




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 16 June 2021

PUBLIC HEALTH AND OTHER LEGISLATION (FURTHER EXTENSION OF EXPIRING PROVISIONS) AMENDMENT BILL

Message from Governor

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (3.13 pm): I present a message from His Excellency the Governor.

Madam DEPUTY SPEAKER (Mrs Gerber): The message from His Excellency recommends the Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

PUBLIC HEALTH AND OTHER LEGISLATION (FURTHER EXTENSION OF EXPIRING PROVISIONS) AMENDMENT BILL 2021

Constitution of Queensland 2001, section 68

I, PAUL de JERSEY AC CVO, Governor, recommend to the Legislative Assembly a Bill intituled—


A Bill for an Act to amend the Body Corporate and Community Management Act 1997, the Corrective Services Act 2006, the COVID-19 Emergency Response Act 2020, the Economic Development (COVID-19 Emergency Response) Regulation 2020, the Environmental Protection Act 1994, the Explosives Legislation (COVID-19 Emergency Response) Regulation 2020, the Gaming Machine Act 1991, the Health Legislation (COVID-19 Emergency Response) Regulation 2020, the Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020, the Mental Health Act 2016, the Public Health Act 2005, the Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Act 2021 and the Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020 for particular purposes

GOVERNOR

Date: 16 June 2021

Tabled paper: Message, dated 16 June 2021, from His Excellency the Governor, recommending the Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021 [881](#).

Introduction

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (3.14 pm): I present a bill for an act to amend the Body Corporate and Community Management Act 1997, the Corrective Services Act 2006, the COVID-19 Emergency Response Act 2020, the Economic Development (COVID-19 Emergency Response) Regulation 2020, the Environmental Protection Act 1994, the Explosives Legislation (COVID-19 Emergency Response) Regulation 2020, the Gaming Machine Act 1991, the Health Legislation (COVID-19 Emergency Response) Regulation 2020, the Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020, the Mental Health Act 2016, the Public Health Act 2005, the Public Health and Other Legislation (Extension of

Expiring Provisions) Amendment Act 2021 and the Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Health and Environment Committee to consider the bill.

Tabled paper: Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021 [882](#).

Tabled paper: Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021, explanatory notes [883](#).

Tabled paper: Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021, statement of compatibility with human rights [884](#).

The bill extends essential measures supporting Queensland's response to the COVID-19 pandemic and makes important refinements to some of these measures. As we all know, COVID-19 has sparked an unprecedented global health crisis. It is now 18 months since COVID-19 was first detected and identified. Since that time, there have been over 172 million COVID-19 cases and 3.71 million deaths reported globally.

The Palaszczuk government has been a world leader in our response to the pandemic. We wasted no time in responding to the risks posed by COVID-19. Within weeks of the first case being identified in China, we declared a public health emergency to activate powers for our emergency officers to respond to COVID-19. This was swiftly followed in March 2020 by legislation to give our Chief Health Officer, Dr Jeannette Young, the emergency powers she needed to respond to the COVID-19 emergency in a quick and decisive manner.

In the months that followed, the Palaszczuk government introduced a wide range of measures to allow for flexible and rapid responses to a range of things disrupted, caused or affected by the COVID-19 emergency. These measures have protected the health, safety and welfare of Queenslanders, mitigated the spread of COVID-19 in the community and facilitated the continued functioning of Queensland's institutions and economy.

Recognising the extraordinary nature of this legislative framework, all measures are time limited to ensure they are operational for only as long as needed. This means that without legislative amendment these measures will expire on 30 September 2021.

We have been hugely successful in containing the spread of COVID-19. In the early days of the pandemic, there were estimates that more than 12,000 Queenslanders would die in the first wave of the pandemic if the government did not take swift and decisive action to slow and contain the spread of the virus and protect the most vulnerable members of our society. By managing these risks and keeping Queenslanders safe, we have been able to avoid prolonged lockdowns and have strengthened the community's confidence that they can go out and resume their normal lives.

Our success is testament to the exceptional work of Dr Young and the thousands of emergency officers, clinicians, contact tracers and public servants who have supported and continue to support the public health response. If our Chief Health Officer had not been given the power to issue directions to limit, and respond to, the spread of COVID-19, I am certain that many more Queenslanders would have contracted the virus.

While we can be proud of our achievements and optimistic for the future, we cannot afford to be complacent. The global situation remains a significant cause for concern. Across the world, we continue to see sustained growth in new cases. Recent outbreaks in other Australian jurisdictions and continued large-scale transmission around the world are a clear reminder of how rapidly COVID-19 can spread and overwhelm health systems. We continue to see positive cases among our overseas arrivals. As we saw with the two positive cases who travelled into Queensland from Victoria, there will always be risks of positive cases entering Queensland by way of cross-border travel.

To support Queensland's continued functioning during the pandemic, the bill will extend the temporary legislative framework introduced in response to COVID-19. Most measures will be extended by seven months to 30 April 2022.

The bill will continue the amendments to the Public Health Act giving emergency powers to the Chief Health Officer and emergency officers to make directions to limit, and respond to, the spread of COVID-19 in Queensland. These amendments allow for the public health directions that ensure overseas arrivals enter hotel quarantine, that businesses collect contact-tracing information, and that our vulnerable populations in hospitals, aged care and disability accommodation are best protected, among many other examples. These powers have been critical to the success of the Palaszczuk government's health response.

