



Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 29 Thursday 21 July 2022

www.gazette.vic.gov.au

GENERAL

TABLE OF PROVISIONS

Private Advertisements	
Dissolution of Partnership	
Coastal Physiotherapy Group	3115
Estates of Deceased Persons	
Alphastream Lawyers	3115
Andrew P. Melville	3115
Ashby Legal	3115
BSP Lawyers	3115
Beckwith Cleverdon Rees	3115
David Davis & Associates	3115
Ellinghaus Weill	3116
Garden & Green Lawyers	3116
I. Glenister & Associates	3116
James Partners Lawyers	3117
Kingston Lawyers Pty Ltd	3117
Leonard & Associates	3117
O'Brien Law	3117
Roberts Beckwith Partners	3117
Small Myers Hughes Lawyers	3118
Stidston Warren Lawyers	3118
TBA Law	3118
Tivey & Holland	3118
Tragear & Harris Lawyers	3118
Verhoeven & Curtain Solicitors	3119
Wollerman Shacklock Lawyers	3119
Government and Outer Budget Sector	
Agencies Notices	3120
Obtainables	3230

Advertisers Please Note

As from 21 July 2022

The last Special Gazette was No. 367 dated 20 July 2022.

The last Periodical Gazette was No. 1 dated 30 May 2022.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
-

PRIVATE ADVERTISEMENTS**DISSOLUTION OF PARTNERSHIP**

The partnership between Jeffrey Oxley Pty Ltd and Adrian Deans Pty Ltd, previously carrying on business under the partnership known as 'Coastal Physiotherapy Group', ABN 85 519 983 384, was dissolved by mutual agreement on 1 June 2022. This is a notice for the purposes of section 41 of the **Partnership Act 1958**.

JEAN MARGARET MUXWORTHY, late of Regis Aged Care, 93 Ashleigh Avenue, Frankston, Victoria, homemaker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2022, are required by Neville James Muxworthy, the executor of the Will of the deceased, to send particulars thereof to him, care of the undermentioned solicitors, within 60 days from the date of publication of this notice, after which the executor will distribute the estate, having regard only to the claims of which he has notice.

ALPHASTREAM LAWYERS,
Suite 12, 622 Ferntree Gully Road,
Wheelers Hill, Victoria 3150.

Creditors, next-of-kin and others having claims against the estate of ANGELA DIANNE HENNESSEY, in the Will called Huw Edwin Bruce, late of 39 Luckie Street, Nunawading, Victoria, pensioner, who died on 22 August 2021, are required to send particulars of their claims to Evelyn Jean Matthews, in the Will called Evelyn Matthews, care of Andrew P. Melville, lawyers, of PO Box 80, Rutherglen 3685, the personal representative, on or before 22 September 2022, after which date Evelyn Jean Matthews, in the Will called Evelyn Matthews, may convey or distribute the assets, having regard only to the claims of which she then has notice.

ANDREW P. MELVILLE, lawyers,
110 Main Street, Rutherglen 3685.

WAYNE ROBERT CHITTY, late of 42 The Avenue, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died 16 November 2021, are required by the personal representative, Paula Louise Chitty, to send particulars of their claim to her, care of the undermentioned solicitors, by 23 September 2022, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

ASHBY LEGAL,
PO Box 1258, Blackburn North, Victoria 3130.

THOMAS ROYCE WEIR, late of 3 Olympic Street, Bundoora, Victoria, police officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 February 2022, are required by the executor, Peter Donald Weir, to send particulars of their claims to him, care of the undermentioned solicitors, by 30 September 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 18 July 2022
BSP LAWYERS,
Level 15, 200 Queen Street, Melbourne 3000.

PETER WARREN DAVIS, late of Unit 11, 73 Queens Road, Melbourne, in the State of Victoria, jeweller, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 9 September 2017, are required to send particulars thereof to the administrators, care of the undermentioned solicitors, by 22 September 2022, after which date the administrators may convey or distribute the assets, having regard only to the claims of which the administrators then have notice.

BECKWITH CLEVERDON REES, solicitors,
Level 4, 294 Collins Street, Melbourne 3000.

ALLAN HENRY LAW, late of 148 Pitt Street, Eltham, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 February 2021, are required by

the executor, Equity Trustees Wealth Services Limited, ACN 006 132 332, of Level 1, 575 Bourke Street, Melbourne, Victoria, to send particulars to it by 21 September 2022, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

DAVID DAVIS & ASSOCIATES,
Suite 2, 733 High Street, Thornbury,
Victoria 3071.

BARBARA PELCZYNSKA, late of
17 Michael Street, Kennington, Victoria,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 May 2021, are required by her personal representative, Patricia Mutimer, also known as Patricia Pilling, to send particulars to her, care of the undermentioned solicitors, by 26 September 2022, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ELLINGHAUS WEILL,
247 Park Street, South Melbourne, Victoria 3205.

STANISLAW PELCZYNSKI, late of
17 Michael Street, Kennington, Victoria,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 August 2021, are required by his personal representative, Patricia Mutimer, also known as Patricia Pilling, to send particulars to her, care of the undermentioned solicitors, by 26 September 2022, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ELLINGHAUS WEILL,
247 Park Street, South Melbourne, Victoria 3205.

REGINALD ERNEST CRANSTON
WHITE, late of Lake Boga, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 16 March 2021, are required by Peter Ernest White, the executor of the Will of the deceased, to send particulars of their claims to him, care of the undermentioned solicitor, within 60 days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

GARDEN & GREEN LAWYERS,
35 Beveridge Street, Swan Hill, Victoria 3585.

**NOTICE OF CLAIMANTS UNDER
TRUSTEE ACT 1958**

JANIS ERMANIS, late of 47 Blake Street,
Reservoir, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 March 2022, are required by the executor, Edmund Ermanis, to send particulars of their claims to the executor, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor and his undermentioned solicitors then have notice.

I. GLENISTER & ASSOCIATES, solicitors,
421 Bell Street, Pascoe Vale, Victoria 3044.

**NOTICE OF CLAIMANTS UNDER
TRUSTEE ACT 1958**

DOROTHY JOY MURFETT, late of Unit 2,
31 George Street, Bentleigh East, Victoria,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 March 2022, are required by the executrix, Vanessa Larosa, to send particulars of their claims to the executrix, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the executrix may convey or distribute the assets, having regard only to the claims of which the executrix and her undermentioned solicitors then have notice.

I. GLENISTER & ASSOCIATES, solicitors,
421 Bell Street, Pascoe Vale, Victoria 3044.

GEOK SIEW LOKE, late of 336 Blackburn Road, Burwood East, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 26 June 2021, are required by the executor for Grant of Probate, Chuen Ren Lim, to send particulars of their claims to him, care of the undermentioned solicitors, within 60 days of the publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 14 June 2022.

JAMES PARTNERS LAWYERS,
Suite 105, 7 Jeffcott Street, West Melbourne,
Victoria 3003.
Ph: 03 9326 3333. Contact: Tom Mutavdzija.

Re: MARGARET YOUNG COLLINS,
late of 23 Daff Avenue, Hampton East, Victoria,
retired, deceased.

Creditors, next-of-kin and others having claims in the respect of the estate of MARGARET YOUNG COLLINS, deceased, who died on 6 June 2022, are required by the trustees, Glenn Miller Collins and Dale Hugh Collins, to send particulars of their claim to the undermentioned firm by a date not later than two months from the date of publication hereof, after which date the trustees will convey or distribute assets, having regard only to the claims of which they then have notice.

KINGSTON LAWYERS PTY LTD,
barristers and solicitors,
8 Station Road, Cheltenham, Victoria 3192.

Re: AUDREY IRENE FEWSTER, late
of 16 Bendigo Street, Cheltenham, Victoria,
retired, deceased.

Creditors, next-of-kin and others having claims in the respect of the estate of AUDREY IRENE FEWSTER, deceased, who died on 7 June 2022, are required by the trustee, Peter Jeffrey Fewster, to send particulars of their claim to the undermentioned firm by a date not later than two months from the date of publication hereof, after which date the trustee will convey or distribute assets, having regard only to the claims of which he then has notice.

KINGSTON LAWYERS PTY LTD,
barristers and solicitors,
8 Station Road, Cheltenham, Victoria 3192.

Re: RONALD JAMES WILLIAMS, late of
75 Justice Road, Cowes, Victoria 3922, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 February 2022, are required to send particulars of their claim to the executor, care of the undersigned lawyers, by 21 September 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which they then have notice.

LEONARD & ASSOCIATES, lawyers,
Level 1, 82 Thompson Avenue, Cowes,
Victoria 3922.

DAVID FULTON, late of Holmwood Aged
Care, 17–23 Lalors Road, Healesville, Victoria
3777, accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 9 April 2022, are required by the executor, Neil Douglas Fulton, care of Ground Floor, 290 Maroondah Highway, Healesville, Victoria 3777, to send particulars of their claims to him by 21 September 2022, after which date the executor may convey or distribute the assets and distribute the estate, having regard only to the claims of which he then has notice. Probate was granted in Victoria on 14 June 2022.

Re: REX GERHARD RUWOLDT, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 November 2019, are required by the trustee, Margaret Louise Ruwoldt, to send particulars of such claims to her, in care of the below mentioned lawyers, by 15 September 2022, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

ROBERTS BECKWITH PARTNERS,
16 Blamey Place, Mornington, Victoria 3931.

Re: ALAN KEITH FERGUSON, late of Bolton Clarke Darlington, 126 Leisure Drive, Banora Point, New South Wales, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 April 2022, are required by the trustees, Bruce Alan Ferguson, Penelope Joy Ferguson and Michael Owen Small, care of Level 2, 17 Welch Street, Southport, Queensland, to send particulars to the trustees, care of the undermentioned solicitors, by 15 September 2022, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

SMALL MYERS HUGHES LAWYERS,
Level 2, 17 Welch Street, Southport,
Queensland 4215.

HENRY PITRE, late of Charlesbrook Aged Care, 1 Innisfallen Avenue, Templestowe, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 April 2022, are required by the executor, Sam Stidston, to send particulars to him, care of the undermentioned solicitors, by 26 September 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON WARREN LAWYERS,
Suite 1, 10 Blamey Place, Mornington 3931.

MARJORIE NORMA WARD, late of 12 Grandview Terrace, Mount Martha, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 March 2022, are required by the executor, Robert Bruce Ward, to send particulars to him, care of the undermentioned solicitors, by 26 September 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON WARREN LAWYERS,
Suite 1, 10 Blamey Place, Mornington 3931.

MERLE EVELYN STEWART, late of Unit 14, 16 Florence Street, Blackburn, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 28 February 2022, are required by the executor, Sheridan Lee Monk, care of 145 High Street, Nagambie, Victoria 3608, to send particulars of their claims to her by 9 December 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 9 June 2022.

TBA LAW,
145 High Street, Nagambie, Victoria 3608.
Ph: 03 5794 2334.

JOAN LORRAINE HOWARD, late of 8 Mount Street, Ararat, Victoria, widowed, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 March 2022, are required by the executor, Shelley Dianne McKinnis, care of the undermentioned solicitors, to send particulars to her by 19 September 2022, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

TIVEY & HOLLAND, solicitors,
97 Barkly Street, Ararat 3377.

Re: PAULINE AGNES GARDINER, late of Unit 3, 138 Highett Road, Highett, Victoria, secretary, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 2 June 2022, are required by the executors, Karen Anne Miller and Lisa Maree Hawkins, to send particulars to them, care of the undermentioned solicitors, by 19 September 2022, after which date the executors may convey and distribute the assets, having regard only to the claims of which they then have notice.

TRAGEAR & HARRIS LAWYERS,
Suite 1, 23 Melrose Street, Sandringham 3191.

ROGER DOYLE, deceased, late of 5 Ollerton Avenue, Newborough, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 January 2022, are required by the personal representatives, John Redmond Schreenan and Pauline Mary Schreenan, of 46 Haigh Street, Moe, to send particulars to them, care of the undermentioned solicitors, by 19 September 2022, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

VERHOEVEN & CURTAIN SOLICITORS,
Suite 2, 46 Haigh Street, Moe 3825.

LYNETTE MAINE, late of 359 Narre Warren North Road, Narre Warren North, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 3 March 2021, are required by the executor, Sharon Joan Maine, care of Wollerman Shacklock Lawyers of Unit 2, 43 Rainier Crescent, Clyde North, to send particulars of their claims to her by 22 September 2022, after which date the executor may convey or distribute the assets, and distribute the estate, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 25 May 2022.

