

2020

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

COVID-19 Emergency Response Bill 2020

Contents

	Page	
1 Name of Act	2	
2 Commencement	2	
3 Legislation amended	2	
Schedule 1		
COVID-19 emergency response— Amendments	3	
Part 1.1	Children and Young People Act 2008	3
Part 1.2	Corrections Management Act 2007	12
Part 1.3	Crimes (Sentence Administration) Act 2005	14

J2020-357

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	Page
Part 1.4	Crimes (Sentencing) Act 2005 19
Part 1.5	Evidence (Miscellaneous Provisions) Act 1991 20
Part 1.6	Family Violence Act 2016 21
Part 1.7	Financial Management Act 1996 23
Part 1.8	Firearms Act 1996 23
Part 1.9	Gaming Machine Act 2004 24
Part 1.10	Gaming Machine Regulation 2004 28
Part 1.11	Leases (Commercial and Retail) Act 2001 29
Part 1.12	Long Service Leave Act 1976 30
Part 1.13	Long Service Leave (Portable Schemes) Act 2009 31
Part 1.14	Medicines, Poisons and Therapeutic Goods Regulation 2008 39
Part 1.15	Official Visitor Act 2012 40
Part 1.16	Personal Violence Act 2016 40
Part 1.17	Prohibited Weapons Act 1996 42
Part 1.18	Residential Tenancies Act 1997 43
Part 1.19	Supreme Court Act 1933 45
Part 1.20	Working with Vulnerable People (Background Checking) Act 2011 47

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(As presented)

(Chief Minister)

COVID-19 Emergency Response Bill 2020

A Bill for

An Act to provide for emergency measures in response to the COVID-19 emergency, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1** **Name of Act**

2 This Act is the *COVID-19 Emergency Response Act 2020*.

3 **2** **Commencement**

4 (1) This Act (other than schedule 1, amendment 1.35) commences on the
5 day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 (2) Schedule 1, amendment 1.35 commences on the later of—

9 (a) the day after this Act’s notification day; and

10 (b) the commencement of the *Gaming Machine Amendment*
11 *Act 2020*, section 11.

12 **3** **Legislation amended**

13 This Act amends the legislation mentioned in schedule 1.

1 **Schedule 1** **COVID-19 emergency**
2 **response—Amendments**

3 (see s 3)

4 **Part 1.1** **Children and Young People**
5 **Act 2008**

6 **[1.1] New section 149 (2A)**

7 *insert*

8 (2A) However, if the emergency relates to a COVID-19 emergency, the
9 director-general may declare that an emergency exists in relation to
10 the detention place for a period of not more than the duration of the
11 COVID-19 emergency.

12 **[1.2] New section 149 (3A) to (3D)**

13 *insert*

14 (3A) If 1 or more declarations under subsection (2A) are in force for a
15 consecutive period of 28 days or more, the director-general must—

16 (a) at least every 28 days, conduct a review of whether there are
17 reasonable grounds for continuing the declaration; and

18 (b) as soon as practicable after a review, advise the Minister in
19 writing about any measures taken in response to the emergency
20 under the declaration.

21 (3B) The first annual report prepared by the director-general under the
22 *Annual Reports (Government Agencies) Act 2004* after an emergency
23 declaration ends must include information about the measures taken
24 in response to the emergency while the declaration was in force.

25 (3C) A failure by the director-general to comply with subsection (3A) or
26 (3B) does not affect the validity of the declaration.

- 1 (3D) A declaration made under subsection (2A) must be revoked if the
2 director-general no longer believes there are reasonable grounds for
3 the declaration.

4 **[1.3] New section 149 (8) and (9)**

5 *after the note, insert*

- 6 (8) In this section:

7 ***COVID-19 emergency*** means—

- 8 (a) a state of emergency declared under the *Emergencies Act 2004*,
9 section 156 because of the coronavirus disease 2019
10 (COVID-19); or
11 (b) an emergency declared under the *Public Health Act 1997*,
12 section 119 (including any extension or further extension)
13 because of the coronavirus disease 2019 (COVID-19).
- 14 (9) The following provisions expire 12 months after the day this
15 subsection commences:
- 16 (a) this subsection;
17 (b) subsection (2A);
18 (c) subsections (3A) to (3D);
19 (d) subsection (8).

1 **[1.4] New section 241A**

2 *in division 6.8.1, insert*

3 **241A Local leave permits—COVID-19 emergency response**

- 4 (1) The director-general may, during the COVID-19 emergency period,
5 give a young detainee a written permit to be absent from a detention
6 place, and to be in another place in the ACT, because of the
7 COVID-19 emergency (a *COVID-19 local leave permit*).

8 *Note* The power to make an instrument includes the power to amend or repeal
9 the instrument (see Legislation Act, s 46).

- 10 (2) A COVID-19 local leave permit may be given for the period the
11 director-general considers appropriate, but not longer than 7 days
12 after the day the COVID-19 emergency period ends.

- 13 (3) A COVID-19 local leave permit must state the following:

- 14 (a) that the permit is given because of the COVID-19 emergency;
15 (b) the period for which the leave is granted;
16 (c) any conditions to which the leave is subject.

- 17 (4) A COVID-19 local leave permit is subject to the following
18 conditions:

- 19 (a) any condition prescribed by regulation;
20 (b) any other condition, consistent with the conditions (if any)
21 prescribed by regulation, that—
22 (i) the director-general believes on reasonable grounds is
23 necessary and reasonable; and
24 (ii) is stated in the permit.

25 **Example—condition stated in permit**

26 a condition prohibiting association with a particular person or being
27 near a particular place

- 1 (5) A COVID-19 local leave permit authorises the young detainee to be
2 absent from the detention place in accordance with the permit
3 unescorted.
- 4 (6) In this section:
- 5 *COVID-19 emergency period* means the period during which the
6 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
7 as extended or further extended, is in force.
- 8 (7) This section expires 7 days after the day the COVID-19 emergency
9 period ends.

10 **[1.5] New section 242 (3A)**

11 *insert*

- 12 (3A) Despite subsection (3) (e), during the COVID-19 emergency period,
13 the director-general may give a young detainee an interstate leave
14 permit for the period the director-general considers appropriate, but
15 not longer than 7 days after the day the COVID-19 emergency period
16 ends, if—
- 17 (a) the purpose of the leave is related to the COVID-19 emergency;
18 and
- 19 (b) the period for which the leave is granted is stated in the permit.

20 **[1.6] New section 242 (6A)**

21 *insert*

- 22 (6A) Despite subsections (4) to (6), if an interstate leave permit will, or is
23 likely to, expire during the COVID-19 emergency period, the
24 director-general may extend the permit for the period the
25 director-general considers appropriate.

