




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 22 February 2022

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

Introduction

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (11.43 am): I present a bill for an act to amend the Acts Interpretation Act 1954, the Corrective Services Act 2006, the Corrective Services and Other Legislation Amendment Act 2020, the COVID-19 Emergency Response Act 2020, the Disaster Management Act 2003, 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 Community Support and Services Committee to consider the bill.

Tabled paper: Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022 [165](#).

Tabled paper: Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022, explanatory notes [166](#).

Tabled paper: Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022, statement of compatibility with human rights [167](#).

I am pleased to present this bill for an act to extend provisions required to support the public health response until the COVID-19 public health legislation expiry day, defined as the day on which the COVID-19 emergency is ended by the minister under the Public Health Act 2005, or 31 October 2022, whichever is earlier. I think we had all hoped that at this point in 2022 COVID would be over but the reality is that, as we can see globally, nationally and here in Queensland, it certainly is not over yet. The measures to be extended in this bill include: the public health COVID-19 measures under the Public Health Act; measures to respond to the risks of COVID-19 in corrective services facilities under the Corrective Services Act 2006; disaster arrangements under the Disaster Management Act 2003; measures to allow patients subject to the Mental Health Act 2016 to be granted leave to comply with public health directions; and a range of other measures. The bill also provides for most of the remaining other COVID-19 measures to expire on 30 April 2022 unless a different expiry date has already been set by earlier amending legislation.

The COVID-19 pandemic has been complex and unpredictable, presenting significant challenges across the globe for the past two years. Since COVID-19 was first detected, there have been over 400 million COVID-19 cases and nearly six million deaths reported globally. Since the start of the pandemic, Queenslanders put their trust in our Premier and Chief Health Officer to keep us safe from COVID-19. Due to the early and decisive action by the Palaszczuk government, Queensland's swift and adaptive public health response was highly successful in containing community transmission, providing the opportunity to reach high vaccination coverage across Queensland and ultimately saving lives.

Since late 2021, Queensland has been easing restrictions and moving away from an elimination approach to a suppression strategy and toward eventually living with COVID-19. Under Queensland's COVID-19 Vaccine Plan to Unite Families, over 90 per cent of Queenslanders are now fully vaccinated. We have reopened Queensland's domestic and international borders, with no quarantine requirements for vaccinated persons. Also, contact tracing requirements have reduced and businesses are once again operating at full capacity.

While the easing of restrictions has been welcomed by many, the recent Omicron wave has shown we must remain vigilant as COVID-19 can spread rapidly and unpredictably, with the potential to significantly impact hospital systems, the economy and the community. Our response to the Omicron wave is a testament to the careful planning and decisive action taken by our Chief Health Officer, clinicians, emergency officers, public health specialists, environmental health scientists and the broader health system. If not for the ability to issue directions, the Chief Health Officer would not have had the power to implement strategies such as requiring masks in high-risk settings and requiring unvaccinated travellers entering Queensland to quarantine. Those strategies have helped to slow the transmission of COVID-19 and the Omicron variant, limiting the impact on Queensland's health system through this peak period of transmission.

The pandemic continues to be unpredictable. We do not yet know whether new variants may emerge, particularly now that international borders are open. We do not yet know what the impacts will be in the winter months, particularly if it coincides with flu season. Queensland Health is also anticipating several more waves of COVID-19 in coming months, with the potential for waves consisting of multiple variants. It is critical that the ability to use flexible and rapid public health responses is retained so that, as normal social and economic activity resume, appropriate public health measures can be put in place if needed to address ongoing public health risks, the latest health advice and protect the health system.

For these reasons, the bill extends essential measures to support Queensland's public health response to the COVID-19 pandemic beyond their current expiry date of 30 April 2022. The bill will extend most temporary public health measures by six months to 31 October 2022 or until I, in my role as Minister for Health and Ambulance Services, declare the end of the public health emergency under the Public Health Act 2005 if this is earlier than 31 October 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 Chief Health Officer to give public health directions that ensure masks are worn in places where you cannot physically distance, that people isolate when they contract COVID-19 and that our vulnerable populations in hospitals, aged care and disability accommodation are best protected. These powers have been critical to the success of the Palaszczuk government's health response so far.