WOLLERMAN SHACKLOCK LAWYERS,
Unit 2, 43 Rainier Crescent, Clyde North,
Victoria 3978.

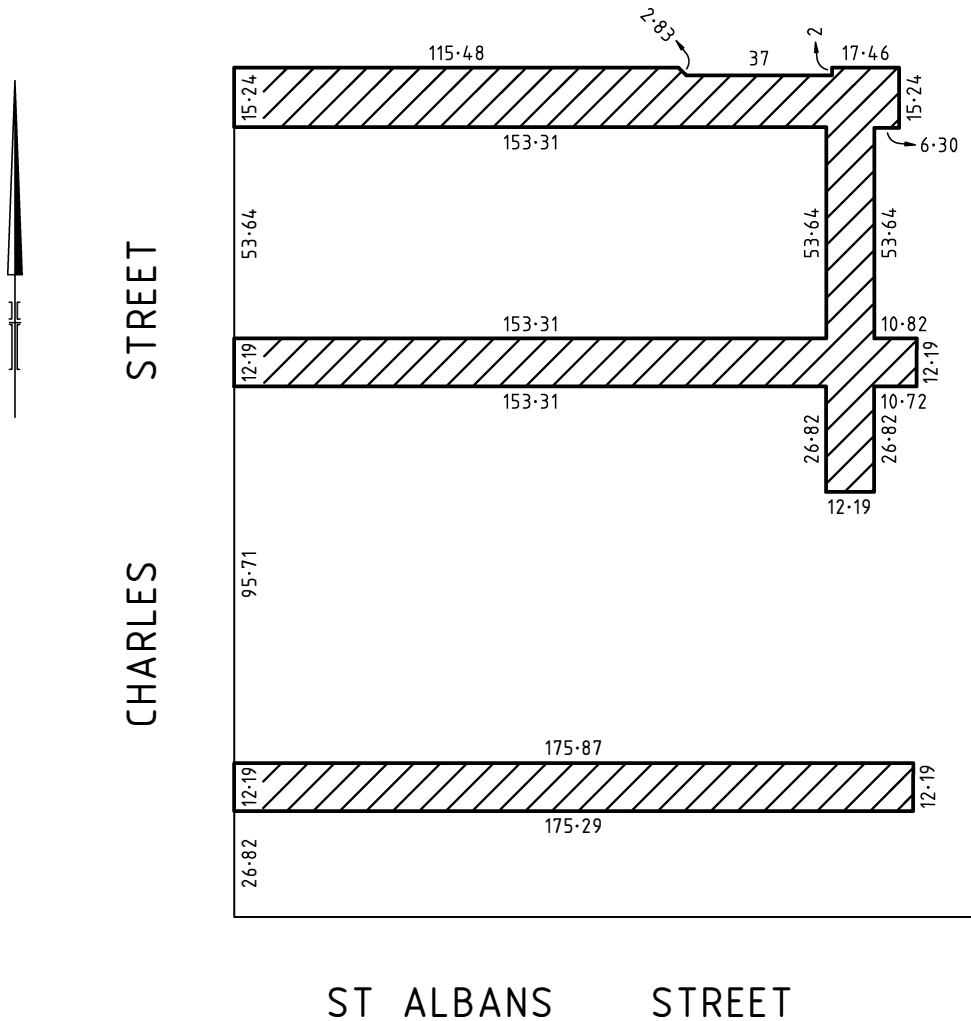
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



**CITY OF
MONASH**

ROAD DISCONTINUANCE

At its meeting on 31 May 2022 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Monash City Council resolved to discontinue part of the roads formerly known as Gwynne Street, Fleet Street, Regent Street and Hotham Street, Mount Waverley, being part of the land contained in Certificates of Title Volume 6385 Folio 885 and Volume 4725 Folio 990, and shown hatched on the plan below.



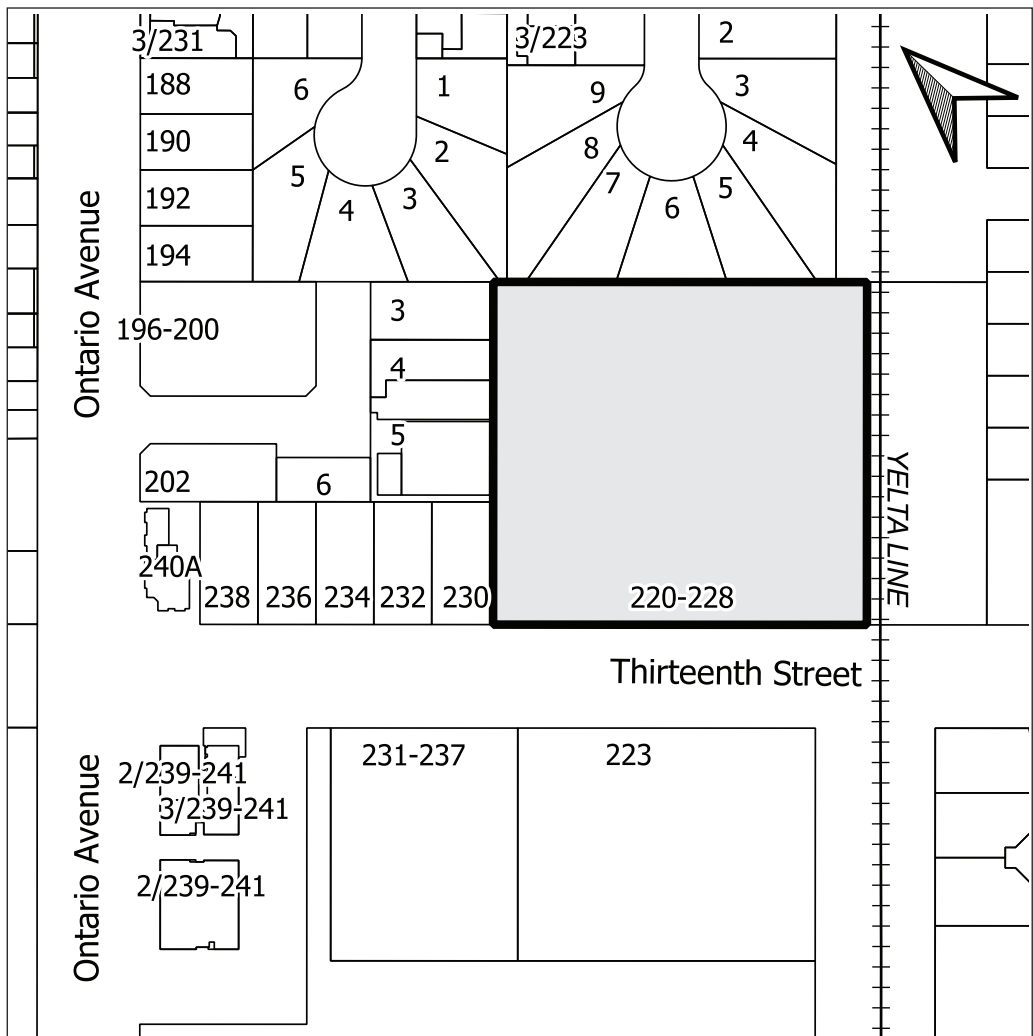
DR ANDI DIAMOND
Chief Executive Officer
Monash City Council



Mildura Rural City Council
220-228 THIRTEENTH STREET, MILDURA
Parking Services

Pursuant to section 90D **Road Safety Act 1986**, notice is hereby given that Mildura Rural City Council has entered into a formal agreement with Mildura Private Hospital to enforce parking services (infringement notices) on the car parking area, 220-228 Thirteenth Street, Mildura. Owned by Mildura Private Hospital and as shown on the plan below.

Parking services infringements, in accordance with appropriate installed signage and line markings, will be enforced effective from 1 August 2022.



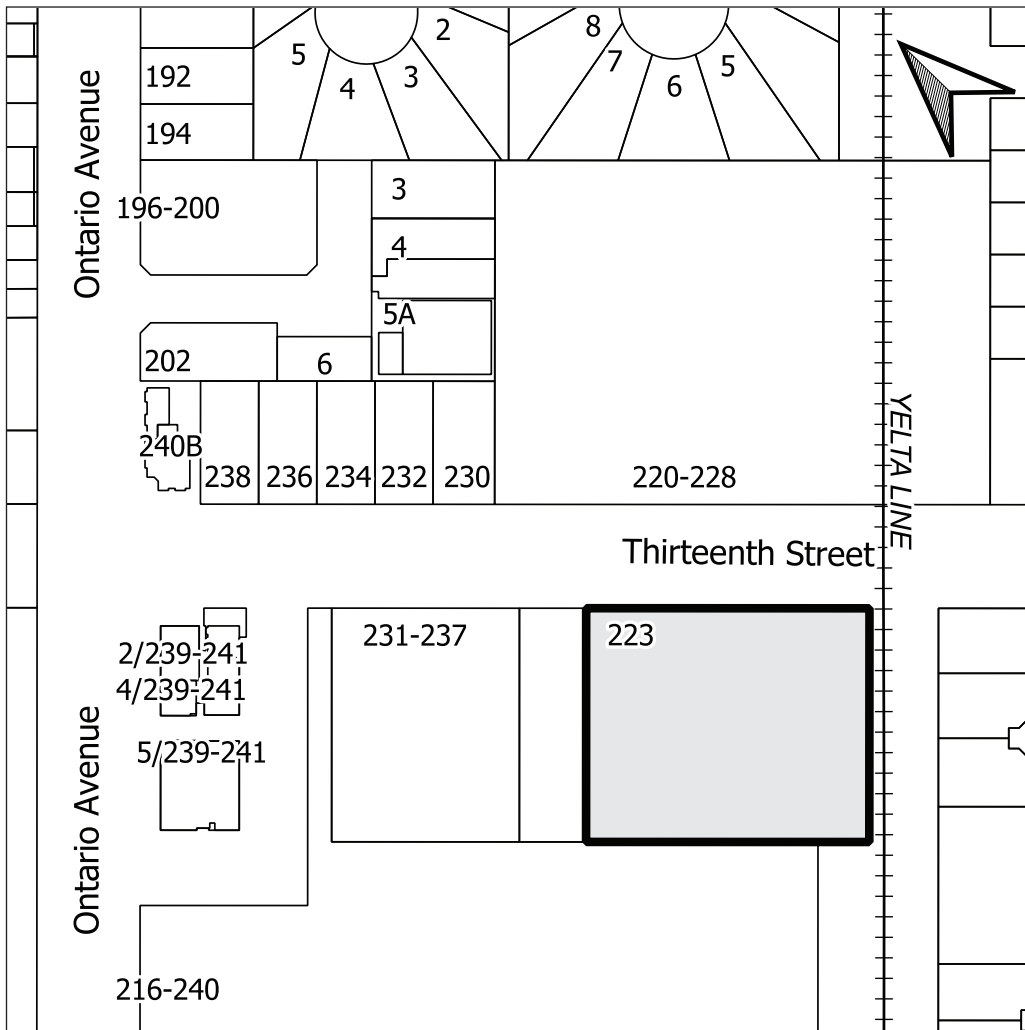
MARTIN HAWSON
Chief Executive Officer



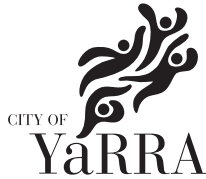
Mildura Rural City Council
223 THIRTEENTH STREET, MILDURA
Parking Services

Pursuant to section 90D **Road Safety Act 1986**, notice is hereby given that Mildura Rural City Council has entered into a formal agreement with Mildura Private Hospital to enforce parking restrictions (infringement notices) on the car parking area, 223 Thirteenth Street, Mildura, Victoria. Owned by Mildura Private Hospital and as shown on the plan below.

Parking services infringements, in accordance with appropriate installed signage and line markings, will be enforced effective from Monday 1 August 2022.