1 **[1.7] New section 242 (7A)**

2 *insert*

3 (7A) However, subsection (7) (a) does not apply to an interstate leave
4 permit if—

- 5 (a) the permit is given during the COVID-19 emergency period; and
6 (b) the purpose of the leave is related to the COVID-19 emergency.

7 **[1.8] New section 242 (9) and (10)**

8 *insert*

9 (9) In this section:

10 ***COVID-19 emergency period*** means the period during which the
11 ***Public Health (Emergency) Declaration 2020 (No 1)*** (NI2020-153),
12 as extended or further extended, is in force.

13 (10) The following subsections expire 7 days after the day the COVID-19
14 emergency period ends:

- 15 (a) this subsection;
16 (b) subsection (3A);
17 (c) subsection (6A);
18 (d) subsection (7A);
19 (e) subsection (9).

20 **[1.9] New section 384 (3) to (5)**

21 *after the notes, insert*

22 (3) However, for an appraisal order made during the COVID-19
23 emergency period—

- 24 (a) the length of the appraisal order is to be decided by the Childrens
25 Court; and

1 (b) the length of any temporary parental responsibility provision in
2 the appraisal order is to be decided by the Childrens Court.

3 (4) In this section:

4 *COVID-19 emergency period* means the period during which the
5 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
6 as extended or further extended, is in force.

7 (5) This subsection and subsections (3) and (4) expire 6 months after the
8 day the COVID-19 emergency period ends.

9 **[1.10] New section 400A**

10 *insert*

11 **400A Voluntary care agreements—extension—**
12 **COVID-19 emergency response**

13 (1) This section applies if a voluntary care agreement will, or is likely to,
14 end (other than because of section 401) during the COVID-19
15 emergency period.

16 (2) The voluntary care agreement is extended until 3 months after the day
17 the COVID-19 emergency period ends.

18 (3) A period of extension under subsection (2) is not to be considered in
19 working out—

20 (a) the total length of a voluntary care agreement and proposed
21 extension under section 400 (1) (a); or

22 (b) how long a child or young person has been cared for under a
23 voluntary care agreement under section 400 (1) (b).

- 1 (4) In this section:
2 *COVID-19 emergency period* means the period during which the
3 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
4 as extended or further extended, is in force.
- 5 (5) This section expires 3 months after the day the COVID-19 emergency
6 period ends.

7 **[1.11] New section 410 (2) to (5)**

- 8 *insert*
- 9 (2) However, the director-general may apply to the Childrens Court for
10 an extension of the period mentioned in subsection (1) (a) or (b) if—
- 11 (a) the period for which the director-general has daily care
12 responsibility for the child or young person will, or is likely to,
13 end during—
- 14 (i) the COVID-19 emergency period; or
15 (ii) the 6 months following the COVID-19 emergency period;
16 and
- 17 (b) there are exceptional circumstances justifying the extension.
- 18 (3) The Childrens Court may extend the period mentioned in
19 subsection (1) (a) or (b) for up to 2 more days.
- 20 (4) In this section:
21 *COVID-19 emergency period* means the period during which the
22 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
23 as extended or further extended, is in force.
- 24 (5) This subsection and subsections (2) to (4) expire 6 months after the
25 day the COVID-19 emergency period ends.

1 **[1.12] New section 423 (2) to (4)**

2 *after the notes, insert*

- 3 (2) This section does not apply if—
- 4 (a) the contravention happened during—
- 5 (i) the COVID-19 emergency period; or
- 6 (ii) the 3 months following the COVID-19 emergency period;
- 7 and
- 8 (b) it was not reasonably practicable for the person to comply with
- 9 the order because of the COVID-19 emergency.

10 *Note* The defendant has an evidential burden in relation to the matters

11 mentioned in s (2) (see Criminal Code, s 58).

- 12 (3) In this section:

13 ***COVID-19 emergency period*** means the period during which the

14 ***Public Health (Emergency) Declaration 2020 (No 1)*** (NI2020-153),

15 as extended or further extended, is in force.

- 16 (4) This subsection and subsections (2) and (3) expire 3 months after the
- 17 day the COVID-19 emergency period ends.

18 **[1.13] New section 454 (3) to (5)**

19 *after the notes, insert*

- 20 (3) Also, during the COVID-19 emergency period, the Childrens Court
- 21 may extend an assessment order for any period the court considers
- 22 necessary for the assessment to be properly completed.

- 23 (4) In this section:

24 ***COVID-19 emergency period*** means the period during which the

25 ***Public Health (Emergency) Declaration 2020 (No 1)*** (NI2020-153),

26 as extended or further extended, is in force.

- 1 (5) This subsection and subsections (3) and (4) expire 6 months after the
2 day the COVID-19 emergency period ends.

3 **[1.14] New section 514EAA**

4 *after section 514E, insert*

5 **514EAA Approved carers—extension of approvals—**
6 **COVID-19 emergency response**

- 7 (1) This section applies if an approved carer approval will, or is likely to,
8 expire during—

9 (a) the COVID-19 emergency period; or

10 (b) the 6 months following the COVID-19 emergency period.

- 11 (2) The approval is extended until 6 months after the day the COVID-19
12 emergency period ends.

- 13 (3) In this section:

14 ***COVID-19 emergency period*** means the period during which the
15 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
16 as extended or further extended, is in force.

- 17 (4) This section expires 6 months after the day the COVID-19 emergency
18 period ends.

1 **Part 1.2** **Corrections Management**
2 **Act 2007**

3 **[1.15] New section 26 (2A)**

4 *insert*

- 5 (2A) However, if the emergency relates to a COVID-19 emergency, the
6 director-general may declare that an emergency exists in relation to
7 the correctional centre for a period of not more than the duration of
8 the COVID-19 emergency.

9 **[1.16] New section 26 (3A) to (3D)**

10 *insert*

- 11 (3A) If 1 or more declarations under subsection (2A) are in force for a
12 consecutive period of 28 days or more, the director-general must—
13 (a) at least every 28 days, conduct a review of whether there are
14 reasonable grounds for continuing the declaration; and
15 (b) as soon as practicable after a review, advise the Minister in
16 writing about any measures taken in response to the emergency
17 under the declaration.
- 18 (3B) The first annual report prepared by the director-general under the
19 *Annual Reports (Government Agencies) Act 2004* after an emergency
20 declaration ends must include information about the measures taken
21 in response to the emergency while the declaration was in force.
- 22 (3C) A failure by the director-general to comply with subsection (3A) or
23 (3B) does not affect the validity of the declaration.
- 24 (3D) A declaration made under subsection (2A) must be revoked if the
25 director-general no longer believes there are reasonable grounds for
26 the declaration.

