
PUBLIC HEALTH DELEGATIONS MANUAL

Secretary delegation
Amendment 184(15/06/26)
Chapter 8 – Public Health Act

New delegation (PH684) delegating the Secretary's power to apply to the Local Court for a long-term closure order under section 50D of the *Public Health (Tobacco) Act 2008*.

New and replaced pages
Chapter 8 – replaced Table of Contents, new page 8.94

Manuals are available on the Internet at

<http://www.health.nsw.gov.au/policies/manuals/Pages/default.aspx>

If you require details of a past amendment, please email MOH-CGRM@health.nsw.gov.au

LONG-TERM CLOSURE ORDERS

Power to apply to the Local Court for an order (**long-term closure order**) that the premises specified in the order are closed for a period of not more than 12 months.

Condition

The delegate must, if reasonably practicable, give the occupier of the premises and the owner of the premises, a copy of an application for a long-term closure order.

Refer sections 50D and 50E Public Health (Tobacco) Act 2008

Authority for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

DELEGATES

*CHIEF HEALTH OFFICER AND DEPUTY SECRETARY POPULATION AND PUBLIC HEALTH
EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL*

Table of Contents

APPROVE FORMS	2
POWER TO DEAL WITH PUBLIC HEALTH RISKS GENERALLY	3
POWER TO DEAL WITH PUBLIC HEALTH RISKS DURING STATE OF EMERGENCY	4
POWER TO DEAL WITH PUBLIC HEALTH RISKS ARISING FROM CONDUCT OF PUBLIC AUTHORITIES	5
POWER TO CLOSE PUBLIC PREMISES ON PUBLIC HEALTH GROUNDS	6
POWER TO DIRECT DISINFECTION OR DESTRUCTION OF NOXIOUS ARTICLES	7
TAKE ACTION WITH RESPECT TO UNSAFE WATER	8
POWER TO DIRECT TESTING OF DRINKING WATER	9
DETERMINING NECESSITY FOR BOIL WATER ADVICES	10
ADVICE TO PUBLIC - SAFETY OF DRINKING WATER	11
CORRECTION OF MISLEADING INFORMATION - DRINKING WATER	12
QUALITY ASSURANCE PROGRAMS	13
TRAINING DIRECTIONS	14
INVESTIGATION OF OUTBREAKS OF LEGIONNAIRES' DISEASE	15
TRAINING IN RELATION TO SKIN PENETRATION PROCEDURES	16
FAILURE TO COMPLY WITH NOTICE RELATING TO REGULATED SYSTEM	17
PROHIBITION ORDERS	18
ROLE OF MEDICAL PRACTITIONER FOR CATEGORY 1 & 2 CONDITIONS	19
PATHOLOGY LABORATORIES NOTIFYING OF CATEGORY 3 CONDITIONS	20
NOTIFICATION OF OTHER CONDITIONS	21
AUTHORISE DISCLOSURE OF NAME AND ADDRESS - DISTRICT COURT	22
PUBLIC HEALTH ORDERS FOR CATEGORY 4 & 5 CONDITIONS	23
DIRECT PERSONS TO UNDERGO MEDICAL EXAMINATION	24
PUBLIC HEALTH ORDER - FAILURE TO COMPLY WITH	25
NOTIFIABLE DISEASES - HOSPITAL CEO NOTIFICATION	26
NOTIFICATION OF DEATHS ARISING AFTER ANAESTHESIA OR SEDATION FOR OPERATIONS OR PROCEDURES	27
IMMUNISATION STATUS	28
PAP TEST REGISTER	29
PAP TEST REGISTER - ELECTION NOT TO BE IDENTIFIED	30
REGISTERS - PUBLIC HEALTH DISEASE - ESTABLISHMENT	31
REGISTERS - PUBLIC HEALTH AND DISEASE	32
INSPECTION OF DOCUMENTS	33
INQUIRIES BY SECRETARY	34
BIRTHS, DEATHS AND MARRIAGES REGISTERS - REQUEST ACCESS	35
POWER OF AUTHORISED OFFICERS TO REQUIRE ANSWERS	36
PUBLIC HEALTH OFFICERS - APPOINTMENT OF	37
PUBLIC HEALTH OFFICERS - FUNCTIONS OF	38
AUTHORISED OFFICERS - APPOINTMENT AND CERTIFICATE OF AUTHORITY	39
DISCLOSURE OF INFORMATION	40
LEGIONELLA CONTROL - WARM WATER SYSTEM REQUIREMENTS	41
INSPECTION OF REGISTERS	42
TEMPORARY CLOSURE OF PUBLIC SWIMMING POOLS & SPA POOLS	43
POOL DISINFECTION OR OTHER ACTION	44
QUALITY ASSURANCE PROGRAMS - DRINKING WATER	45
ADVICE TO CATEGORY 2 OR 3 PATIENTS	46
ADVICE TO CATEGORY 2, 3 OR 4 CONTACTS	47
CERTIFICATES AND EVIDENCE OF IMMUNISATION STATUS	48