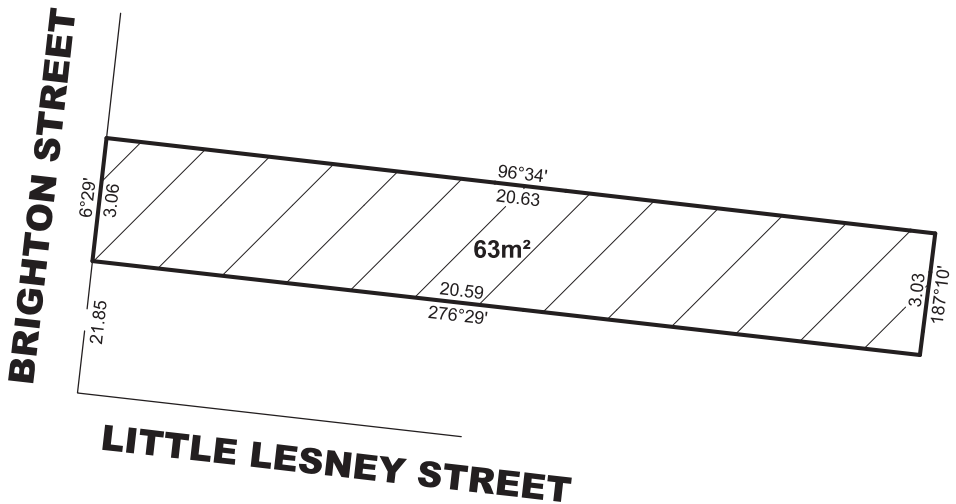
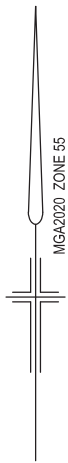
MARTIN HAWSON
Chief Executive Officer



ROAD DISCONTINUANCE

At its meeting on 12 July 2022 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Yarra City Council resolved to discontinue and sell the road abutting 9–11 Brighton Street, Richmond, which is the whole of the land remaining in Conveyance Book P No. 731 and shown hatched on the plan below (Road).

The Road is to be sold subject to any right, power or interest held by Greater Western Water Corporation in connection with sewers, drains or pipes under the control of that authority in the Road.



SUE WILKINSON
Chief Executive Officer
Yarra City Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 21 September 2022, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

FLATLEY, Noel Lindsay, late of Unit 2, 2a Sylvan Street, Montmorency, Victoria 3094, deceased, who died on 12 January 2022.

FOX, Allan Steven, late of Edwards Lodge, 14 Barton Street, Reservoir, Victoria 3073, deceased, who died on 28 November 2021.

KNIGHTING, Lorraine Anne, late of Glengollan Village, 97 Underwood Road, Ferntree Gully, Victoria 3156, retired, deceased, who died on 28 December 2021.

LAVAZANIAN, Susan, also known as Shushan Lavazanian, late of Warrawee Community, 854a Centre Road, Bentleigh East, Victoria 3165, deceased, who died on 14 April 2021.

OULANOVSKY, Sarah, also known as Sarah Oulansky, late of Regis Armadale, 607–613 Dandenong Road, Armadale, Victoria 3143, deceased, who died on 14 February 2022.

RANGER, Hilarey, late of Unit 4, 561 Glen Huntly Road, Elsternwick, Victoria 3185, pensioner, deceased, who died on 2 February 2022.

ROBERTS, Sally Ann, late of 40 Church Street, Boolarra, Victoria 3870, deceased, who died on 25 August 2021.

Dated 13 July 2022

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 23 September 2022, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

BUCKLAND, Kenneth William, late of 96 Lindrum Road, Frankston, Victoria 3199, deceased, who died on 22 February 2022.

CLOW, Alfred John, late of Hampton House, 158 Ludstone Street, Hampton, Victoria 3188, pensioner, deceased, who died on 14 January 2022.

CRAMERI, Richard Thomas, late of 66 Learmonth Crescent, Sunshine West, Victoria 3020, retired, deceased, who died on 3 March 2022. Date of Grant 5 July 2022.

DJURDJEVIC, Zivorad, late of Unit 60, 3 Agg Street, Thornbury, Victoria 3071, deceased, who died on 29 November 2021.

DURKIN, Miriam Grace, late of Point Cook Retirement Village, Apartment 264, 320 Point Cook Road, Point Cook, Victoria 3030, deceased, who died on 19 November 2021.

LEESON, Iris Mae, late of 4 Emily Court, Springvale South, Victoria 3172, deceased, who died on 27 July 2014.

LEESON, Leonard James, late of 4 Emily Court, Springvale South, Victoria 3172, deceased, who died on 24 July 2021.

LEGGAT, Andrew Alan, late of Unit 5, 67 Canadian Bay Road, Mount Eliza, Victoria 3930, deceased, who died on 7 January 2022.

LOATS, Keith Neville, late of Wyndham Lodge Nursing Home, 120 Synnot Street, Werribee, Victoria 3030, retired, deceased, who died on 30 March 2022.

SPINDLER, Amanda Jane, late of Unit 3, 28–30 Templeton Street, Dunkeld, Victoria 3294, deceased, who died on 27 January 2022.

WILSON, Adyn Charles, also known as Adyn Wilson, late of Hazelwood Boronia Supported Residential Services, 40 Central Avenue, Boronia, Victoria 3155, deceased, who died on 9 April 2022.

Dated 15 July 2022

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery
Trust Fees and Charges

I, Bryan Crampton as Delegate of the Secretary to the Department of Health for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scales of fees and charges fixed by the following cemetery trusts.

The approved scales of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at <http://www.health.vic.gov.au/cemeteries>

The Castlemaine Cemetery Trust

The Crib Point Cemetery Trust

The Greendale Cemetery Trust

The Toolamba Cemetery Trust

Dated 15 July 2022

BRYAN CRAMPTON
Manager
Cemetery Sector Governance Support

Conservation, Forests and Lands Act 1987

NOTICE OF TERMINATION OF A
LAND MANAGEMENT CO-OPERATIVE AGREEMENT

Notice is given under section 80 of the **Conservation, Forests and Lands Act 1987** of the termination of an agreement under section 76(1)(a) of that Act between Hancock Victorian Plantations Pty Limited (ABN 20 084 801 132) and the following landowner.

A copy of the agreement can be provided upon request by contacting CPTWorkRequests@vgso.vic.gov.au

Registered Proprietor	Site Location	Title Details – Volume/Folio
Samuel Douglas Johanson	Lot 2 on Plan of Subdivision 838248P located at Diffey Road, Everton Upper, Victoria 3678	Certificate of Title Volume 12293 Folio 076

PAM HAUSER
Chairperson Victorian Plantations Corporation

Intergovernmental Agreement –
Crimes At Sea 1999

This Agreement is made on 29 November 2019

Between

The Commonwealth of Australia

The State of New South Wales

The State of Victoria

The State of Queensland

The State of Western Australia

The State of South Australia

The State of Tasmania

The Northern Territory

GIVEN THAT

- (a) the Commonwealth and the States have agreed to a cooperative scheme to apply the criminal law of the States extraterritorially in the areas adjacent to the coast of Australia; and
- (b) the cooperative scheme is given the force of law by the following laws:
 - (i) **Crimes at Sea Act 2000** (Commonwealth);
 - (ii) **Crimes at Sea Act 1998** (New South Wales);
 - (iii) **Crimes at Sea Act 1999** (Victoria);
 - (iv) **Crimes at Sea Act 2001** (Queensland);
 - (v) **Crimes at Sea Act 2000** (Western Australia);
 - (vi) **Crimes at Sea Act 1998** (South Australia);
 - (vii) **Crimes at Sea Act 1999** (Tasmania);
 - (viii) **Crimes at Sea Act 2000** (Northern Territory); and
- (c) clause 5 of the cooperative scheme authorises the making of an intergovernmental agreement providing for the division of responsibility for administering and enforcing the law relating to crimes at sea.

THE COMMONWEALTH AND THE STATES
AGREE AS FOLLOWS

1. **Definitions**

In this Agreement:

adjacent area means an area where the law of a State is applied by Commonwealth law.

adjacent state, in relation to an adjacent area, means the State whose laws are applied to that area by Commonwealth law.

applied laws, in relation to a State, means the substantive and procedural laws applied to the State by clauses 2 and 3 of the cooperative scheme.

arrival State means the participating State in which an Australian ship next arrives, with the alleged offender on board, after an offence has been committed on or from that ship within the adjacent area of another participating State.

Australian ship has the meaning given by clause 1 of the cooperative scheme.

authority has the meaning given in clause 3 of the cooperative scheme.

Commonwealth means the Commonwealth of Australia.

cooperative scheme means the legislative and administrative scheme for applying and enforcing criminal law in the areas adjacent to the coast of Australia, set out in Schedule 1 to the **Crimes at Sea Act 2000** (Commonwealth).

participating State means a State that is party to the cooperative scheme and this Agreement.

State has the meaning given by clause 1 of the cooperative scheme.

2. **Duty etc. of an authority of an adjacent State**

An authority (other than a court) of a State that has a power, duty or function (other than a power, duty or function involving the exercise of judicial power) under a provision of the criminal law of that State that is also an applied law, has a corresponding power, duty or function under the applied law.

3. **International obligations to be observed**

In exercising or performing powers, duties and functions under the cooperative scheme, the parties and their agencies must act so as to avoid any breach by Australia of its international obligations, in particular under the United Nations Convention on the Law of the Sea, having regard especially to the responsibilities of Australia with respect to ships of the Australian flag, and to the rights of other countries in the maritime areas to which the arrangements in this Agreement apply.

4. **Application of primary responsibility**

(1) In respect of an alleged offence in an adjacent area, the adjacent State has primary responsibility for taking investigation and prosecution action under its applied laws in any of the following circumstances:

- (a) the conduct occurs on, from or in relation to, a fixed or floating platform or other installation in that area;
- (b) the conduct occurs on or from an Australian ship and the next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State;
- (c) the alleged offender is an Australian citizen whose next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State.

(2) However:

- (a) the arrival State has primary responsibility for taking investigation and prosecution action if the conduct occurs on or from an Australian ship and the next place of entry to Australia is within that State; and

- (b) the Commonwealth has primary responsibility for taking investigation and prosecution action in respect of any alleged offence on or from an Australian Defence Force ship when it is outside the limits of a State.

5. **Investigatory etc. decision to conform to standard**

A decision of an authority of the State (or the Commonwealth) having primary responsibility under clause 4 whether to investigate, or further investigate, or prosecute or seek extradition, must be taken in the same manner and subject to the same considerations and policies as apply to decisions in relation to other similar alleged offences against the laws of that State or the Commonwealth.

6. **Undertaking to consult**

- (1) Where more than one party may take investigation or prosecution action in relation to the same alleged offence, the parties concerned must consult at the request of any of them on how the matter should be dealt with.
- (2) If, following consultation, it appears that one of those parties may more conveniently take action to investigate or prosecute the alleged offence, it should do so.

7. **Undertaking to assist other parties**

Bearing in mind the possible difficulties for any single party of taking action at sea in relation to an alleged offence:

- (a) any other party must, on request, give whatever assistance it considers practicable to the party with primary responsibility in relation to the alleged offence; and
- (b) the Commonwealth must, on a request for assistance being made to the Attorney-General of the Commonwealth by the Attorney-General of the State with primary responsibility in

relation to the alleged offence, use its best endeavours to secure that assistance from any relevant Commonwealth department, body or agency (including the Australian Defence Force, the Australian Border Force and the Australian Federal Police), and any such assistance may include:

- (i) the gathering of evidence; or
- (ii) the provision of investigating personnel; or
- (iii) the provision of transport, communication facilities or information.

8. Date of effect

- (1) This Agreement commences at the start of the day after the instrument is registered.

9. Agreement supersedes previous Agreement

- (2) This Agreement supersedes the Intergovernmental Agreement – Crimes at Sea (Victoria Government Gazette, G13, 29 March 2001 at 524 to 526).

SIGNED by the Honourable Attorney-General of the Commonwealth of Australia in the presence of:

SIGNED by the Honourable Attorney-General of the State of New South Wales, in the presence of:

SIGNED by the Honourable Attorney -General of the State of Victoria, in the presence of:

SIGNED by the Honourable Attorney-General of the State of Queensland, in the presence of:

SIGNED by the Honourable Attorney-General of the State of Western Australia, in the presence of:

SIGNED by the Honourable Attorney-General of the State of South Australia, in the presence of:

SIGNED by the Honourable Attorney-General of the State of Tasmania, in the presence of:

SIGNED by the Honourable Attorney-General of the Northern Territory, in the presence of:

Education and Training Reform Act 2006

Pursuant to section 2.6.29(1)(b) of the **Education and Training Reform Act 2006** ('the Act'), all registrations held by a person under Part 2.6 of the Act are cancelled if the person has been given a WWC exclusion within the meaning of the **Worker Screening Act 2020**.

Pursuant to section 2.6.29(3) of the Act, a person whose registration is cancelled by the operation of section 2.6.29(1)(b) is disqualified from teaching in a school or early childhood service and is not entitled to apply to be registered under Part 2.6 of the Act for the period of 5 years after the date on which the WWC exclusion is given.

On 28 April 2022, Josh Tyler (also known as Joshua William Tyler), a 32-year-old male, was given a WWC exclusion within the meaning of the **Worker Screening Act 2020**.