1 **[1.17] New section 26 (6) and (7)**

2 *insert*

3 (6) In this section:

4 ***COVID-19 emergency*** means—

5 (a) a state of emergency declared under the *Emergencies Act 2004*,
6 section 156 because of the coronavirus disease 2019
7 (COVID-19); or

8 (b) an emergency declared under the *Public Health Act 1997*,
9 section 119 (including any extension or further extension)
10 because of the coronavirus disease 2019 (COVID-19).

11 (7) The following provisions expire 12 months after the day this
12 subsection commences:

13 (a) this subsection;

14 (b) subsection (2A);

15 (c) subsections (3A) to (3D);

16 (d) subsection (6).

17 **[1.18] New section 205 (2A)**

18 *insert*

19 (2A) Despite subsection (2) (b), while this provision is in force, the permit
20 must include the period for which leave is granted, being—

21 (a) not longer than 28 days; or

22 (b) if the permit is granted for the purpose of receiving long-term
23 medical treatment or palliative care and on the advice of a doctor
24 appointed under section 21—not longer than 3 months.

- 1 **[1.19] New section 205 (4) and (5)**
- 2 *insert*
- 3 (4) The director-general may cancel a detainee’s local leave permit if—
- 4 (a) the detainee breaches a condition of the permit; or
- 5 (b) the leave is no longer needed for the purpose for which the
- 6 permit was granted.
- 7 (5) The following provisions expire 12 months after the day this
- 8 subsection commences:
- 9 (a) this subsection;
- 10 (b) subsection (2A);
- 11 (c) subsection (4).

12 **Part 1.3 Crimes (Sentence**

13 **Administration) Act 2005**

- 14 **[1.20] New section 47A**
- 15 *insert*
- 16 **47A Intensive correction orders—community service work—**
- 17 **failure to report etc—COVID-19 emergency**
- 18 (1) This section applies if—
- 19 (a) an offender fails to report to do community service work for a
- 20 period (a *work period*) in accordance with a direction under
- 21 section 46; and
- 22 (b) the failure happens during the COVID-19 emergency, whether
- 23 before, on or after the commencement of this section; and

1 (c) the director-general is satisfied that the offender’s failure to
2 report for the work period is because of the COVID-19
3 emergency.

4 (2) The offender is taken to have done the community service work in
5 accordance with the direction for the period, not more than 8 hours
6 for each week or part of a week during the work period, decided by
7 the director-general.

8 **[1.21] New section 64 (3A)**

9 *insert*

10 (3A) Subsection (3) does not apply to a warning given during a COVID-19
11 emergency.

12 **[1.22] New section 92A**

13 *insert*

14 **92A Good behaviour orders—community service work—**
15 **failure to report etc—COVID-19 emergency**

- 16 (1) This section applies if—
- 17 (a) an offender fails to report to do community service work for a
18 period (a *work period*) in accordance with a direction under
19 section 91; and
- 20 (b) the failure happens during the COVID-19 emergency, whether
21 before, on or after the commencement of this section; and
- 22 (c) the director-general is satisfied that the offender’s failure to
23 report for the work period is because of the COVID-19
24 emergency.
- 25 (2) The offender is taken to have done the community service work in
26 accordance with the direction for the period, not more than 8 hours
27 for each week or part of a week during the work period, decided by
28 the director-general.

1 **[1.23] New section 126 (2A) and (2B)**

2 *insert*

3 (2A) Despite subsection (2) (b), for an inquiry conducted during a
4 COVID-19 emergency, the board may refuse to make a parole order
5 for an offender if the board is satisfied that the application has no
6 reasonable prospects of success.

7 (2B) If the board refuses to make a parole order under subsection (2A), the
8 board must—

9 (a) give the offender written notice of the decision, including
10 reasons for the decision; and

11 (b) if requested by the offender at least 14 days after the offender is
12 given notice under paragraph (a)—

13 (i) set a time for a hearing by the board about the offender's
14 parole; and

15 (ii) give notice under section 127 of the hearing.

16 **[1.24] New section 127 (2A)**

17 *insert*

18 (2A) Despite subsection (2) (c), for a hearing held in whole or in part
19 during a COVID-19 emergency, the board may give an offender less
20 than 7 days to tell the board a thing mentioned in that subsection if
21 the board—

22 (a) considers it is in the public interest to do so; and

23 (b) is satisfied the offender understands the effect of shortening the
24 notice period under this section.

1 **[1.25] New section 182 (2A) and (2B)**

2 *insert*

3 (2A) Despite subsection (2), the chair may, during a COVID-19
4 emergency, assign 1 judicial member to a division if it is not
5 reasonably practicable to assign more than 1 member.

6 (2B) A division constituted by 1 judicial officer may—

7 (a) exercise a supervisory function of the board in relation to—

8 (i) intensive correction orders (other than cancellation of an
9 intensive correction order under section 64 (2) (c)); or

10 (ii) parole (other than cancellation of parole under
11 section 148 (2) (e)); and

12 (b) in exercising a function mentioned in paragraph (a)—

13 (i) conduct an inquiry; or

14 (ii) if satisfied the offender understands the matter is being
15 dealt with by 1 judicial officer—hold a hearing.

16 **[1.26] New section 185 (1A)**

17 *insert*

18 (1A) However, during a COVID-19 emergency, business may be carried
19 out at a meeting of the board by 1 judicial member—

20 (a) if it is not reasonably practicable for 3 members to be present;
21 or

22 (b) in exercising a supervisory function as a division of the board
23 constituted under section 182 (2A).

24 *Note* A meeting may be held other than in person (see s 187).

1 **[1.27] New section 322A**

2 *insert*

3 **322A Expiry—COVID-19 emergency amendments**

4 The following provisions expire 12 months after the commencement
5 of this section:

- 6 (a) this section;
7 (b) section 47A;
8 (c) section 64 (3A);
9 (d) section 92A;
10 (e) section 126 (2A) and (2B);
11 (f) section 127 (2A);
12 (g) section 182 (2A) and (2B);
13 (h) section 185 (1A);
14 (i) dictionary, definition of *COVID-19 emergency*.

15 **[1.28] Dictionary, new definition of COVID-19 emergency**

16 *insert*

17 **COVID-19 emergency** means—

- 18 (a) a state of emergency declared under the *Emergencies Act 2004*,
19 section 156 because of the coronavirus disease 2019
20 (COVID-19); or
21 (b) an emergency declared under the *Public Health Act 1997*,
22 section 119 (including any extension or further extension)
23 because of the coronavirus disease 2019 (COVID-19).

