

Question on Notice

No. 717

Asked on 25 May 2023

MR S ANDREW ASKED MINISTER FOR HEALTH, MENTAL HEALTH AND AMBULANCE SERVICES AND MINISTER FOR WOMEN (HON S FENTIMAN)—

QUESTION

With reference to the WHO's recent announcement that Covid-19 is no longer a global emergency—

Will the Minister (a) revoke the full emergency power provisions which currently remain in place at all Queensland's corrective services and other related facilities, (b) end the ongoing use of 'targeted' emergency powers in Queensland in all their forms which are currently not scheduled to expire until 31 October 2023 and (c) end all remaining mandates on workers in Queensland, including those in healthcare, hospital, aged care, ambulance officers, disabilities care and mental health facilities?

ANSWER

On 31 October 2022, the COVID-19 public health emergency declaration underpinning Queensland's response to the COVID-19 pandemic expired. At the same time, the temporary COVID-19 legislative framework empowering the Chief Health Officer to make public health directions to respond to the pandemic also expired. COVID-19 is now treated as a controlled notifiable condition under the *Public Health Act 2005*.

In September 2022, the Queensland Parliament passed the *Public Health and Other Legislation (COVID-19 Management) Amendment Act 2022* to support the ongoing management of COVID-19 as notifiable condition until 31 October 2023. This Bill inserted temporary and targeted powers to enable, but not require, the Chief Health Officer to make public health directions to:

- isolate persons who have COVID-19 and quarantine their close contacts, if they have symptoms
- require face masks to be carried or worn in specified vulnerable and high-risk settings; and
- require workers in vulnerable and high-risk settings to be vaccinated.

The Chief Health Officer has not had to exercise any of the temporary targeted powers since they were enacted on 1 November 2022. However, the temporary framework ensures that Queensland has the flexibility to respond proportionately if necessary to risks posed by COVID-19 to the community and the public health system.

The temporary powers under the Public Health Act expire on 31 October 2023. I do not anticipate that they will be removed before this time.

The *Public Health and Other Legislation (COVID-19 Management) Amendment Act 2022* also extended the temporary amendments in the *Corrective Services Act 2006* until 31 October 2023. The temporary COVID-19 powers under the Corrective Services

Act are reliant on COVID-19 being a controlled notifiable condition under the Public Health Act. Any further questions regarding amendments to the Corrective Services Act should be redirected to the Minister for Police and Corrective Services.

With respect to part c) of the Member's question, I note that currently there are no public health directions which mandate COVID-19 vaccination in any workplace setting, including healthcare settings.

Individual employers are responsible for ensuring workplace health and safety for all staff, patients and visitors and I note that some employers, including Queensland Health, have elected to implement COVID-19 vaccination employment directives to meet these requirements.

Decisions regarding ongoing obligations under employment directives are a matter for individual employers.