

Proclamation – Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021

Explanatory notes for SL 2022 No. 55

made under the

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

General Outline

Short title

Proclamation commencing the remaining provisions of the *Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021*.

Authorising law

Section 2 of the *Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021*.

Policy objectives and the reasons for them

The objective of the proclamation is to commence the remaining provisions of the *Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Act 2021* (Extension Act) that are not in force. The Extension Act was passed by the Legislative Assembly on 2 September 2021 and received Royal Assent on 9 September 2021.

On 29 January 2020, a public health emergency was declared under section 319 of the *Public Health Act 2005* for COVID-19. On 19 March 2020, the *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* amended the Public Health Act to provide temporary powers for the Chief Health Officer to make public health directions to assist in containing, or to respond to, the spread of COVID-19 in the community. Since March 2020, public health directions have been in place requiring certain persons arriving in Queensland from overseas to quarantine in premises nominated by an emergency officer appointed under the Public Health Act.

The Extension Act extended the amendments to the Public Health Act, and a range of other legislative measures supporting Queensland's response to the COVID-19 pandemic, until 30 April 2022. The Extension Act also refined some of these measures based on the changing nature of the pandemic and knowledge gained from implementation.

The Extension Act commenced on Royal Assent, except for part 12, division 3, which commences by proclamation. These uncommenced provisions amend chapter 8, part 7AA of the Public Health Act to improve payment and collection of quarantine fees by enabling:

- third party payment of quarantine fees if a person wishes to accept liability for payment of quarantine fees for another person. For example, to allow invoices to be directly made out to businesses, enabling them to pay for their employees' expenses, for example, employees of shipping agents, mining companies, seasonal workers and other overseas and local companies; and
- regulations to be made to implement prepayment of quarantine fees, if required in the future.

Achievement of policy objectives

The policy objectives are achieved by fixing 23 May 2022 for the commencement of the provisions of the Extension Act that are not in force.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Extension Act and the Public Health Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The proclamation is the only effective means of achieving the policy objective.

Benefits and costs of implementation

The proclamation will enable third parties to pay quarantine fees on behalf of another person, such as quarantine fees for an employee of a business. There are no costs arising from the proclamation.

Consistency with fundamental legislative principles

The proclamation is consistent with fundamental legislative principles.

Consultation

Queensland Health consulted with a wide range of stakeholders in the development of the Extension Act. As the proclamation relates to the commencement date of the Act, further consultation with stakeholders was not required. The proclamation was assessed by Queensland Health, in accordance with *The Queensland Government Guide to Better Regulation*, as being excluded from regulatory impact assessment under exclusion category (g) on the basis that the proclamation is of a machinery nature. Therefore, consultation with the Office of Best Practice Regulation, Queensland Treasury was not required.