1 **Part 1.4** **Crimes (Sentencing) Act 2005**

2 **[1.29] New section 13 (2A)**

3 *insert*

- 4 (2A) During a COVID-19 emergency, an undertaking—
- 5 (a) may be signed or given before the court; and
- 6 (b) if given before the court, must be recorded by the court.

7 **[1.30] New section 13 (9) and (10)**

8 *insert*

- 9 (9) In this section:

10 ***COVID-19 emergency*** means—

- 11 (a) a state of emergency declared under the *Emergencies Act 2004*
- 12 section 156 because of the coronavirus disease 2019
- 13 (COVID-19); or
- 14 (b) an emergency declared under the *Public Health Act 1997*,
- 15 section 119 (including any extension or further extension)
- 16 because of the coronavirus disease 2019 (COVID-19).

- 17 (10) This subsection and subsections (2A) and (9) expire 12 months after
- 18 the day this subsection commences.

1 **Part 1.5 Evidence (Miscellaneous**
2 **Provisions) Act 1991**

3 **[1.31] New part 12**

4 *insert*

5 **Part 12 COVID-19 emergency response**

6 **164 Regulation-making power—COVID-19 emergency**
7 **response**

8 (1) A regulation may make provision in relation to the following matters
9 for the purpose of responding to the public health emergency caused
10 by the COVID-19 pandemic:

11 (a) permitting the recording by the court of evidence given by a
12 witness in a proceeding;

13 (b) how the evidence must or may be given and recorded for the
14 proceeding;

15 (c) how the evidence may be used in the proceeding;

16 (d) any procedural or other matter relating to paragraphs (a) to (c).

17 (2) This part and any regulation made under it expires on the day the
18 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
19 as extended or further extended, ends.

20 *Note* Transitional provisions are kept in the Act for a limited time.
21 A transitional provision is repealed on its expiry but continues to have
22 effect after its repeal (see [Legislation Act](#), s 88).

1 **Part 1.6** **Family Violence Act 2016**

2 **[1.32] New part 22**

3 *insert*

4 **Part 22** **COVID-19 emergency response**

5 **205** **Meaning of *COVID-19 emergency*—pt 22**

6 In this part:

7 *COVID-19 emergency* means—

- 8 (a) a state of emergency declared under the *Emergencies Act 2004*,
9 section 156 because of the coronavirus disease 2019
10 (COVID-19); or
11 (b) an emergency declared under the *Public Health Act 1997*,
12 section 119 (including any extension or further extension)
13 because of the coronavirus disease 2019 (COVID-19).

14 **206** **Extending general interim orders**

- 15 (1) This section applies if a general interim order ends, will end or is
16 likely to end during a COVID-19 emergency.
17 (2) The court may extend the general interim order for a stated period of
18 not more than 6 months.

19 **207** **Requirement for party to be present**

- 20 (1) This section applies if a provision in this Act (other than
21 section 43 (1) (a))—
22 (a) requires a party to a proceeding, or the party's legal
23 representative, to be present in court; or
24 (b) is conditional on the party, or the party's legal representative,
25 being present in court.

1 (2) Unless the court otherwise orders, during a COVID-19 emergency the
2 party, or the party’s legal representative, may be present by telephone
3 or other electronic audio-visual means.

4 (3) For section 43 (1) (a), unless the court otherwise orders, during a
5 COVID-19 emergency it is sufficient for the person’s legal
6 representative to be present when the family violence order was
7 made.

8 **208 Requirement for party to give consent**

9 (1) This section applies if a party’s consent is required under a provision
10 in this Act.

11 (2) Unless the court otherwise orders, during a COVID-19 emergency the
12 party, or the party’s legal representative, may give consent by
13 telephone or other electronic audio-visual means.

14 **209 Acknowledgment of undertaking by respondent**

15 For section 64, during a COVID-19 emergency an
16 acknowledgment—

17 (a) may be given in writing or before the court; and

18 (b) if given before the court, must be recorded by the court.

19 **210 Expiry—pt 22**

20 This part expires 12 months after the day it commences.

1 **Part 1.7** **Financial Management Act 1996**

2 **[1.33] Section 18 (2)**

3 *substitute*

- 4 (2) The amount appropriated for Treasurer's advances must not exceed—
- 5 (a) for the 2019-20 or 2020-21 financial years—5% of the total
- 6 amount appropriated by all Appropriation Acts for the year; or
- 7 (b) for any other financial year—1% of the total amount
- 8 appropriated by all Appropriation Acts for the year.

9 **Part 1.8** **Firearms Act 1996**

10 **[1.34] New part 26**

11 *insert*

12 **Part 26** **COVID-19 emergency response**

13 **417 Declaration—COVID-19 emergency response**

- 14 (1) The Minister may make a declaration in relation to the following
- 15 matters for the purpose of responding to the public health emergency
- 16 caused by the COVID-19 pandemic:
- 17 (a) preventing the registrar from issuing a licence under this Act;
- 18 (b) preventing the registrar from issuing a permit to acquire a
- 19 firearm under this Act;
- 20 (c) prohibiting or limiting the sale of firearms, firearms parts or
- 21 ammunition.

22 *Note* Power to make a statutory instrument includes power to make different

23 provision in relation to different matters or different classes of matters,

24 and to make an instrument that applies differently by reference to stated

25 exceptions or factors (see [Legislation Act](#), s 48).

- 1 (2) A declaration is a disallowable instrument.
- 2 *Note* A disallowable instrument must be notified, and presented to the
3 Legislative Assembly, under the [Legislation Act](#).
- 4 (3) A declaration expires on—
- 5 (a) the day the *Public Health (Emergency) Declaration 2020 (No 1)*
6 (NI2020-153), as extended or further extended, ends (the
7 *declaration end date*); or
- 8 (b) if the Minister considers that the effect of the COVID-19
9 pandemic justifies a later day, being a day not later than
10 3 months after the declaration end date—a later day notified by
11 the Minister before the declaration end date.
- 12 (4) A notification under subsection (3) (b) is a notifiable instrument.
- 13 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

14 **418 Expiry—pt 26**

15 This part expires on the day the *Public Health (Emergency)*
16 *Declaration 2020 (No 1)* (NI2020-153), as extended or further
17 extended, ends.

18 **Part 1.9 Gaming Machine Act 2004**

19 **[1.35] Section 161A (4)**

20 *substitute*

21 (4) In this section:

22 *required amount* means the amount payable by the licensee under
23 section 163H.

1 **[1.36] New section 163H (4A) and (4B)**

2 *insert*

3 (4A) Despite subsection (3), the required amount for a tax period that
4 begins after 23 March 2020 and ends before 8 April 2021 is \$0.

5 (4B) This subsection and subsection (4A) expire 2 years after the day this
6 subsection commences.

