14 days" and insert "one day".
22. Clause 12, page 24, lines 12 and 13, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".
23. Clause 12, page 25, line 1, omit "Chief Health Officer's" and insert "Independent Pandemic Management Advisory Committee's".
24. Clause 12, page 25, lines 10 and 11, omit "Chief Health Officer's" and insert "Independent Pandemic Management Advisory Committee's".
25. Clause 12, page 25, lines 15 and 16, omit "Chief Health Officer's" and insert "Independent Pandemic Management Advisory Committee's".
26. Clause 12, page 25, line 19, omit "Chief Health Officer" and insert "Independent Pandemic Management Advisory Committee".

27. Clause 12, page 25, line 26, omit "14 days" and insert "one day".
28. Clause 12, page 26, lines 3 and 4, omit "6 sitting days" and insert "one sitting day".
29. Clause 12, page 26, lines 22 to 26, omit all words and expressions on those lines.
30. Clause 12, page 27, line 2, omit "10" and insert "5".
31. Clause 12, page 27, lines 5 to 31, page 28, lines 1 to 35, page 29, lines 1 to 37, page 30, lines 1 to 36, page 31, lines 1 to 35, page 32, lines 1 to 35 and page 33, lines 1 and 2, omit all words and expressions on those lines.
32. Clause 12, page 61, line 28, omit "30 days of the first extension" and insert "5 days of the making".
33. Clause 12, page 62, lines 8 to 12, omit all words and expressions on those lines and insert—
- "(a) appoint as members of the committee persons whom the Minister considers to have skills, knowledge or experience relevant to the committee's functions, such persons including at least each of the following—
- (i) a person nominated by the Royal Australian College of General Practitioners Victoria Faculty Council;
- (ii) a person nominated by the Pharmacy Guild of Australia Victoria Branch Committee;
- (iii) a person nominated by the Municipal Association of Victoria, being a person who is a current or former Chief Executive Officer of a Council;
- (iv) a person nominated by the Victorian Multicultural Commission;
- (v) a person nominated by the Victorian Chamber of Commerce and Industry Executive Council;
- (vi) the Chief Health Officer; and".
34. Clause 12, page 62, line 16, after "person" insert "(other than a person specifically referred to in subsection (2)(a))".
35. Clause 12, page 63, lines 5 to 10, omit all words and expressions on those lines.
36. Clause 12, page 63, after line 22 insert—
- "(8) An Independent Pandemic Management Advisory Committee must elect a Chairperson from its members appointed under this section."
37. Clause 12, page 63, line 27, omit "review and provide advice" and insert "provide advice and recommendations".
38. Clause 12, page 63, line 29, omit "Part;" and insert "Part, including in relation to the making of all pandemic orders;".

39. Clause 12, page 63, line 33, omit "recommendations." and insert "recommendations; and".
40. Clause 12, page 63, after line 33 insert—
  - "(c) to seek further advice from subject matter experts as the committee considers appropriate."
41. Clause 12, page 64, lines 1 to 4, omit all words and expressions on those lines.
42. Clause 12, page 64, line 13, omit "6 sitting days" and insert "one sitting day".
43. Clause 31, omit this clause.