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New South Wales

Public Health (COVID-19 Self-Isolation) Order (No 4) Amendment (No 4) Order 2022

under the

Public Health Act 2010

I, Kerry Chant, the Chief Health Officer and delegate for the Minister for Health, make the following Order under the *Public Health Act 2010*, section 7.

Dated 12 January 2022.

Time 8:50am.

DR KERRY CHANT PSM
Chief Health Officer

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Self-Isolation) Order (No 4) 2021* to—

- (a) provide that a person diagnosed with COVID-19 through the use of a rapid antigen test is a “diagnosed person” and is therefore required to self-isolate under this Order in the same way as if the person were diagnosed by undergoing PCR testing, and
- (b) require persons who become aware they have tested positive to COVID-19 as a result of a rapid antigen test to notify the Chief Executive Officer of Service NSW via an online form available on the Service NSW website or in another approved way, and
- (c) provide for the purposes for which the Chief Executive Officer of Service NSW is collecting the information mentioned in paragraph (a), and
- (d) provide that a close contact or a household contact of a person diagnosed with COVID-19 is not required to self-isolate if the close contact or household contact has, because the contact was diagnosed with COVID-19, completed a period of self-isolation no more than 28 days ago, and
- (e) make consequential amendments, including an amendment to the *Public Health (COVID-19 General) Order (No 2) 2021* to provide that information and evidence provided to Service NSW under the *Public Health (COVID-19 Self-Isolation) Order (No 4) 2021* must be true and accurate.

Public Health (COVID-19 Self-Isolation) Order (No 4) Amendment (No 4) Order 2022

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Self-Isolation) Order (No 4) Amendment (No 4) Order 2022*.

Schedule 1 Amendment of Public Health (COVID-19 Self-Isolation) Order (No 4) 2021

[1] Clause 6 Persons diagnosed with COVID-19 must self-isolate

Omit “receiving the notification” from clause 6(1). Insert instead “becoming aware”.

[2] Clause 7 Persons diagnosed with COVID-19 must notify employers, close contacts and education providers

Omit “receiving notification” from clause 7(1). Insert instead “becoming aware”.

[3] Clause 7(1)(c1)

Insert after clause 7(1)(c)—

- (c1) if the person became aware the person has tested positive to COVID-19 as a result of a rapid antigen test—the Chief Executive Officer of Service NSW,

[4] Clause 7(2A)

Insert after clause 7(2)—

- (2A) A notification under subclause (1)(c1)—

- (a) must be made—
 - (i) by using the online form available for that purpose on the Service NSW website, or
 - (ii) in another way approved by the Chief Executive Officer of Service NSW, and
- (b) is made for the purposes of —
 - (i) providing information about care, treatment and access to health and hospital services to persons who have tested positive to COVID-19, and
 - (ii) providing information to NSW Health to support the public health response to the COVID-19 pandemic, including analysis of information and planning for, and the provision of, health and hospital services to the people of New South Wales.

[5] Clause 7A Persons who reside with diagnosed persons

Insert after clause 7A(2)—

Note— See clause 8(7A), which provides that clause 8 does not apply to a person who is a household contact if the person has previously been diagnosed with COVID-19 and it is no more than 28 days since the person’s period of self-isolation under clause 6 in relation to that diagnosis ended.

[6] Clause 8 Close contacts of persons diagnosed with COVID-19 must self-isolate

Insert after clause 8(7)—

- (7A) This clause does not apply to a person who is a close contact or a household contact if—
 - (a) the person has already been diagnosed with COVID-19 and has completed the requirement to reside at the person’s residence, or a hospital or another place, under clause 6 (a *self-isolation period*), and
 - (b) it is no more than 28 days since the person’s self-isolation period ended.

[7] Schedule 1 Dictionary

Omit the definition of *diagnosed person*. Insert instead in alphabetical order—

diagnosed person means a person who—

- (a) has been notified by or on behalf of NSW Health or a pathology laboratory that the person has tested positive for COVID-19, or
- (b) has become aware the person has tested positive to COVID-19 as a result of a rapid antigen test.

household contact—see clause 7A(1).

Schedule 2 Amendment of Public Health (COVID-19 General) Order (No 2) 2021

Clause 19 Information provided must be true and accurate

Insert “or the *Public Health (COVID-19 Self-Isolation) Order (No 4) 2021*” after “Order”
wherever occurring in clause 19(1) and (2).