



Queensland

# **Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Act 2021**

## **Act No. 3 of 2021**

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**An Act to amend the Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020, the Mental Health Act 2016, the Public Health Act 2005 and the Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020 for particular purposes**

**[Assented to 8 March 2021]**





Queensland

# Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Act 2021

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**The Parliament of Queensland enacts—**

## **Part 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Act 2021*.

### **2 Commencement**

Part 4, division 3 commences on 1 October 2021.

## **Part 2 Amendment of Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020**

### **3 Act amended**

This part amends the *Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020*.

*Note—*

The legislation ultimately amended is the *Public Health Act 2005*.

### **4 Amendment of s 2 (Commencement)**

Section 2(2), ‘19 March 2021’—

*omit, insert—*

1 October 2021

[s 5]

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**5 Amendment of pt 16, div 3, hdg (Amendments commencing on 19 March 2021)**

Part 16, division 3, heading, ‘19 March 2021’—

*omit, insert—*

**1 October 2021**

**Part 3 Amendment of Mental Health Act 2016**

**6 Act amended**

This part amends the *Mental Health Act 2016*.

**7 Amendment of s 800I (Power of chief psychiatrist to approve absences during COVID-19 emergency period)**

Section 800I(3)(b)—

*omit, insert—*

(b) 30 September 2021.

**8 Amendment of s 800P (Expiry of chapter)**

Section 800P, from ‘expires’—

*omit, insert—*

expires on 30 September 2021.

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## **Part 4                      Amendment of Public Health Act 2005**

### **Division 1                Preliminary**

#### **9            Act amended**

This part amends the *Public Health Act 2005*.

### **Division 2                Amendments commencing on assent**

#### **10          Amendment of s 323 (Extending declared public health emergency)**

(1) Section 323(3) and (4)—

*omit, insert—*

(3) A regulation extending or further extending the period of a declared public health emergency—

(a) must state the period, of not more than 90 days, by which the declared public health emergency is extended or further extended; and

(b) expires at the end of the stated period unless the regulation is sooner repealed or it expires under section 324(3).

(2) Section 323(5)—

*renumber* as section 323(4).

#### **11          Amendment of s 362MG (Expiry of part)**

Section 362MG, ‘18 March 2021’—

*omit, insert—*

[s 12]

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30 September 2021

**12 Amendment of s 362Q (Expiry of part)**

Section 362Q, from ‘expires’—

*omit, insert—*

expires on 30 September 2021.

**Division 3 Amendment commencing on 1  
October 2021**

**13 Amendment of s 323 (Extending declared public health  
emergency)**

(1) Section 323(3), as inserted by this Act—

*omit, insert—*

(3) A regulation extending the period of a declared public health emergency expires 14 days after the public health emergency is declared unless it is sooner repealed or it expires under section 324(3).

(3A) A regulation further extending the period of a declared public health emergency—

(a) must state the period, of not more than 7 days, by which the declared public health emergency is further extended; and

(b) expires at the end of the stated period unless the regulation is sooner repealed or it expires under section 324(3).

(2) Section 323(3A) and (4)—

*renumber* as section 323(4) and (5).



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## **Part 5**

# **Amendment of Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020**

### **14 Act amended**

This part amends the *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020*.

*Note—*

The legislation ultimately amended is the *Public Health Act 2005*.

### **15 Amendment of s 2 (Commencement)**

Section 2, from ‘1 year’—

*omit, insert—*

on 1 October 2021.

### **16 Amendment of pt 11, div 3, hdg (Amendments commencing 1 year after assent)**

Part 11, division 3, heading, from ‘1 year’—

*omit, insert—*

**on 1 October 2021**

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