On 9 May 2022, Josh Tyler (also known as Joshua William Tyler) ceased to be registered as a teacher in Victoria and was disqualified from teaching in a school or early childhood service.

Electricity Industry Act 2000

NOTICE OF REVOCATION OF LICENCE TO SELL ELECTRICITY BY RETAIL

The Essential Services Commission (the commission) gives notice under section 30(b) of the **Electricity Industry Act 2000** (EI Act) that, pursuant to section 29(3) of the EI Act, the commission has revoked the licence of Macquarie Bank Limited (ACN 008 583 542) to sell electricity by retail. The revocation was with the consent of Macquarie Bank Limited and will take effect from 30 September 2022.

KATE SYMONS
Chairperson

Emergency Services Superannuation Act 1986
(the Act)

ELECTION OF THREE CONTRIBUTOR MEMBERS AND
THREE DEPUTY CONTRIBUTOR MEMBERS TO
THE EMERGENCY SERVICES SUPERANNUATION BOARD

In accordance with the Emergency Services Superannuation Board Procedures for the July 2022 Board Elections, I hereby declare the following candidates elected for appointment to the Emergency Services Superannuation Board:

- Eamon Thomas Leahy – Contributor Member of the Board elected by contributors who are employed under the **Victoria Police Act 2013** or by the employee organisations representing those contributors.
- Christopher John Goldrick – Deputy to a Contributor Member of the Board elected by contributors who are employed under the **Victoria Police Act 2013** or by the employee organisations representing those contributors.
(Elected unopposed)
- Ben McKie – Contributor Member of the Board elected by contributors who are officers or employees of Fire Rescue Victoria or persons appointed by the Country Fire Authority under section 17 of the **Country Fire Authority Act 1958** or the employees of the unions representing those contributors.
- Adam Gullo – Deputy to a Contributor Member of the Board elected by contributors who are officers or employees of Fire Rescue Victoria or persons appointed by the Country Fire Authority under section 17 of the **Country Fire Authority Act 1958** or the employees of the unions representing those contributors.
(Elected unopposed)

The candidates listed below were unopposed and were declared elected for appointment to the Emergency Services Superannuation Board by notice published in the Government Gazette on Thursday 2 June 2022:

- Colin Jones – Contributor Member of the Board elected from and by contributors who are employees appointed by Ambulance Services – Victoria under the **Ambulance Services Act 1986** or by any other ambulance service specified by the Minister and by contributors who are not employees of participating employers referred to in sections 7(1)(a) or (b) of the Act pursuant to section 7(1)(c) of the Act.
(Elected unopposed)
- Rebecca Pierce – Deputy to a Contributor Member of the Board elected from and by contributors who are employees appointed by Ambulance Services – Victoria under the **Ambulance Services Act 1986** or by any other ambulance service specified by the Minister and by contributors who are not employees of participating employers referred to in sections 7(1)(a) or (b) of the Act pursuant to sections 7(1)(c) of the Act.
(Elected unopposed)

ROGER MILLAR
Returning Officer

SECRETARY APPROVAL
 ABORIGINAL AND TORRES STRAIT ISLANDER HEALTH PRACTITIONERS –
 FLUORIDE VARNISH

Regulation 160

Pursuant to regulation 160(1)(j) of the Drugs, Poisons and Controlled Substances Regulations 2017 (the Regulations), I, Jacqueline Goodall, Director, Medicines and Poisons Regulation and Delegate of the Secretary, Department of Health, approve the Schedule 4 poison listed below for possession by a registered Aboriginal and Torres Strait Islander health practitioner¹ on condition that the registered Aboriginal and Torres Strait Islander health practitioner meets the requirements set out below.

Approved Class of Registered Aboriginal and Torres Strait Islander Health Practitioners

1. This approval applies to a registered Aboriginal and Health Islander health practitioner who:
 - holds a Certificate IV in Aboriginal and/or Torres Strait Islander Primary Health Care practice (or qualification/experience considered equivalent by the Aboriginal and Torres Strait Islander Health Practice Board for applications between 1 July 2012 to 30 June 2015);
 - has successfully completed Certificate IV units of competency relevant to:
 - applying fluoride varnish;
 - recognising and responding to oral health issues;
 - providing or assisting with oral hygiene; and
 - undergoes refresher training on applying fluoride varnish on an annual basis; and
 - is employed or engaged by an Aboriginal Community Controlled Organisation located in Victoria that provides a primary health care service.

Schedule 4 poison to which this Approval applies

2. This approval applies to the following Schedule 4 poison² that is required for the treatment of a child (aged 3–17 years) who is a patient of the Aboriginal Community Controlled Organisation:
 - Fluoride varnish (example Duraphat Varnish 5% w/v Sodium Fluoride Varnish tube).
3. The approval is subject to the following conditions:
 1. The registered Aboriginal and Torres Strait Islander health practitioner has been assessed as competent by a registered dental practitioner within a public dental service³ approved under Regulation 160A and undergoes annual re-assessment.
 2. The name of the registered Aboriginal and Torres Strait Islander health practitioner appears in the list of registered Aboriginal and Torres Strait Islander health practitioners qualified and competent to administer fluoride varnish maintained by the Aboriginal Community Controlled Organisation where they are employed or engaged and Dental Health Services Victoria.
 3. The registered Aboriginal and Torres Strait Islander health practitioner has been assigned the role of administering the fluoride varnish to a child at the Aboriginal Community Controlled Organisation where they are engaged or employed.
 4. The registered Aboriginal and Torres Strait Islander health practitioner obtains the fluoride varnish under the procurement practices of the Aboriginal Community Controlled Organisation where they are employed or engaged.

¹ Registered Aboriginal and Torres Strait Islander health practitioner means a person registered under the Health Practitioner Regulation National Law to practise in the Aboriginal and Torres Strait Islander health practice profession (other than as a student).

² Fluoride varnish is included in Schedule 4 of the Poisons Standard except in preparations for supply to registered dental professionals or by approval of the Secretary for Health.

³ A public dental service is an entity wholly or partly funded by the State (whether directly or indirectly) to provide dental services.

Note: Registered Aboriginal and Torres Strait Islander health practitioners who administer fluoride varnish in accordance with this approval are referred to 'The Use and Application of Tropical Fluoride Clinical Guidelines', prompt number DHSV0144426 Version 3.0, 11 March 2022, issued by Dental Health Services Victoria.

This approval takes effect from date of publication in the Victoria Government Gazette.

Dated 11 July 2022

Approved by JACQUELINE GOODALL
Director, Medicines and Poisons Regulation
Delegate to the Secretary
Department of Health

Human Tissue Act 1982

Section 35(4)

AUTHORISATION OF THE CARRYING OUT OF ANATOMICAL EXAMINATIONS AND THE TEACHING AND STUDY OF ANATOMY AT FEDERATION UNIVERSITY, UNIVERSITY DRIVE, MOUNT HELEN, BALLARAT

I, Mary-Anne Thomas, Minister for Health, under section 35(4) of the **Human Tissue Act 1982** (Act), by this notice authorise the carrying out of anatomical examinations and the teaching and study of anatomy at the Institute for Health and Wellbeing, Federation University, Mount Helen campus, University Drive, Ballarat 3350, not being a place within a prescribed institution.

Building P – Rooms 218 and 220 located in the Institute for Health and Wellbeing, University Drive, Mount Helen, at the Mount Helen campus of Federation University Ballarat, shall, pursuant to section 35(4) of the Act, be concerned only with the teaching and study of the anatomy of the human body using skeletal specimens and plastinates.

Under section 35(5) of the Act, Building P – Rooms 218 and 220, located in the Institute for Health and Wellbeing, University Drive, Mount Helen, at the Mount Helen campus of Federation University, Ballarat, being a place specified in an authority under section 35(4) that has not been revoked, shall be deemed for the purposes of the Act and the regulations to be a school of anatomy.

Pursuant to section 35(6) of the Act, the previous authorisation to the University of Ballarat, the predecessor of Federation University, published in the Government Gazette G43 on 27 October 1994, is revoked.

This authorisation and revocation take effect on the day this notice is published in the Victoria Government Gazette.

HON. MARY-ANNE THOMAS MP
Minister for Health

Human Tissue Act 1982

Section 35(4)

AUTHORISATION OF THE CARRYING OUT OF ANATOMICAL EXAMINATIONS AND THE TEACHING AND STUDY OF ANATOMY AT FEDERATION UNIVERSITY, NORTHWAYS ROAD, CHURCHILL

I, Mary-Anne Thomas, Minister for Health, under section 35(4) of the **Human Tissue Act 1982** (Act), by this notice authorise the carrying out of anatomical examinations and the teaching and study of anatomy at the Institute for Health and Wellbeing, Federation University, Gippsland campus, Northways Road, Churchill 3842, not being a place within a prescribed institution.

Building 4N – Room 136, located in the Institute of Health and Wellbeing, Northways Road, Churchill, at the Gippsland campus of Federation University, shall, pursuant to section 35(4) of the Act, be concerned only with the teaching and study of the anatomy of the human body using skeletal specimens and plastinates.

Under section 35(5) of the Act, Building 4N – Room 136 located in the Institute for Health and Wellbeing, Northways Road, Churchill, at the Gippsland campus of Federation University, being a place specified in an authority under section 35(4) that has not been revoked, shall be deemed for the purposes of the Act and the regulations to be a school of anatomy.

Pursuant to section 35(6) of the Act, the previous authorisation to Monash University in relation to the Gippsland campus, Northways Road, Churchill, which campus was transferred to Federation University, published in the Government Gazette G28 on 8 July 2004, is revoked.

This authorisation and revocation take effect on the day this notice is published in the Victoria Government Gazette.

HON. MARY-ANNE THOMAS MP
Minister for Health

Human Tissue Act 1982

Section 35(4)

AUTHORISATION OF THE CARRYING OUT OF ANATOMICAL EXAMINATIONS AND THE TEACHING AND STUDY OF ANATOMY AT FEDERATION UNIVERSITY, CLYDE ROAD, BERWICK

I, Mary-Anne Thomas, Minister for Health, under section 35(4) of the **Human Tissue Act 1982** (Act), by this notice authorise the carrying out of anatomical examinations and the teaching and study of anatomy at the Institute for Health and Wellbeing, Federation University, Berwick campus, 100 Clyde Road, Berwick 3806, not being a place within a prescribed institution.

Building 903 – Room 1140, located in the Institute of Health and Wellbeing, 100 Clyde Road, Berwick, at the Berwick campus of Federation University shall, pursuant to section 35(4) of the Act, be concerned only with the teaching and study of the anatomy of the human body using skeletal specimens and plastinates.

Under section 35(5) of the Act, Building 903 – Room 1140, located in the Institute for Health and Wellbeing, 100 Clyde Road, Berwick, at the Berwick campus of Federation University, being a place specified in an authority under section 35(4) that has not been revoked, shall be deemed for the purposes of the Act and the regulations to be a school of anatomy.

This authorisation takes effect on the day this notice is published in the Victoria Government Gazette.

HON. MARY-ANNE THOMAS MP
Minister for Health

Judicial Entitlements Act 2015
CERTIFICATE PURSUANT TO SECTION 35
Certificate 1/2022

I certify that, pursuant to section 35 of the **Judicial Entitlements Act 2015**, the conditions of service set out in the attached schedule are authorised. Unless otherwise provided, the conditions take effect from 1 July 2022.