SLEEPING ACCOMMODATION.....	49
EMBALMING.....	50
PREMISES FOR HANDLING OF BODIES [s 76(1)]	51
PREMISES FOR HANDLING OF BODIES [s 76(2)]	52
PREMISES FOR HANDLING OF BODIES [s 76(3)]	53
PREMISES FOR HANDLING OF BODIES [s 76(5)]	54
FACILITIES OF BODY PREPARATION ROOMS	55
KEEPING OF BODIES BY A PERSON WHO IS NOT A FUNERAL DIRECTOR.....	56
COURSE IN EMBALMING.....	57
BODIES IN HOLDING ROOMS	58
BODIES TO BE PLACED IN COFFINS	59
BURIAL OF BODIES.....	60
BURIALS IN VAULTS.....	61
EXHUME REMAINS	63
MEDICAL REFEREE	64
BODIES TO BE CREMATED SEPARATELY	65
DOCUMENTATION REQUIRED FOR CREMATION.....	66
CLOSING OF CREMATORIES	68
REGISTER OF MORTUARIES.....	69
CODE OF CONDUCT – CERTAIN HEALTH PRACTITIONERS TO DISPLAY CODE AND OTHER INFORMATION.....	70
PUBLIC HEALTH (TOBACCO) ACT - TOBACCO PRODUCTS SEIZED UNDER S 7A.....	72
DISCLOSE INFORMATION FOR LEGAL PROCEEDINGS	73
AUDITOR OF RISK ASSESSMENTS	74
OTHER RISK ASSESSMENTS.....	75
NOTIFICATION OF DEATHS	76
PUBLIC HEALTH (TOBACCO) ACT – SMOKELESS TOBACCO PRODUCTS SEIZED UNDER SECTION 21A.....	77
DEATH CERTIFICATES FOR DEATH OUTSIDE NSW	78
FEE FOR IMPROVEMENT NOTICES AND PROHIBITION ORDERS.....	79
PUBLIC HEALTH (TOBACCO) ACT – APPOINT INSPECTORS	80
PUBLIC HEALTH (TOBACCO) ACT – TOBACCO LICENSING SCHEME.....	81
SHORT-TERM CLOSURE ORDER.....	82
GIVING NOTICE OF CLOSURE ORDERS	83
EXEMPTION NOTICE.....	84
DISCLOSURE OF CRIMINAL INTELLIGENCE	85
INFORMATION SHARING	86
CERTIFICATE EVIDENCE.....	87
FORFEITURE ON CONVICTION.....	88
RETURN OF SEIZED TOBACCO.....	89
CREMATION OF UNIDENTIFIED BODIES	90
SEIZURE AND DISPOSAL OF ILLICIT GOODS.....	91
PERSONS WHO MAY ISSUE CERTIFICATES	92
INTERNAL REVIEWER	93
LONG-TERM CLOSURE ORDERS	94