7 *Note* Transitional provisions are kept in the Act for a limited time.
8 A transitional provision is repealed on its expiry but continues to have
9 effect after its repeal (see [Legislation Act](#), s 88).

10 **[1.37] Section 164, new definition of *emergency declaration***

11 *insert*

12 *emergency declaration* means a declaration under—

- 13 (a) the [Emergencies Act 2004](#), section 156 (Declaration of state of
14 emergency); or
15 (b) the [Public Health Act 1997](#), section 119 (Emergency
16 declarations).

17 **[1.38] Section 166 (1), definition of *community purpose*, new
18 paragraph (ca)**

19 *insert*

- 20 (ca) providing relief or assistance to the community in relation to an
21 emergency to which an emergency declaration applies; or

1 **[1.39] Section 166 (1), definition of *community purpose***
2 ***contribution*, paragraph (b)**

3 *substitute*

4 (b) includes—

5 (i) a contribution prescribed by regulation to be a community
6 purpose contribution; and

7 (ii) an emergency community purpose contribution.

8 **[1.40] Section 166 (2)**

9 *after*

10 ***community purpose contribution***

11 *insert*

12 (other than an emergency community purpose contribution)

13 **[1.41] New section 166 (4)**

14 *insert*

15 (4) In this section:

16 ***emergency community purpose contribution*** means a contribution
17 declared under section 166A to be a community purpose contribution.

18 **Example**

19 a contribution to people employed by a club for remuneration, allowances or other
20 entitlements mentioned in an emergency community purpose contribution
21 declaration under s 166A

1 **[1.42] New section 166A**

2 *insert*

3 **166A Emergency community purpose contribution declaration**

4 (1) Despite anything else in this Act, if an emergency declaration is in
5 force or was in force at any time in the previous 12 months, the
6 Minister may declare (an *emergency community purpose*
7 *contribution declaration*) that a contribution by a licensee that is a
8 club is a community purpose contribution.

9 *Note* A reference to an Act includes a reference to the statutory instruments
10 made or in force under the Act, including any regulation (see [Legislation](#)
11 [Act](#), s 104).

12 (2) An emergency community purpose contribution declaration may
13 apply to anything that happens at any time during the reporting year
14 for the licensee in which that declaration is made.

15 (3) An emergency community purpose contribution declaration—

16 (a) has effect for the period stated in the declaration; and

17 (b) may be subject to any conditions declared by the Minister.

18 (4) An emergency community purpose contribution declaration is a
19 disallowable instrument.

20 *Note* A disallowable instrument must be notified, and presented to the
21 Legislative Assembly, under the [Legislation Act](#).

22 **[1.43] Dictionary, new definition of emergency declaration**

23 *insert*

24 *emergency declaration*, for part 12 (Community contributions)—see
25 section 164.

1 **Part 1.10 Gaming Machine Regulation 2004**

2 **[1.44] Section 69 (1) (c), new note**

3 *insert*

4 *Note* Under an emergency community purpose contribution declaration, a
5 contribution to people employed by a club for remuneration, allowances
6 or other entitlements may be declared to be a community purpose
7 contribution (see [Act](#), s 166 (2), def *community purpose contribution*
8 and s 166A).

9 **[1.45] New section 69DA**

10 *insert*

11 **69DA Providing food to emergency-affected people**

- 12 (1) This section applies to a community purpose contribution to support
13 a charitable cause.

14 *Note* See the [Act](#), s 166 (1), def *community purpose*, par (a) (i).

- 15 (2) This section only applies to a reporting year of a licensee that is a club
16 if an emergency declaration applies for all or part of the reporting
17 year.

18 *Note* **Emergency declaration**—see the [Act](#), s 164.

- 19 (3) For every \$1 that a licensee that is a club contributes under a written
20 arrangement or agreement to provide food to an emergency-affected
21 person as part of a defined program, the licensee’s minimum
22 community purpose contribution must be worked out as if the
23 licensee had contributed \$2.

- 24 (4) In this section:

25 **emergency-affected person** means a person adversely affected by an
26 emergency to which an emergency declaration applies.

1 **Part 1.11** **Leases (Commercial and**
2 **Retail) Act 2001**

3 **[1.46] New part 17**

4 *insert*

5 **Part 17** **COVID-19 emergency response**

6 **177 Declaration—COVID-19 emergency response**

7 (1) The Minister may make a declaration in relation to the following
8 matters for the purpose of responding to the public health emergency
9 caused by the COVID-19 pandemic:

- 10 (a) prohibiting the termination of a lease to which this Act applies
11 by a lessor in stated circumstances;
- 12 (b) prohibiting the recovery of possession of premises under the
13 lease by the lessor in stated circumstances;
- 14 (c) changing any period under the lease or this Act in which
15 someone must or may do something;
- 16 (d) changing, limiting or preventing the exercise or enforcement of
17 any other right of the lessor under the lease or this Act in stated
18 circumstances;
- 19 (e) exempting a tenant or lessor, or class of tenant or lessor, from
20 the operation of a provision of this Act, a lease to which this Act
21 applies or any other agreement relating to the lease of the
22 premises.

23 (2) A declaration is a disallowable instrument.

24 *Note* A disallowable instrument must be notified, and presented to the
25 Legislative Assembly, under the [Legislation Act](#).

- 1 (3) A declaration expires on—
2 (a) the day the *Public Health (Emergency) Declaration 2020 (No 1)*
3 (NI2020-153), as extended or further extended, ends (the
4 *declaration end date*); or
5 (b) if the Minister considers that the effect of the COVID-19
6 pandemic justifies a later day, being a day not later than
7 3 months after the declaration end date—a later day notified by
8 the Minister before the declaration end date.
9 (4) A notification under subsection (3) (b) is a notifiable instrument.
10 *Note* A notifiable instrument must be notified under the [Legislation Act](#).
11 (5) In this section:
12 *lease to which this Act applies* includes a lease prescribed under
13 section 12 (2) (a) and (b).

14 **178 Expiry—pt 17**

15 This part expires on the day the *Public Health (Emergency)*
16 *Declaration 2020 (No 1)* (NI2020-153), as extended or further
17 extended, ends.

18 **Part 1.12 Long Service Leave Act 1976**

19 **[1.47] Section 6 (3)**

20 *substitute*

- 21 (3) Subsection (2) does not apply if—
22 (a) the leave is—
23 (i) taken during—
24 (A) a state of emergency declared under the *Emergencies*
25 *Act 2004*, section 156; or

- 1 (B) a public health emergency declared under the *Public*
2 *Health Act 1997*, section 119 (including any
3 extension or further extension); and
4 (ii) agreed between the employer and employee; or
5 (b) the employee agrees otherwise.