Dated 8 July 2022

JACLYN SYMES MP
Attorney-General

Schedule															
Condition of Service	Entitlement														
Professional development allowance	<p>(1) A judicial officer is entitled to a professional development allowance if the officer is specified in:</p> <ul style="list-style-type: none"> (a) column 1 of the table in clause (3) below; or (b) clause (4) below. <p>(2) The professional development allowance of a judge of the Supreme Court:</p> <ul style="list-style-type: none"> (a) was, immediately before 1 July 2019, \$10,347 per annum; and (b) is to increase annually (on 1 July of each year, including 1 July 2019) in accordance with the Consumer Price Index (All Groups Melbourne), comparing the relevant June quarters. <p>(3) A judicial officer who is specified in Column 1 of the following table is entitled to the percentage of the professional development allowance of a judge of the Supreme Court, specified in Column 2 of the following table:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> </tr> </thead> <tbody> <tr> <td>Judge of the Supreme Court (including the Chief Justice, the President of the Court of Appeal, a Judge of Appeal and the Chief Judge (where the Chief Judge is a dual commission holder as a Judge of the Supreme Court)) and the Chief Magistrate (where the Chief Magistrate is, or has been, a dual commission holder as a Judge of the Supreme Court)</td> <td>100.00%</td> </tr> <tr> <td>Associate judge of the Supreme Court who is the Senior Master</td> <td>89.00%</td> </tr> <tr> <td>Associate judge of the Supreme Court who is a Specialist Supreme Court Master</td> <td>80.50%</td> </tr> <tr> <td>Associate judge of the Supreme Court (other than a Senior Master or a Specialist Supreme Court Master)</td> <td>84.65%</td> </tr> <tr> <td>Judge of the County Court (including the Chief Judge (where the Chief Judge is not a dual commission holder))</td> <td>86.64%</td> </tr> <tr> <td>Magistrate (including a Deputy Chief Magistrate and the Deputy State Coroner)</td> <td>69.29%</td> </tr> </tbody> </table> <p>(4) The professional development allowance of a reserve magistrate is calculated in accordance with clauses (9) and (10) below.</p> <p>(5) The professional development allowance may be used for:</p> <ul style="list-style-type: none"> (a) the purchase of books and periodicals; (b) the cost of acquiring and maintaining electronic facilities for official purposes; (c) the subscription costs to relevant online resources; and (d) the cost of attending professional conferences, courses, tuition, or other activities that are similarly directed towards the professional development of the judicial officer. 	Column 1	Column 2	Judge of the Supreme Court (including the Chief Justice, the President of the Court of Appeal, a Judge of Appeal and the Chief Judge (where the Chief Judge is a dual commission holder as a Judge of the Supreme Court)) and the Chief Magistrate (where the Chief Magistrate is, or has been, a dual commission holder as a Judge of the Supreme Court)	100.00%	Associate judge of the Supreme Court who is the Senior Master	89.00%	Associate judge of the Supreme Court who is a Specialist Supreme Court Master	80.50%	Associate judge of the Supreme Court (other than a Senior Master or a Specialist Supreme Court Master)	84.65%	Judge of the County Court (including the Chief Judge (where the Chief Judge is not a dual commission holder))	86.64%	Magistrate (including a Deputy Chief Magistrate and the Deputy State Coroner)	69.29%
Column 1	Column 2														
Judge of the Supreme Court (including the Chief Justice, the President of the Court of Appeal, a Judge of Appeal and the Chief Judge (where the Chief Judge is a dual commission holder as a Judge of the Supreme Court)) and the Chief Magistrate (where the Chief Magistrate is, or has been, a dual commission holder as a Judge of the Supreme Court)	100.00%														
Associate judge of the Supreme Court who is the Senior Master	89.00%														
Associate judge of the Supreme Court who is a Specialist Supreme Court Master	80.50%														
Associate judge of the Supreme Court (other than a Senior Master or a Specialist Supreme Court Master)	84.65%														
Judge of the County Court (including the Chief Judge (where the Chief Judge is not a dual commission holder))	86.64%														
Magistrate (including a Deputy Chief Magistrate and the Deputy State Coroner)	69.29%														

	<p>(6) An activity to which clause (5)(d) above applies, must be:</p> <p>(a) directly relevant to the duties, or the proposed duties, of the judicial officer; and</p> <p>(b) approved by the head of jurisdiction of the judicial officer.</p> <p>(7) A judicial officer must seek prior written approval from the head of jurisdiction of the judicial officer to use the professional development allowance for the cost of an activity to which clause (5)(d) above applies.</p> <p>(8) When determining whether to approve a request to use the professional development allowance for the cost of an activity to which clause (5)(d) above applies, the head of jurisdiction of the judicial officer must consider:</p> <p>(a) whether the professional development activity represents value for money, having regard to the needs of the court;</p> <p>(b) whether a comparable professional development activity is offered by the Judicial College of Victoria and, if so, whether there are special reasons to justify why the similar activity offered by the Judicial College of Victoria is not to be chosen; and</p> <p>(c) if the professional development activity is to take place overseas, whether there are special circumstances to justify attendance at the activity overseas.</p>
Additional provisions regarding professional development allowance for reserve magistrates	<p>(9) The professional development allowance of a reserve magistrate is calculated on the following basis:</p> <p>(a) for a reserve magistrate who has been a reserve magistrate for at least one full financial year, the professional development allowance is calculated in accordance with the following formula:</p> $\left(\frac{A}{365} \times \text{Mag PD}\right) + \left(\frac{B}{235} \times \text{Mag PD}\right)$ <p>(b) for a reserve magistrate who has not been a reserve magistrate for at least one full financial year, the professional development allowance is calculated in accordance with the following formula:</p> $\left(\frac{C}{235} \times \text{Mag PD}\right)$ <p>(10) For the purposes of the formulae in clause 9 above:</p> <p>(a) ‘A’ means the number of days that the reserve magistrate was engaged on a full time basis in the previous financial year;</p> <p>(b) ‘B’ means the number of days that the reserve magistrate was engaged on a sessional basis in the previous financial year;</p> <p>(c) ‘C’ means the average number of days that ‘relevant reserve magistrates’ were engaged on a sessional basis in the previous financial year – for the purpose of this definition, a reserve magistrate is a ‘relevant reserve magistrate’ if the person:</p> <ul style="list-style-type: none"> ● was a reserve magistrate for the whole of the previous financial year; and ● was not engaged on a full time basis during that financial year; <p>(d) ‘Mag PD’ means the professional development allowance of a magistrate in the current financial year.</p>

	<p>(11) A reserve magistrate who is engaged on a sessional basis and attends a professional development day approved by the Chief Magistrate will be paid for their attendance as a sitting day.</p> <p>(12) In addition to the matters noted in clauses (5) to (8)(b) above, in approving the attendance of a reserve magistrate at a professional development day, the Chief Magistrate must consider the following factors:</p> <p>(a) the appropriateness of the training having regard to its connection to the role of the reserve magistrate; and</p> <p>(b) that it would not be appropriate for a reserve magistrate to undertake professional development where it involves attendance at the activity overseas.</p>
Previous entitlements	<p>(13) In relation to the condition of service entitled ‘Acting Judges’ in schedule 1 to the 2007 Certificate (AJ condition of service):</p> <p>(a) the reference to ‘judicial library allowance’, in the AJ condition of service is amended to read ‘judicial professional development allowance’;</p> <p>(b) a reserve judge of the Supreme Court will continue to receive the judicial professional development of a judge of the Supreme Court on a pro rata basis, under the AJ condition of service; and</p> <p>(c) a reserve judge of the County Court will continue to receive the judicial professional development of a judge of the Supreme Court on a pro rata basis, under the AJ condition of service.</p> <p>(14) This schedule:</p> <p>(a) does not affect the entitlements of an associate judge of the County Court;</p> <p>(b) supersedes the entitlement entitled ‘Library Allowance’ in schedule 1 to the 2007 Certificate; and</p> <p>(c) supersedes the entitlement entitled ‘Professional development allowance’ in schedule 5 to the 2019 Certificate.</p>
Definitions	<p>(15) For the purposes of this schedule (including the notes):</p> <p>2007 Certificate means the certificate signed by the Attorney-General on 19 July 2007, under section 15 of the Judicial Remuneration Tribunal Act 1995;</p> <p>2019 Certificate means the entitlement certificate signed by the Attorney-General on 26 August 2019, under section 35 of the Judicial Entitlements Act 2015;</p> <p>a reserve magistrate is not engaged on a sessional or full time basis when the person is:</p> <ul style="list-style-type: none"> ● engaged under section 9EA of the Magistrates’ Court Act 1989; or ● a serving magistrate of a court of another State, the Northern Territory or the Australian Capital Territory, who receives a salary in relation to his or her office in that other State or Territory; or ● not otherwise paid a Victorian salary for their service as a reserve magistrate; <p>reserve judge of the County Court does not include a reserve associate judge;</p> <p>reserve judge of the Supreme Court does not include a reserve associate judge;</p>
Commencement	<p>(16) This schedule commences on 1 July 2022.</p>

Notes to Schedule:

1. Section 43 of the **Judicial Entitlements Act 2015 (JE Act)** provides that a certificate issued under section 15 of the **Judicial Remuneration Tribunal Act 1995**, as in force immediately before its repeal (JRT certificate), is taken to be an entitlement certificate under the JE Act.
2. Under section 10(1AA) of the **Magistrates' Court Act 1989** and section 82(3B) of the **Constitution Act 1975**, a Chief Magistrate who is or has been a dual commission holder as a Judge of the Supreme Court (dual commission Chief Magistrate):
 - a. is entitled to the salary and the allowances and other conditions of service of a dual commission Chief Magistrate, under the **Magistrates' Court Act 1989**; and
 - b. is not entitled to receive any salary, allowances or other conditions of service as a Judge of the Supreme Court during the period of being a dual commission holder.
3. However, section 46 of the JE Act provides:
 - (1) Subject to subsection (2), on and from the commencement of Part 3 of the **Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Act 2022** [i.e. 29 March 2022] a reference in an entitlement certificate that was in effect immediately before that commencement –
 - (a) to a Judge of the Supreme Court, is taken to include a reference to the Chief Magistrate who is or has been, on or after that commencement, a dual commission holder as a Judge of the Supreme Court; and
 - (b) to the Chief Magistrate, is taken to not include a reference to the Chief Magistrate who is, on or after that commencement, a dual commission holder as a Judge of the Supreme Court.
 - (2) Subsection (1) does not apply to a reference in an entitlement certificate that relates to a matter that is not an entitlement of the Chief Magistrate.
4. The interaction of the above provisions results in the following:
 - a. any reference in an entitlement certificate that was made before 29 March 2022 (or any reference in a JRT certificate):
 - i. that refers to a Chief Magistrate would not apply to a dual commission Chief Magistrate; and
 - ii. that refers to a judge of the Supreme Court would apply to a dual commission Chief Magistrate; and
 - b. any reference in an entitlement certificate that was made on or after 29 March 2022:
 - i. that refers to a dual commission Chief Magistrate would apply to a dual commission Chief Magistrate; and
 - ii. that refers to a judge of the Supreme Court would not apply to a dual commission Chief Magistrate.
5. Given the above:
 - a. the references in this schedule to a dual Commission Chief Magistrate (i.e. a Chief Magistrate who is or has been a dual commission holder as a Judge of the Supreme Court) would apply to a dual commission Chief Magistrate;
 - b. the references in this schedule to a judge of the Supreme Court would not apply to a dual commission Chief Magistrate; and
 - c. the entitlements of a dual commission Chief Magistrate in this schedule reflect the entitlements of the dual commission Chief Magistrate that existed immediately before the commencement of this schedule.

Examples for Schedule 1:

Example 1 – Determining the professional development allowance for Mr Black in the 2022–2023 financial year.

- Mr Black was appointed as a reserve magistrate on 10 June 2021.
- Since Mr Black (as at the commencement of the 2022–2023 financial year) has been a reserve magistrate for at least one full financial year, clause 9(a) above applies.
- During the previous financial year (i.e. 1 July 2021 to 30 June 2022), Mr Black:
 - was not engaged to undertake the duties of a magistrate on a full time basis; and
 - was engaged to undertake the duties of a magistrate for 25 days, on a sessional basis.
- Applying clause 9(a) above, for the financial year commencing 1 July 2022 (i.e. the current financial year), Mr Black’s professional development allowance is:

$$\begin{aligned}
 &= \left(\frac{A}{365} \times Mag PD\right) + \left(\frac{B}{235} \times Mag PD\right) \\
 &= \left(\frac{0}{365} \times Mag PD\right) + \left(\frac{25}{235} \times Mag PD\right) \\
 &= \left(\frac{25}{235} \times Mag PD\right) \\
 &= \frac{25}{235} \times 69.29\% \text{ of a Supreme Court judge’s professional development allowance} \\
 &= 7.37\% \text{ of a Supreme Court judge’s professional development allowance.}
 \end{aligned}$$

Example 2 – Determining the professional development allowance for Ms D’Souza in the 2022–2023 financial year.