In addition, the bill will continue amendments to health and other portfolio legislation to support Queensland's essential public health response to COVID-19, including continuing: measures to respond to the risks of COVID-19 in corrective services facilities under the Corrective Services Act 2006; disaster arrangements under the Disaster Management Act 2003; and measures to allow patients subject to the Mental Health Act 2016 to be granted leave to comply with public health directions. If and when I am satisfied that the temporary COVID-19 legislative powers are no longer necessary to prevent or minimise serious adverse effects on human health, I am required to end the declared public health emergency under the Public Health Act. Should this occur, all temporary COVID-19 measures will cease except transitional arrangements.

The Palaszczuk government is committed to ensuring only those measures that are necessary to support Queensland's public health response to the COVID-19 emergency are extended. For this reason the bill does not extend most of the extraordinary measures put in place under the COVID-19 Emergency Response Act 2020. These temporary and extraordinary powers were enacted to support the functioning of businesses and government institutions disrupted or impacted by COVID-19 and allowed requirements across legislation to be temporarily modified. This included, for example, permitting attendance at some judicial proceedings, body corporate meetings, public administration or other processes by video or phone conference rather than physical attendance.

As Queensland transitions towards living with COVID-19, there is no longer a compelling need for continuing these extraordinary measures. Pleasingly, some of these temporary measures have proven to be transformative for business and individuals during the pandemic and have been made permanent in other recent bills.

While most of the COVID-19 measures not directly related to the public health response will expire on 30 April 2022 or another day enacted through earlier amending acts, the bill continues a very limited number of savings and transitional provisions in the COVID-19 Emergency Response Act 2020.

This includes continuing provisions that support the operation of the temporary Queensland Small Business Commissioner. The Small Business Commissioner Bill 2021, which is currently before the House, proposes to permanently establish the Office of the Small Business Commissioner. It is appropriate that the office continue temporarily until such time as the Small Business Commissioner Bill is debated.

The Retail Shop Leases and Other Commercial Leases (COVID-19 Emergency Response) Regulation 2020, which provides for matters related to retail and commercial leases affected by the COVID-19 emergency, has already been extended until 30 April 2024. The bill does not change this extended operation. The bill also continues necessary validation provisions for certain regulations made under the modification framework and extends the transitional regulation-making power to facilitate the return to normal operations once COVID-19 measures expire.

In closing, I am proud of the role the Palaszczuk government has played in responding to the most recent wave of Omicron, particularly as borders reopened. We will be able to handle any challenge COVID-19 presents us in the future so long as we continue to have sufficient legislative powers to do so. Together, we are learning to live with the risks of COVID-19 in a safe and adaptive way. I want to acknowledge Dr John Gerrard, who took the reins as Chief Health Officer in December 2021 so seamlessly and continues to lead Queensland through the challenges of the recent Omicron wave.

I also 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. We know that their jobs have been difficult. I also want to thank the Queensland community for doing their part by physical distancing, wearing masks, getting vaccinated, staying home when unwell and all the other practices we do 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 endured 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 in place. The extension of the public health measures required to support Queensland's response to the COVID-19 pandemic will help us do just that. I commend the bill to the House.

First Reading

Hon. YM D'ATH (Redcliffe—ALP) (Minister for Health and Ambulance Services) (11.54 am):
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 Community Support and Services Committee

Mr DEPUTY SPEAKER (Mr Krause): In accordance with standing order 131, the bill is now referred to the Community Support and Services Committee.

Declared Urgent; Portfolio Committee, Reporting Date

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (11.55 am), by leave, without notice: I move—

That under the provisions of standing order 137 the Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill be declared an urgent bill and the Community Support and Services Committee report to the House on the bill by 25 March 2022.

I do so on the basis that, noting that the current bill lapses on 30 April and with the sitting weeks that are in the calendar for this year, it would be necessary to meet that time frame and ensure that these important powers do not lapse to have the bill debated by that date.