The bill will also continue amendments to health and other portfolio legislation to support Queensland's broader COVID-19 response, including measures to allow flexibility for institutions to mitigate the adverse impacts of the pandemic on individuals, businesses and the economy. This

includes measures to modify legislative requirements by regulation or other secondary instruments to: reduce physical contact between persons; modify statutory time frames where necessary; ensure the continuation of court and tribunal proceedings; and authorise bodies to take actions or do things electronically or take certain actions related to leases and tenancies.

It also includes temporary amendments made across the statute book to enable institutions to continue to function and, where possible, minimise the disruption caused by the pandemic. For example, this legislative framework has given Queensland flexibility for: body corporate meetings to be attended remotely with electronic voting; local government and parents and citizens meetings to be held electronically; administrative costs to be reduced for impacted industries such as the tourism industry; and changes to the conduct of by-elections and local government elections to minimise the risks to health and safety. The bill will extend most measures until 30 April 2022, with a small number to be extended for a further month or two to provide a transition period. The amendments may expire sooner if an earlier date is prescribed by regulation or the declared public health emergency ends.

Only measures that remain necessary to support Queensland's response to the COVID-19 emergency are being extended. The bill provides for some measures to expire 30 September 2021 as they are no longer required. Extending the remaining measures by seven months to 30 April 2022 will ensure the government can manage international arrivals in hotel quarantine and respond to any localised outbreaks in Queensland while the vaccine rollout progresses. This will allow time for Queensland Health to assess the effectiveness of the vaccine rollout and what this may mean for the COVID-19 response.

The bill amends some temporary COVID-19 measures to improve their operation and ensure the public health system can adapt to new risks and challenges as the pandemic and our response to it continues to evolve. The Public Health Act provides that an emergency officer may give a quarantine direction requiring a person to stay in a stated place for up to 14 days. To support rapid contact tracing and the efficient management of quarantine systems, the bill makes clear that quarantine directions may be given electronically with a person's consent. It also clarifies that electronic directions are deemed to have been received when sent to a person's nominated address unless proven otherwise. To remove doubt, the bill will also validate quarantine directions that were issued electronically before the date the amendments commence. These amendments clarify the law and current practice and will provide greater certainty to individuals who are required to quarantine and emergency officers who are responsible for administering Queensland's quarantine system.

The bill also amends the Public Health Act to support Queensland's quarantine system. Our hotel quarantine system has been a key feature of Queensland's success in suppressing COVID-19 and has provided an effective setting to ensure people returning from overseas enter the Queensland community safely. Since 1 July 2020, a person who must quarantine in a hotel has been required to pay a fee to contribute to the costs of government accommodation. This has supported the sustainability of the hotel quarantine system. As the COVID-19 vaccine rollout progresses in Australia and overseas, additional demands will be placed on the quarantine system. We expect that, in time, people from a broader range of cohorts will be permitted to enter Queensland following a period of mandatory quarantine.

The Palaszczuk government has already resumed the return of seasonal workers to Queensland. Recognising these additional demands, the bill will improve the state's ability to recoup quarantine related expenses and ensure that Queensland's quarantine system remains sustainable and responsive to changing public health and economic circumstances. It does this by amending the Public Health Act to insert a head of power to allow a regulation to prescribe cohorts of travellers who will be required to pay quarantine fees before arriving in Queensland. It also provides the ability for third parties to assume liability for the payment of a person's quarantine fees.

Providing a head of power in the Public Health Act allows for a staged approach that is responsive to changing public health and economic circumstances. It will enable the government to respond flexibly as border restrictions ease and more travellers are permitted to enter Queensland. To minimise disruption and facilitate a smooth transition to a prepayment system, the bill builds on the current framework for charging quarantine fees under the Public Health Act. Fees will continue to be prescribed in regulations and persons will still be able to apply for a fee waiver where, for example, they are a vulnerable person or are experiencing financial hardship. The bill also provides for refunds where a person's actual quarantine fees are less than the amount they prepaid. By introducing the flexibility to approve alternative quarantine arrangements and prepayment requirements for specific traveller cohorts, the bill will improve the state's ability to recoup quarantine related expenses and support Queensland's quarantine system to remain sustainable and responsive.

I want to close by once again acknowledging our Chief Health Officer, Dr Jeannette Young, for her leadership over the past 18 months. I want to acknowledge our frontline staff: our health workers, our paramedics, our police, our border workers and all of those working in retail or other service delivery

who have worked so hard to make Queensland's response to COVID-19 the success that it has been. I also want to thank all of the public servants who have been involved in our COVID-19 response. While they may not be traditionally frontline workers, they have been working extraordinarily long hours under great amounts of stress and pressure to ensure that Queenslanders are kept safe and our economy continues to function. I hope that all members in this place will join with me in thanking them.

I also want to thank the Queensland community for doing their part by maintaining physical distancing, wearing masks, staying home when unwell and all of the other practices that we have in place to minimise the risk of transmission. It is through everyone's efforts that we have been able to recover more quickly than other parts of the world which have been required to enforce lengthy lockdowns on multiple occasions. The pandemic is not over yet. We must remain vigilant and respond quickly to risks as they emerge. We must have confidence that our community will remain safe and that there are sufficient resources and capacity to manage all arrangements that are in place. The extension of the current COVID-19 framework and improvements to our quarantine system will allow us to do that. The bill represents the Palaszczuk government's continued commitment to supporting the health and safety and economic future of all Queenslanders. I commend the bill to the House.

First Reading

Hon. YM D'ATH (Redcliffe—ALP) (Minister for Health and Ambulance Services) (3.25 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Health and Environment Committee

Madam DEPUTY SPEAKER (Mrs Gerber): In accordance with standing order 131, the bill is now referred to the Health and Environment Committee.