- Ms D’Souza was appointed as a reserve magistrate on 6 August 2021.
- Since Ms D’Souza (as at the commencement of the 2022–2023 financial year) has not been a reserve magistrate for at least one full financial year, clause 9(b) above applies.
- In the 2021–2022 financial year, there were five reserve magistrates who:
 - were reserve magistrates for the whole of the 2021–2022 financial year; and
 - were not engaged on a full time basis in that financial year.
- In the 2021–2022 financial year, those reserve magistrates were engaged on a sessional basis for, on average, 20 days (i.e. in 2021–2022, the 5 reserve magistrates were engaged on a sessional basis for, respectively, 10, 24, 0, 40 and 26 days).
- Applying clause 9(b) above, for the financial year commencing 1 July 2022 (i.e. the current financial year), Ms D’Souza’s professional development allowance is:

$$\begin{aligned}
 &= \frac{C}{235} \times Mag PD \\
 &= \frac{20}{235} \times Mag PD \\
 &= \frac{20}{235} \times 69.29\% \text{ of a Supreme Court judge’s professional development allowance} \\
 &= 5.90\% \text{ of a Supreme Court judge’s professional development allowance.}
 \end{aligned}$$

Major Transport Projects Facilitation Act 2009

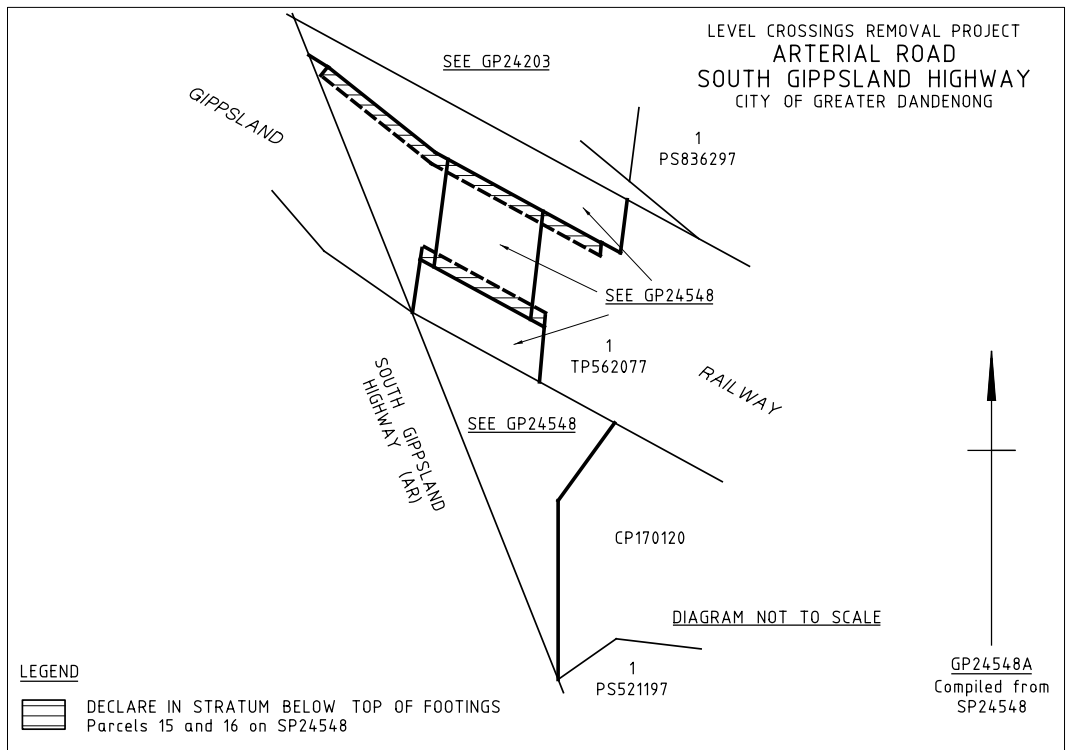
Section 193

ROAD DECLARATION – CORRECTION AND FURTHER DECLARATION

South Gippsland Highway Level Crossing Removal Project

I, Jacinta Allan MP, Minister for Transport Infrastructure, as Project Minister for the South Gippsland Highway Level Crossing Removal Project (an approved project within the meaning of the **Major Transport Projects Facilitation Act 2009**):

1. Amend the declaration made under section 193 of the **Major Transport Projects Facilitation Act 2009**, notice of which was published in Victoria Government Gazette S 527 (23 September 2021), to correct errors in that declaration and in the notice of that declaration as follows:
 - 1.1. on page 1, for the heading ‘PLAN – MUNICIPAL ROAD’, substitute ‘PLAN – ARTERIAL ROAD’;
 - 1.2. within the Plan numbered GP24548 the southern boundary dimension of the Parcel shown cross-hatched and identified as to be declared in stratum over railway, for ‘28.88 metres’ substitute ‘26.88 metres’.
2. Further declare, under section 193 of the **Major Transport Projects Facilitation Act 2009**, the land in stratum shown as Parcels 15 and 16 on SP 24548A, to be a road (being generally shown on GP24548A), and state that the road is to be treated as an arterial road (being part of the arterial road known as the South Gippsland Highway).



Dated 8 July 2022

HON. JACINTA ALLAN MP
Minister for Transport Infrastructure

Major Transport Projects Facilitation Act 2009**NOTICE OF DECISION TO DISCONTINUE PARTS OF ROADS
PORTIONS OF GOVERNMENT ROAD, AVIATION ROAD,
KOROROIT CREEK ROAD AND ABBOTTS ROAD**

Under section 186A(1)(a) of the **Major Transport Projects Facilitation Act 2009** (Act), I, Tony Hedley, Program Director, Level Crossing Removal Project, as delegate of the project authority for the Kororoit Creek Road, Williamstown North Level Crossing Removal Project; the Abbots Road, Dandenong South Level Crossing Removal Project; and the Aviation Road, Laverton Level Crossing Removal Project (collectively, the Projects), hereby discontinue the parcels of the roads described in Schedule A and shown on the plans attached in Schedule B (Parcels).

The decision to discontinue the Parcels takes effect upon publication in the Victoria Government Gazette of this notice under section 186A(1)(a) of the Act.

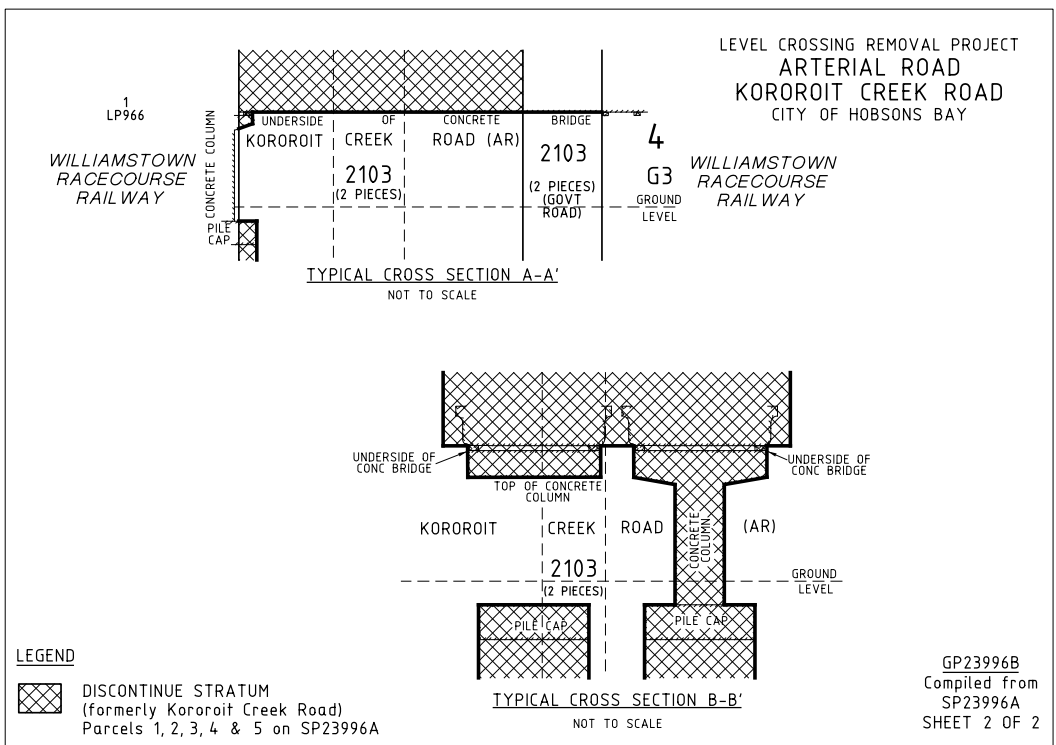
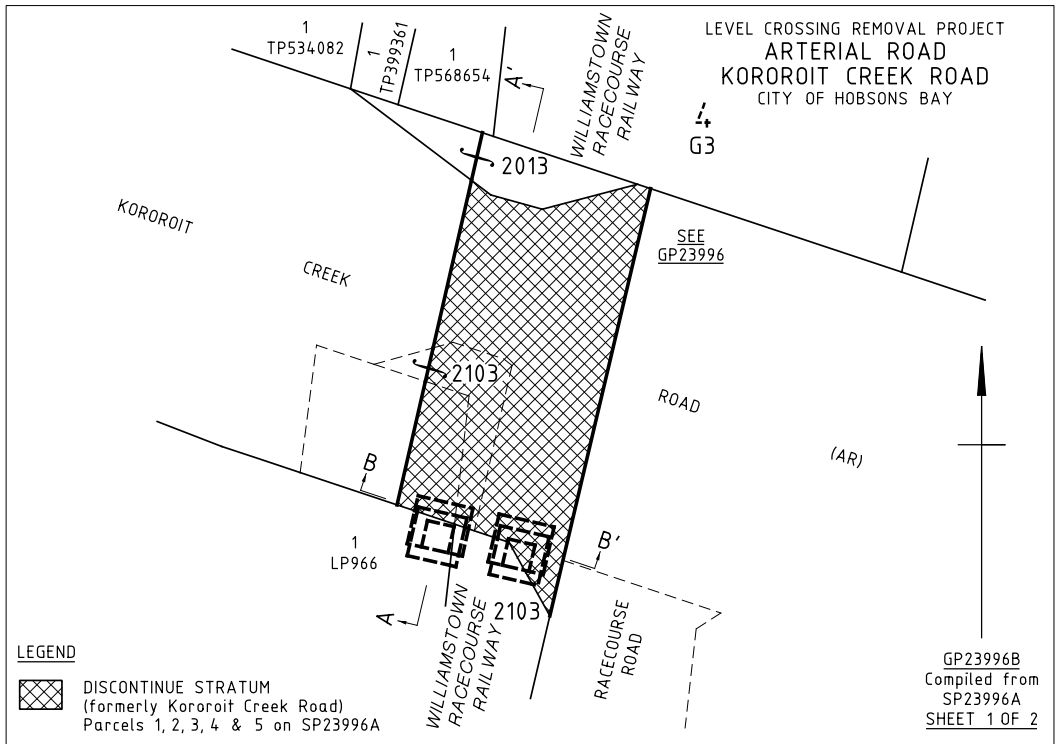
Schedule A**Arterial Road**

