



Exemption under the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order (No 2) 2021 [NSW]* under the *Public Health Act 2010 (NSW)*

I, Dr Richard Broome, delegate of the Minister for Health and Medical Research, under clause 7.2 of the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order (No 2) 2021 [NSW]* (Order), hereby:

- 1) Grant an Exempt Person an exemption from:
 - a. clause 4.3(3A)(b)(ii) of the Order
 - b. clause 5.8(3)(b)(ii) of the Order
- 2) Grant the occupier of a construction site an exemption to clause 5.8(2) of the Order, but only in respect of an Exempt Person.

In this instrument:

- An *Exempt Person* means:
 - An inspector appointed under s.156 of the *Work Health and Safety Act 2011 (NSW)*;
 - An investigator appointed under s.18 of the *Fair Trading Act 1987 (NSW)*
 - An inspector appointed under s.20 of the *Gaming and Liquor Administration Act 2007 (NSW)*
 - An authorised officer under the *Public Health Act 2010*
 - A police officer

But only while attending a site visit for the purpose of work and not while attending their usual workplace.

Note: as a result of this exemption:

- an Exempt Person is not required to produce the required evidence for inspection if requested by the occupier of:
 - a site the Exempt Person is inspecting for the purposes of work; or
 - a construction site.
- The occupier of a construction site is exempt from the requirement to refuse entry to an Exempt Person unless satisfied that the person has complied with the vaccination requirements.

Richard Broome
A/Executive Director, Health Protection NSW

Dated: 3/4/2021