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New South Wales

Public Health (COVID-19 Care Services) Order (No 3) Amendment (No 1) Order 2022

under the

Public Health Act 2010

I, Brad Hazzard, the Minister for Health, make the following Order under the *Public Health Act 2010*, section 7.

Dated 25 February 2022.

BRAD HAZZARD, MP
Minister for Health

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Care Services) Order (No 3) 2021* in relation to the requirement for aged care workers and disability services workers to be appropriately vaccinated.

Public Health (COVID-19 Care Services) Order (No 3) Amendment (No 1) Order 2022

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Care Services) Order (No 3) Amendment (No 1) Order 2022*.

2 Commencement

This Order commences at the beginning of 1 March 2022.

Schedule 1 Amendment of Public Health (COVID-19 Care Services) Order (No 3) 2021

[1] Clause 3

Insert after clause 3—

3A Meaning of “appropriately vaccinated”

- (1) For this Order, a person is *appropriately vaccinated* if—
 - (a) the person has received at least 3 doses of a COVID-19 vaccine, or
 - (b) the person—
 - (i) has received 2 doses of a COVID-19 vaccine, and
 - (ii) it is not after the later of the following—
 - (A) 12 April 2022,
 - (B) 6 weeks from the due date for the person’s third dose of a COVID-19 vaccine.
- (2) For subclause (1)(b)(ii)(B), the *due date* for a person’s third dose of a COVID-19 vaccine is the day that is 13 weeks after the person received the second dose of a COVID-19 vaccine.

[2] Clause 5 Unvaccinated workers not to enter residential aged care facilities

Omit clause 5(1). Insert instead—

- (1) A relevant worker for a residential aged care facility must not enter or remain on the premises of the facility unless the worker is appropriately vaccinated.

[3] Clause 6 Unvaccinated health practitioners and students not to enter residential aged care facilities

Omit clause 6(1). Insert instead—

- (1) A health practitioner or student must not enter or remain on the premises of a residential aged care facility unless the health practitioner or student is appropriately vaccinated.

[4] Clause 7 Restrictions on visitors to residential aged care facilities

Omit “fully” in clause 7(2)(b).

[5] Clause 7(3)

Omit “fully vaccinated”. Insert instead “a vaccinated visitor”.

[6] Clause 7(6)

Omit “*fully vaccinated*”. Insert instead “a *vaccinated visitor*”.

[7] Clause 8 In-home and community aged care workers not to work unvaccinated

Omit “has received at least 2 doses of a COVID-19 vaccine”.

Insert instead “is appropriately vaccinated”.

[8] Clause 9 Disability services workers not to work unvaccinated

Omit “has received at least 2 doses of a COVID-19 vaccine”.

Insert instead “is appropriately vaccinated”.

[9] Schedule 1 Dictionary

Insert in alphabetical order—

appropriately vaccinated—see clause 3A.