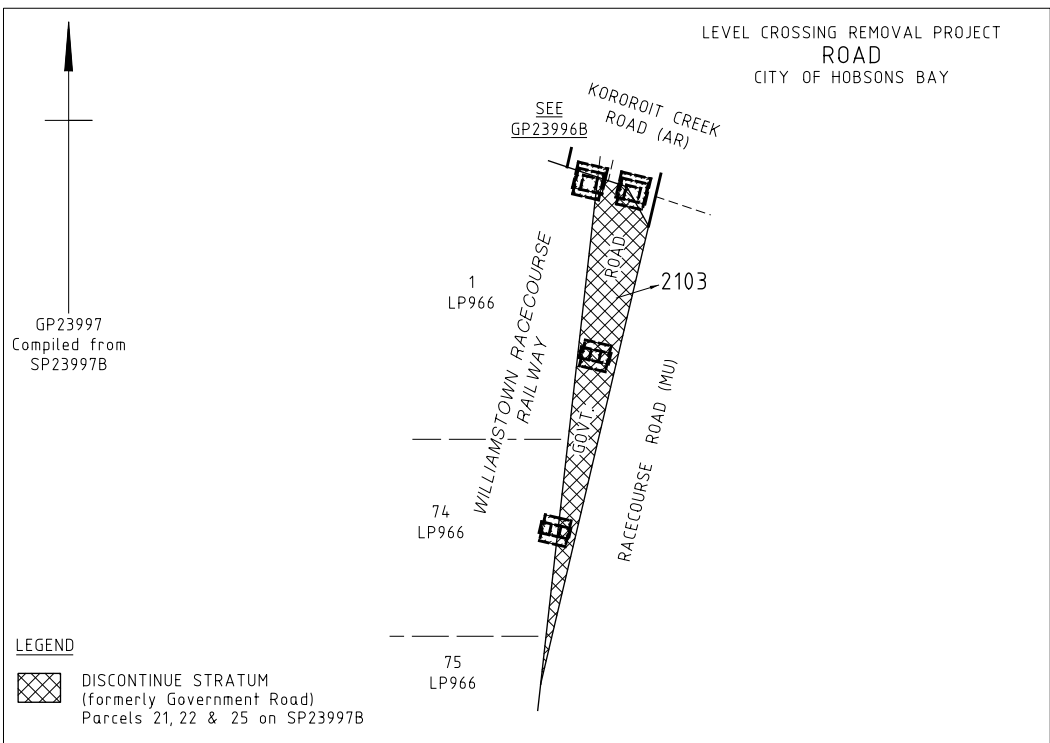
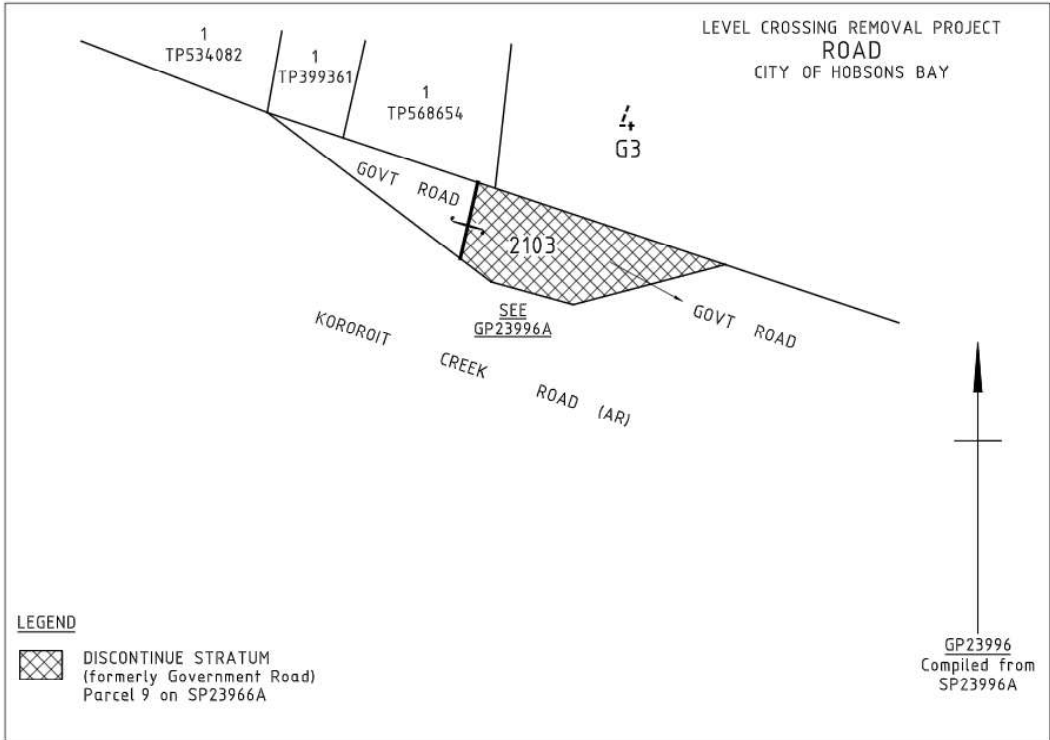
- 1) Parcels 1, 2, 3, 4 and 5 on SP23996A of Kororoit Creek Road, identified by hatching on the plan numbered GP23996B are discontinued in stratum as described in the legend in the said plan.

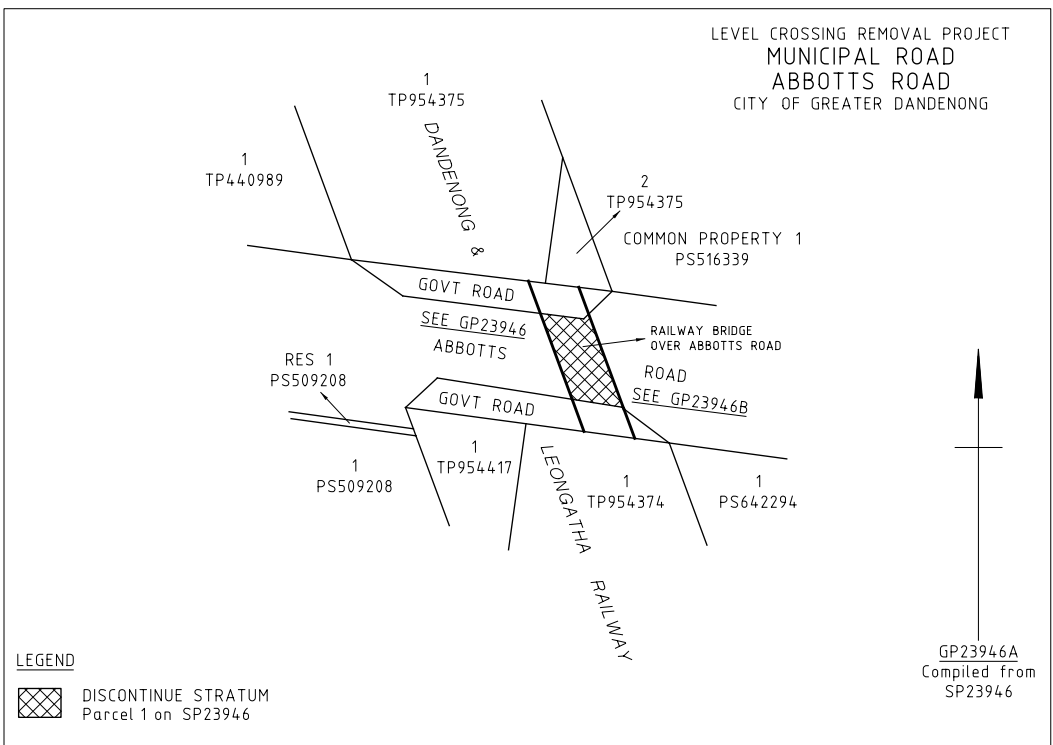
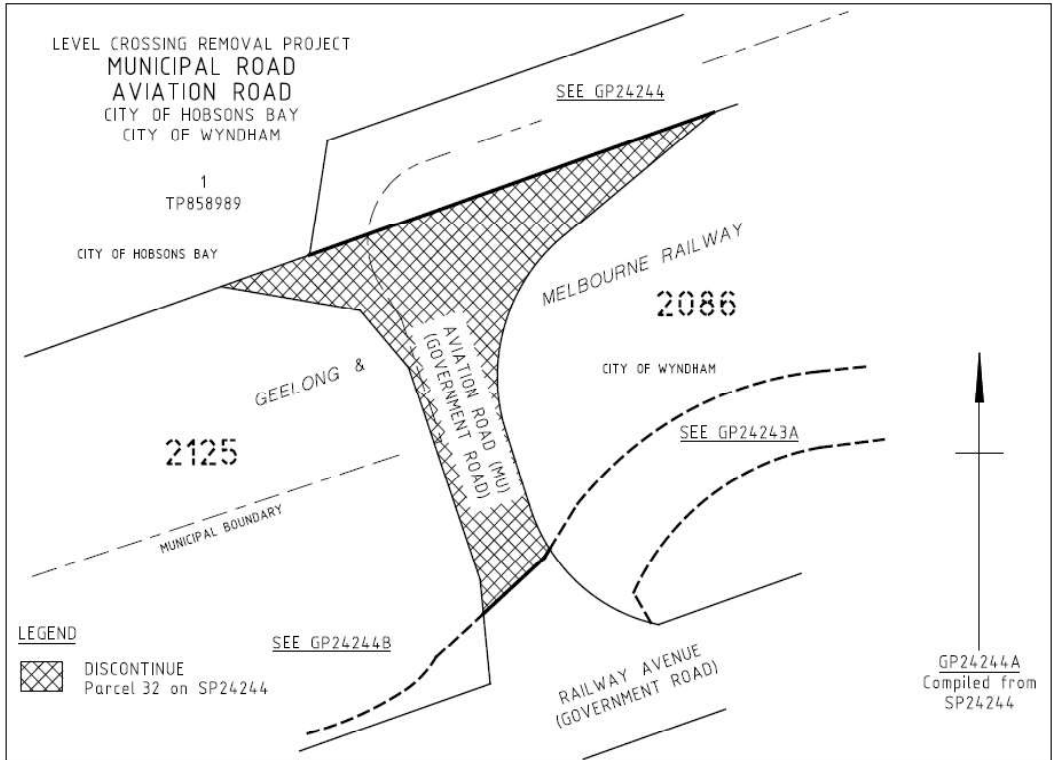
Municipal Roads

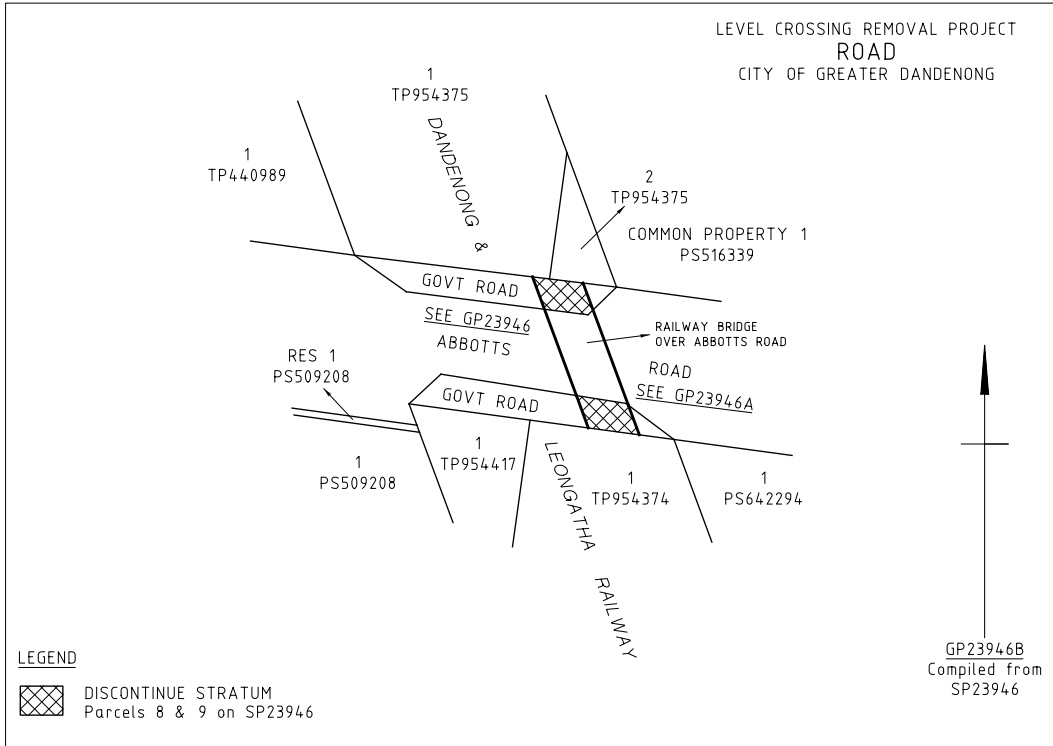
- 1) Parcel 9 on SP23966A of Government Road abutting Kororoit Creek Road, identified by hatching on the plan numbered GP23996 is discontinued in stratum as described in the legend in the said plan.
- 2) Parcels 21, 22 and 25 on SP23997B of Government Road abutting Racecourse Road, identified by hatching on the plan numbered GP23997 are discontinued in stratum as described in the legend in the said plan.
- 3) Parcel 32 on SP24244 of Aviation Road, identified by hatching on the plan numbered GP24244A is discontinued as described in the legend in the said plan.
- 4) Parcel 1 on SP23946 of Abbots Road, identified by the hatching on the plan numbered GP23946A is discontinued in stratum as described in the legend in the said plan.
- 5) Parcels 8 and 9 on SP23946 of Government Road, identified by the hatching on the plan numbered GP23946B are discontinued in stratum as described in the legend in the said plan.

Schedule B









If you have any questions or would like more information, please phone our Community Information Line on 1800 105 105 or contact us via email at contact@levelcrossings.vic.gov.au
Dated 13 July 2022

TONY HEDLEY
Program Director
Level Crossing Removal Project

Public Health and Wellbeing Act 2008

Section 165AI

GUIDANCE FOR THE PANDEMIC (PUBLIC SAFETY) ORDER 2022 (No. 3)

This Order requires individuals to take certain actions to reduce the risk of harm caused by COVID-19 by carrying and wearing face coverings in certain settings.

Unless an exception applies, a person will be required to wear a face covering in certain settings.

This Order also prohibits certain visitors and workers attending care facilities to protect vulnerable persons from harm caused by the transmission of COVID-19.