6 **Part 1.13 Long Service Leave (Portable**
7 **Schemes) Act 2009**

8 **[1.48] Schedule 1, new section 1.6 (3) and (4)**

- 9 *insert*
- 10 (3) A registered worker for the building and construction industry is
11 entitled to the number of days of workers long service leave worked
12 out in accordance with the criteria determined by the Minister if—
13 (a) a state of emergency, declared under the *Emergencies Act 2004*,
14 section 156, exists; or
15 (b) an emergency declaration made under the *Public Health*
16 *Act 1997*, section 119 (including any extension or further
17 extension) is in force.
- 18 (4) A determination under subsection (3) is a disallowable instrument.
- 19 *Note* A disallowable instrument must be notified, and presented to the
20 Legislative Assembly, under the *Legislation Act*.

1 **[1.49] Schedule 1, new section 1.8 (1A) and (1B)**

2 *insert*

3 (1A) However, subsection (1) (b) and (c) does not apply to a registered
4 worker if—

5 (a) the worker has permanently left the building and construction
6 industry; and

7 (b) the worker has not been credited with service in the workers
8 register for any of the days after the worker permanently left the
9 building and construction industry; and

10 (c) either—

11 (i) a state of emergency, declared under the *Emergencies*
12 *Act 2004*, section 156, exists; or

13 (ii) an emergency declaration made under the *Public Health*
14 *Act 1997*, section 119 (including any extension or further
15 extension) is in force.

16 (1B) Also, this section applies to a registered worker for the building and
17 construction industry if the worker—

18 (a) has left the industry during—

19 (i) a state of emergency declared under the *Emergencies*
20 *Act 2004*, section 156; or

21 (ii) a public health emergency declared under the *Public*
22 *Health Act 1997*, section 119 (including any extension or
23 further extension); and

24 (b) satisfies the criteria determined by the Minister.

1 **[1.50] Schedule 1, section 1.8 (3)**

2 *substitute*

3 (3) If the governing board is satisfied that this section applies to the
4 worker, the worker is entitled to payment instead of long service leave
5 for—

6 (a) if subsection (1) or (2) applies to the worker—the amount of
7 long service leave credited to the worker in the workers register;
8 or

9 (b) if subsection (1B) applies to the worker—the amount of long
10 service leave determined by the Minister.

11 (3A) A determination under this section is a disallowable instrument.

12 *Note* A disallowable instrument must be notified, and presented to the
13 Legislative Assembly, under the [Legislation Act](#).

14 **[1.51] Schedule 2, new section 2.6 (3) and (4)**

15 *insert*

16 (3) A registered worker for the contract cleaning industry is entitled to
17 the number of days of workers long service leave worked out in
18 accordance with the criteria determined by the Minister if—

19 (a) a state of emergency, declared under the [Emergencies Act 2004](#),
20 section 156, exists; or

21 (b) an emergency declaration made under the [Public Health](#)
22 [Act 1997](#), section 119 (including any extension or further
23 extension) is in force.

24 (4) A determination under subsection (3) is a disallowable instrument.

25 *Note* A disallowable instrument must be notified, and presented to the
26 Legislative Assembly, under the [Legislation Act](#).

1 **[1.52] Schedule 2, new section 2.8 (1A) and (1B)**

2 *insert*

3 (1A) However, subsection (1) (b) and (c) does not apply to a registered
4 worker if—

5 (a) the worker has permanently left the contract cleaning industry;
6 and

7 (b) the worker has not been credited with service in the workers
8 register for any of the days after the worker permanently left the
9 contract cleaning industry; and

10 (c) either—

11 (i) a state of emergency, declared under the *Emergencies*
12 *Act 2004*, section 156, exists; or

13 (ii) an emergency declaration made under the *Public Health*
14 *Act 1997*, section 119 (including any extension or further
15 extension) is in force.

16 (1B) Also, this section applies to a registered worker for the contract
17 cleaning industry if the worker—

18 (a) has left the industry during—

19 (i) a state of emergency declared under the *Emergencies*
20 *Act 2004*, section 156; or

21 (ii) a public health emergency declared under the *Public*
22 *Health Act 1997*, section 119 (including any extension or
23 further extension); and

24 (b) satisfies the criteria determined by the Minister.

1 **[1.53] Schedule 2, section 2.8 (3)**

2 *substitute*

3 (3) If the governing board is satisfied that this section applies to the
4 worker, the worker is entitled to payment instead of long service leave
5 for—

6 (a) if subsection (1) or (2) applies to the worker—the number of
7 weeks long service leave worked out in accordance with the long
8 service leave formula; or

9 (b) if subsection (1B) applies to the worker—the amount of long
10 service leave determined by the Minister.

11 (3A) A determination under this section is a disallowable instrument.

12 *Note* A disallowable instrument must be notified, and presented to the
13 Legislative Assembly, under the [Legislation Act](#).

14 **[1.54] Schedule 3, new section 3.7 (3) and (4)**

15 *insert*

16 (3) A registered worker for the community sector industry is entitled to
17 the number of days of workers long service leave worked out in
18 accordance with the criteria determined by the Minister if—

19 (a) a state of emergency, declared under the [Emergencies Act 2004](#),
20 section 156, exists; or

21 (b) an emergency declaration made under the [Public Health](#)
22 [Act 1997](#), section 119 (including any extension or further
23 extension) is in force.

24 (4) A determination under subsection (3) is a disallowable instrument.

25 *Note* A disallowable instrument must be notified, and presented to the
26 Legislative Assembly, under the [Legislation Act](#).

- 1 **[1.55] Schedule 3, new section 3.9 (1A)**
- 2 *insert*
- 3 (1A) Also, this section applies to a registered worker for the community
4 sector industry if the worker—
- 5 (a) has left the industry during—
- 6 (i) a state of emergency declared under the *Emergencies*
7 *Act 2004*, section 156; or
- 8 (ii) a public health emergency declared under the *Public*
9 *Health Act 1997*, section 119 (including any extension or
10 further extension); and
- 11 (b) satisfies the criteria determined by the Minister.

- 12 **[1.56] Schedule 3, section 3.9 (2)**
- 13 *substitute*
- 14 (2) If the governing board is satisfied that this section applies to the
15 worker, the worker is entitled to payment instead of long service leave
16 for—
- 17 (a) if subsection (1) applies to the worker—the number of weeks
18 long service leave worked out in accordance with the long
19 service leave formula; or
- 20 (b) if subsection (1A) applies to the worker—the amount of long
21 service leave determined by the Minister.
- 22 (2A) A determination under this section is a disallowable instrument.
- 23 *Note* A disallowable instrument must be notified, and presented to the
24 Legislative Assembly, under the *Legislation Act*.

1 **[1.57] Schedule 4, new section 4.7 (3) and (4)**

2 *insert*

3 (3) A registered worker for the security industry is entitled to the number
4 of days of workers long service leave worked out in accordance with
5 the criteria determined by the Minister if—

6 (a) a state of emergency, declared under the *Emergencies Act 2004*,
7 section 156, exists; or

8 (b) an emergency declaration made under the *Public Health*
9 *Act 1997*, section 119 (including any extension or further
10 extension) is in force.

11 (4) A determination under subsection (3) is a disallowable instrument.

12 *Note* A disallowable instrument must be notified, and presented to the
13 Legislative Assembly, under the *Legislation Act*.

14 **[1.58] Schedule 4, new section 4.9 (1A)**

15 *insert*

16 (1A) Also, this section applies to a registered worker for the security
17 industry if the worker—

18 (a) has left the industry during—

19 (i) a state of emergency declared under the *Emergencies*
20 *Act 2004*, section 156; or

21 (ii) a public health emergency declared under the *Public*
22 *Health Act 1997*, section 119 (including any extension or
23 further extension); and

24 (b) satisfies the criteria determined by the Minister.

- 1 **[1.59] Schedule 4, section 4.9 (2)**
- 2 *substitute*
- 3 (2) If the governing board is satisfied that this section applies to the
4 worker, the worker is entitled to payment instead of long service leave
5 for—
- 6 (a) if subsection (1) applies to the worker—the amount of long
7 service leave worked out in accordance with the long service
8 leave formula; or
- 9 (b) if subsection (1A) applies to the worker—the amount of long
10 service leave determined by the Minister.
- 11 (2A) A determination under this section is a disallowable instrument.
- 12 *Note* A disallowable instrument must be notified, and presented to the
13 Legislative Assembly, under the [Legislation Act](#).

1 **Part 1.14** **Medicines, Poisons and**
2 **Therapeutic Goods**
3 **Regulation 2008**

4 **[1.60] Schedule 3, part 3.2, new items 5 and 6**

5 *insert*

5	specialist practising in specialist area of dermatology, intensive care medicine, paediatrics and child health, physician, emergency medicine	hydroxychloroquine	for initial treatment
6	designated prescriber	hydroxychloroquine	(a) for treatment initiated before commencement of the <i>Poisons Standard Amendment (Hydroxychloroquine and Salbutamol) Instrument 2020</i> (Cwlth) (F2020L00291); or (b) for continuation of treatment initiated by a specialist under item 5

1 **Part 1.15 Official Visitor Act 2012**

2 **[1.61] New section 23DA (3A) and (3B)**

3 *after the note, insert*

4 (3A) The first annual report for the board must be given to the Minister
5 within 3 months after the end of the financial year ending on
6 30 June 2021.

7 (3B) This subsection and subsection (3A) expire 6 months after the day
8 this subsection commences.

9 *Note* Transitional provisions are kept in the Act for a limited time.
10 A transitional provision is repealed on its expiry but continues to have
11 effect after its repeal (see [Legislation Act](#), s 88).

12 **Part 1.16 Personal Violence Act 2016**

13 **[1.62] New part 22**

14 *insert*

15 **Part 22 COVID-19 emergency response**

16 **204 Meaning of COVID-19 emergency—pt 22**

17 In this part:

18 **COVID-19 emergency** means—

19 (a) a state of emergency declared under the [Emergencies Act 2004](#),
20 section 156 because of the coronavirus disease 2019
21 (COVID-19); or

22 (b) an emergency declared under the [Public Health Act 1997](#),
23 section 119 (including any extension or further extension)
24 because of COVID-19.

1 **205 Extending interim orders**

- 2 (1) This section applies if an interim order ends, will end or is likely to
3 end during a COVID-19 emergency.
- 4 (2) The court may extend the interim order for a stated period of not more
5 than 6 months.

6 **206 Requirement for party to be present**

- 7 (1) This section applies if a provision in this Act (other than
8 section 35 (1) (a))—
- 9 (a) requires a party to a proceeding, or the party's legal
10 representative, to be present in court; or
- 11 (b) is conditional on the party, or the party's legal representative,
12 being present in court.
- 13 (2) Unless the court otherwise orders, during a COVID-19 emergency the
14 party, or the party's legal representative, may be present by telephone
15 or other electronic audio-visual means.
- 16 (3) For section 35 (1) (a), unless the court otherwise orders, during a
17 COVID-19 emergency it is sufficient for the person's legal
18 representative to be present when the protection order was made.

19 **207 Requirement for party to give consent**

- 20 (1) This section applies if a party's consent is required under a provision
21 in this Act.
- 22 (2) Unless the court otherwise orders, during a COVID-19 emergency the
23 party, or the party's legal representative, may give consent by
24 telephone or other electronic audio-visual means.

- 1 **208 Acknowledgment of undertaking by respondent**
2 For section 58, during a COVID-19 emergency an
3 acknowledgment—
4 (a) may be given in writing or before the court; and
5 (b) if given before the court, must be recorded by the court.
- 6 **209 Expiry—pt 22**
7 This part expires 12 months after the day it commences.

8 **Part 1.17 Prohibited Weapons Act 1996**

9 **[1.63] New part 6**

10 *insert*

11 **Part 6 COVID-19 emergency response**

- 12 **55 Declaration—COVID-19 emergency response**
13 (1) The Minister may, for the purpose of responding to the public health
14 emergency caused by the COVID-19 pandemic, make a declaration
15 prohibiting the registrar from issuing a permit under this Act.
16 *Note* Power to make a statutory instrument includes power to make different
17 provision in relation to different matters or different classes of matters,
18 and to make an instrument that applies differently by reference to stated
19 exceptions or factors (see [Legislation Act](#), s 48).
- 20 (2) A declaration is a disallowable instrument.
21 *Note* A disallowable instrument must be notified, and presented to the
22 Legislative Assembly, under the [Legislation Act](#).

- 1 (3) A declaration expires on—
2 (a) the day the *Public Health (Emergency) Declaration 2020 (No 1)*
3 (NI2020-153), as extended or further extended, ends (the
4 *declaration end date*); or
5 (b) if the Minister considers that the effect of the COVID-19
6 pandemic justifies a later day, being a day not later than
7 3 months after the declaration end date—a later day notified by
8 the Minister before the declaration end date.
9 (4) A notification under subsection (3) (b) is a notifiable instrument.
10 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

11 **56 Expiry—pt 6**

12 This part expires on the day the *Public Health (Emergency)*
13 *Declaration 2020 (No 1)* (NI2020-153), as extended or further
14 extended, ends.

15 **Part 1.18 Residential Tenancies Act 1997**

16 **[1.64] New part 16**

17 *insert*

18 **Part 16 COVID-19 emergency response**

19 **156 Declaration—COVID-19 emergency response**

- 20 (1) The Minister may make a declaration in relation to the following
21 matters for the purpose of responding to the public health emergency
22 caused by the COVID-19 pandemic:
23 (a) prohibiting the termination of a residential tenancy agreement or
24 an occupancy agreement by a lessor or grantor in stated
25 circumstances;

- 1 (b) prohibiting the recovery of possession of premises under a
2 residential tenancy agreement or an occupancy agreement in
3 stated circumstances;
- 4 (c) changing any period under a residential tenancy agreement, an
5 occupancy agreement or this Act in which someone must or may
6 do something;
- 7 (d) changing, limiting or preventing the exercise or enforcement of
8 any other right of a lessor or grantor under a residential tenancy
9 agreement, an occupancy agreement or this Act;
- 10 (e) prohibiting or limiting the matters that may be included in a
11 residential tenancy database;
- 12 (f) exempting a party, or class of party, to a residential tenancy
13 agreement or an occupancy agreement from the operation of a
14 provision of this Act, the agreement or any other agreement
15 relating to the premises;
- 16 (g) modifying a provision of this Act (including a standard
17 residential tenancy term) to allow parties to a residential tenancy
18 agreement or an occupancy agreement to agree to temporary
19 rent or fee reductions under the agreement.
- 20 (2) A declaration is a disallowable instrument.
- 21 *Note* A disallowable instrument must be notified, and presented to the
22 Legislative Assembly, under the [Legislation Act](#).
- 23 (3) A declaration expires on—
- 24 (a) the day the *Public Health (Emergency) Declaration 2020 (No 1)*
25 (NI2020-153), as extended or further extended, ends (the
26 ***declaration end date***); or
- 27 (b) if the Minister considers that the effect of the COVID-19
28 pandemic justifies a later day, being a day not later than
29 3 months after the declaration end date—a later day notified by
30 the Minister before the declaration end date.

1 (4) A notification under subsection (3) (b) is a notifiable instrument.

2 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

3 **157 Expiry—pt 16**

4 This part expires on the day the *Public Health (Emergency)*
5 *Declaration 2020 (No 1)* (NI2020-153), as extended or further
6 extended, ends.

7 **Part 1.19 Supreme Court Act 1933**

8 **[1.65] New section 68B (3A)**

9 *insert*

10 (3A) During the COVID-19 emergency period, this section also applies to
11 a criminal proceeding—

12 (a) that begins before, on or after the commencement day; and

13 (b) for an excluded offence.

14 **[1.66] Section 68B (4), new definition of COVID-19 emergency**
15 ***period***

16 *insert*

17 ***COVID-19 emergency period*** means the period beginning on
18 16 March 2020 and ending on—

19 (a) 31 December 2020; or

20 (b) if another day is prescribed by regulation—the prescribed day.

1 **[1.67] New section 68B (5)**

2 *insert*

- 3 (5) This subsection, subsection (3A) and subsection (4), definition of
4 ***COVID-19 emergency period*** expire 12 months after the day this
5 subsection commences.

6 **[1.68] New section 68BA**

7 *insert*

8 **68BA Trial by judge alone in criminal proceedings—COVID-19**
9 **emergency period**

- 10 (1) This section applies to a criminal proceeding against an accused
11 person for an offence against a territory law if the trial is to be
12 conducted, in whole or in part, during the COVID-19 emergency
13 period.
- 14 (2) To remove any doubt, this section applies—
- 15 (a) to a criminal proceeding—
- 16 (i) that begins before, on or after the commencement day; and
- 17 (ii) for an excluded offence within the meaning of
18 section 68B (4); and
- 19 (b) whether or not an election has been made by the accused person
20 under section 68B, including before the commencement day.
- 21 (3) The court may order that the proceeding will be tried by judge alone
22 if satisfied the order—
- 23 (a) will ensure the orderly and expeditious discharge of the business
24 of the court; and
- 25 (b) is otherwise in the interests of justice.

- 1 (4) Before making an order under subsection (3), the court must—
2 (a) give the parties to the proceeding written notice of the proposed
3 order; and
4 (b) in the notice, invite the parties to make submissions about the
5 proposed order within 7 days after receiving the notice.
6 (5) In this section:
7 *commencement day* means the day the *COVID-19 Emergency*
8 *Response Act 2020*, section 3 commences.
9 *COVID-19 emergency period* means the period beginning on
10 16 March 2020 and ending on—
11 (a) 31 December 2020; or
12 (b) if another day is prescribed by regulation—the prescribed day.
13 (6) This section expires 12 months after the commencement day.

14 **Part 1.20** **Working with Vulnerable People**
15 **(Background Checking) Act 2011**

16 **[1.69] New division 6.6**

17 *insert*

18 **Division 6.6** **COVID-19 emergency response**

19 **60A** **Meaning of *COVID-19 emergency period*—div 6.6**

20 In this division:

21 *COVID-19 emergency period* means the period during which the
22 *Public Health (Emergency) Declaration 2020 (No 1)* (NI2020-153),
23 as extended or further extended, is in force.

- 1 **60B Extending registration—COVID-19 emergency period**
- 2 (1) This section applies if a person’s registration will, or is likely to,
3 expire during—
- 4 (a) the COVID-19 emergency period; or
- 5 (b) the 6 months following the COVID-19 emergency period.
- 6 (2) The registration is extended until 6 months after the day the
7 COVID-19 emergency period ends.
- 8 **60C Renewing expired registration—COVID-19 emergency**
9 **period**
- 10 (1) The commissioner may, during the COVID-19 emergency period,
11 renew a person’s expired registration if—
- 12 (a) the registration expired during the 12 months before the
13 COVID-19 emergency period; and
- 14 (b) the commissioner considers the renewal is appropriate because
15 of the public health emergency caused by the COVID-19
16 emergency.
- 17 (2) The renewal ends 6 months after the day the COVID-19 emergency
18 period ends.
- 19 (3) If the commissioner renews a person’s registration, the commissioner
20 must tell the person, in writing—
- 21 (a) that the person has been registered; and
- 22 (b) the person’s unique identifying number; and
- 23 (c) the day the registration ends; and
- 24 (d) anything else prescribed by regulation.

- 1 **60D Expiry—div 6.6**
2 This division expires 6 months after the day the COVID-19
3 emergency period ends.
-

Endnotes

- 1 **Presentation speech**
Presentation speech made in the Legislative Assembly on 2 April 2020.
- 2 **Notification**
Notified under the [Legislation Act](#) on 2020.
- 3 **Republications of amended laws**
For the latest republication of amended laws, see www.legislation.act.gov.au.
-