An operator of a care facility must not permit visitors to enter the premises unless they have received a negative result from a COVID-19 rapid antigen test or fall under a relevant exception.

An operator of a care facility is also required to take all reasonable steps to:

- (1) facilitate telephone, video or other electronic communication with residents and family and support persons to ensure the physical, emotional and social wellbeing of residents; and
- (2) ensure that an excluded person does not enter the premises; and
- (3) keep a record of visitors who are care facility excluded persons undertaking an end of life visit, and times of entry and exit for those visitors, for at least 28 days from the day of entry.

Failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic (Public Safety) Order 2022 (No. 3) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (PUBLIC SAFETY) ORDER 2022 (No. 3)

TABLE OF PROVISIONS

PART 1 – PRELIMINARY	3147
1 Objective.....	3147
2 Citation	3147
3 Authorising provision.....	3147
4 Commencement and revocation	3147
5 Definitions	3147
6 Application of this Order.....	3147
PART 2 – WORK AND FACE COVERING REQUIREMENTS FOR INDIVIDUALS	3147
7 Work	3147
8 Face covering requirements.....	3147
9 Face covering requirements on aircraft.....	3149
PART 3 – ENTRY REQUIREMENTS FOR CARE FACILITIES.....	3150
10 Prohibition on entry.....	3150
11 Entry Requirement.....	3150
12 Exceptions to Entry Requirements	3150
13 Care facility excluded persons	3151
14 Certain care facility excluded persons may be permitted to visit a care facility	3151
15 Essential visitors to care facilities	3151
16 Operator to take all reasonable steps.....	3151
17 Visitor declarations.....	3151
PART 4 – GENERAL PROVISIONS.....	3152
18 Relationship with other Orders	3152
19 Transitional provisions	3152
20 Severability.....	3152
PART 5 – PENALTIES	3153
21 Penalties.....	3153
SCHEDULE 1 – DEFINITIONS	3154
1 Definition of care facility	3154
2 Definition of care facility worker.....	3154
3 Other definitions.....	3154

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (PUBLIC SAFETY) ORDER 2022 (No. 3)

I, Mary-Anne Thomas, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

Part 1 – Preliminary**1 Objective**

The objective of this Order is to address the serious public health risk posed to the State of Victoria by the spread of COVID-19 by requiring everyone in the State of Victoria to carry and wear face coverings in certain settings and to restrict access to care facilities in order to limit the spread of COVID-19 within a particularly vulnerable population.

2 Citation

This Order may be referred to as the **Pandemic (Public Safety) Order 2022 (No. 3)**.

3 Authorising provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4 Commencement and revocation

- (1) The **Pandemic (Public Safety) Order 2022 (No. 3)** commences at 11:59:00 pm on 12 July 2022 and ends at 11:59:00 pm on 12 October 2022.
- (2) The **Pandemic (Public Safety) Order 2022 (No. 2)** is revoked at 11:59:00 pm on 12 July 2022.

5 Definitions

Terms used in this Order have the meanings set out in Schedule 1.

6 Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – WORK AND FACE COVERING REQUIREMENTS FOR INDIVIDUALS**7 Work**

A person must not perform work outside of the person's ordinary place of residence or enter, or remain on, a work premises to perform work, if the employer of the person or the operator of their work premises, is not permitted to allow the person to do so under the Workplace Order.

8 Face covering requirements

- (1) A person must:
 - (a) carry a face covering at all times, except where subclause (2)(a), (2)(b), (2)(c), (2)(d), (2)(e) or (2)(f) applies; and
 - (b) wear a face covering:
 - (i) while in an indoor space that is a publicly accessible area of a healthcare premises; or
 - (ii) while working in an indoor space:
 - (A) that is a publicly accessible area of a court or justice centre; or
 - (B) at a prison, police gaol, remand centre, youth residential centre, youth justice centre or post-sentence facility; or
 - (C) in a resident-facing role at a care facility, including when not interacting with residents; or
 - (iii) while visiting a hospital or a care facility; or
 - (iv) while on public transport or in a commercial passenger vehicle or in a vehicle being operated by a licensed tourism operator; or

- (v) if the person is required to self-isolate, self-quarantine or is a close contact under the **Quarantine, Isolation and Testing Order** and leaves the premises in accordance with that Order; or
- (vi) if the person has been tested for COVID-19 and is awaiting the results of that test, except where that test was taken as part of a surveillance or other asymptomatic testing program; or
- (vii) where required to do so in accordance with any other pandemic orders in force.

Note 1: face shields on their own do not meet the face covering requirements. For further information, please refer to the Department of Health's guidelines as amended or replaced from time to time by the Victorian Government, available at: www.coronavirus.vic.gov.au/face-masks

Note 2: it is strongly recommended that face coverings be worn in other situations when physical distancing is not possible.

- (2) Subclause (1)(b) does not apply if a person complies with any other requirements under any other pandemic orders in force and:
- (a) the person is an infant or a child under the age of 8 years; or
 - (b) the person is a prisoner in a prison (either in their cell or common areas), subject to any policies of that prison; or
 - (c) the person is detained in a remand centre, youth residential centre or youth justice centre (either in their room or common areas), subject to any policies of that centre; or
 - (d) the person is a resident in a post-sentence facility (either in their room or common areas), while they are at the facility and subject to any policies of that facility; or
 - (e) the person has a physical or mental health illness or condition, or disability, which makes wearing a face covering unsuitable; or

Examples: persons who have obstructed breathing, a serious skin condition on their face, an intellectual disability, a mental health illness, or who have experienced trauma.
 - (f) it is not practicable for the person to comply with subclause (1)(b) because the person is escaping harm or the risk of harm, including harm relating to family violence or violence of another person; or
 - (g) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
 - (h) the nature of a person's work means that wearing a face covering creates a risk to their health and safety; or
 - (i) the nature of a person's work means that clear enunciation or visibility of the mouth is essential; or

Example: broadcasting.
 - (j) the person is working by themselves in an enclosed indoor space (unless and until another person enters that indoor space); or
 - (k) the person is a professional sportsperson when training or competing; or
 - (l) the person is engaged in any strenuous physical exercise; or

Examples: jogging, running, swimming, cycling.
 - (m) the person is riding a bicycle or motorcycle; or
 - (n) the person is consuming:
 - (i) medicine; or
 - (ii) food or drink; or

- (o) the person is smoking or vaping (including e-cigarettes) while stationary; or
- (p) the person is undergoing dental or medical care or treatment to the extent that such care or treatment requires that no face covering be worn; or
- (q) the person is receiving a service and it is not reasonably practicable to receive that service wearing a face covering; or
- (r) the person is providing a service and it is not reasonably practicable to provide that service wearing a face covering; or
- (s) the person is asked to remove the face covering to ascertain identity; or
Example: a person may be asked by police, security, bank or post office staff to remove a face covering to ascertain identity or when purchasing alcohol or cigarettes.
- (t) for emergency purposes; or
- (u) when required or authorised by law; or
- (v) when doing so is not safe in all the circumstances.

9 Face covering requirements on aircraft

- (1) Without limiting clause 8(1)(b), a person in the State of Victoria at an airport or travelling in an aircraft must:
 - (a) carry a face covering at all times, except where subclause (2)(a) or (2)(b) applies; and
 - (b) wear a face covering at all times while inside an aircraft; and
 - (c) wear a face covering where required to do so in accordance with any other pandemic orders in force.

Note: face shields on their own do not meet the face covering requirements. For further information, please refer to the Department of Health's guidelines as amended or replaced from time to time by the Victorian Government, available at: www.coronavirus.vic.gov.au/face-masks

- (2) Subclauses (1)(b) and (1)(c) do not apply if a person complies with any other requirements under any other pandemic orders in force and:
 - (a) the person is an infant or a child under the age of 12 years; or
 - (b) the person has a physical or mental health illness or condition, or disability, which makes wearing a face covering unsuitable; or
Examples: persons who have obstructed breathing, a serious skin condition on their face, an intellectual disability, a mental health illness, or who have experienced trauma.
 - (c) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
 - (d) the nature of a person's work means that wearing a face covering creates a risk to their health and safety; or
 - (e) the nature of a person's work means that clear enunciation or visibility of the mouth is essential; or
 - (f) the person is consuming food, drink or medicine; or
 - (g) the person is undergoing dental or medical care or treatment to the extent that such care or treatment requires that no face covering be worn; or
 - (h) the person is receiving a service and it is not reasonably practicable to receive that service wearing a face covering; or
 - (i) the person is providing a service and it is not reasonably practicable to provide that service wearing a face covering; or
 - (j) the person is asked to remove the face covering to ascertain identity; or

Examples: a person may be asked by police, security, or airport staff to remove a face covering to ascertain identity or when purchasing alcohol or cigarettes.

- (k) for emergency purposes; or
 - (l) when required or authorised by law; or
 - (m) when doing so is not safe in all the circumstances.
- (3) An authorised officer may require a person to attest in writing that they have complied with the requirements of subclause (1) to wear a face covering on an aircraft (subject to subclause (2)).

PART 3 – ENTRY REQUIREMENTS FOR CARE FACILITIES

10 Prohibition on entry

A person must not enter, or remain on, the premises of a care facility unless:

- (1) the person is a resident of the facility; or
- (2) the person is a care facility worker in relation to the facility, as defined in clause 2 of Schedule 1, and the entry is not otherwise prohibited under this Order; or
- (3) the person is a visitor of a resident of the facility and the visit is not otherwise prohibited under this Order; or
- (4) the person is visiting as a prospective resident of the facility, or a visitor that is a support person to a prospective resident of the facility, and the visit is not otherwise prohibited under this Order; or
- (5) the person is an essential visitor listed in the Benchmark Essential Visitors List and the visit is not otherwise prohibited under this Order.

11 Entry Requirement

An operator of a care facility must not permit:

- (1) a visitor of a resident of the care facility; or
- (2) a visitor who is visiting as a prospective resident of the care facility; or
- (3) a visitor that is a support person to a prospective resident of the care facility; or
- (4) a visitor who is an essential visitor listed in the Benchmark Essential Visitors List (unless the person is a care facility worker),

to enter, or remain at, the care facility except if they have received a negative result from a COVID-19 rapid antigen test undertaken on the same day the visitor attends the care facility.

Note 1: for all visitors, face covering requirements contained within Part 2 continue to apply.

Note 2: the visitor must provide a declaration that they have received a negative result from the COVID-19 rapid antigen test, consistent with the visitor declaration requirements in clause 17.

12 Exceptions to Entry Requirements

The obligations in clause 11 do not apply to an operator of a care facility in relation to the following persons:

- (1) a person who is visiting for the purpose of undertaking an end of life visit to a resident of the care facility; or
- (2) a person that is seeking to enter the care facility for the purpose of providing urgent support for a resident's immediate physical, cognitive or emotional wellbeing, where it is not practicable for the person to take a COVID-19 rapid antigen test prior to entering the care facility; or

Example: a person providing urgent assistance to settle a resident experiencing severe symptoms related to dementia.

- (3) a person who has undertaken a COVID-19 PCR test within 24 hours prior to visiting the care facility and provided acceptable evidence of a negative result from that test to the operator of the care facility; or
- (4) a person providing professional patient care, including but not limited to:
 - (a) emergency workers in the event of an emergency; and

- (b) ambulance workers; and
- (c) visiting healthcare professionals.

13 Care facility excluded persons

Despite clause 10, a person who is a care facility worker or a visitor of a resident of the care facility, or a prospective resident of the care facility, or a visitor that is a support person to a prospective resident of the facility, or a visitor who is an essential visitor listed in the Benchmark Essential Visitors List, must not enter, or remain on, the premises of the facility if the person is a care facility excluded person.

14 Certain care facility excluded persons may be permitted to visit a care facility

- (1) Despite clause 13, a person referred to in paragraph (3) of the definition of care facility excluded person may enter, or remain on, the premises of the care facility if:
 - (a) the person's presence at the facility is for the purposes of undertaking an end of life visit to a resident of the care facility; and
 - (b) the person is authorised to enter or remain at the care facility by:
 - (i) an officer of the care facility with the position of Director of the facility or equivalent; and
 - (ii) either:
 - (A) the Chief Health Officer or Deputy Chief Health Officer; or
 - (B) a Director or Medical Lead of a designated Local Public Health Unit.
- (2) A person authorised to enter or remain at the care facility under subclause (1) must comply with any directions or conditions to which that authorisation is subject.
- (3) An officer of a care facility referred to in subclause (1)(b)(i) must keep, in relation to each person to whom they give authorisation under that subclause, a record of:
 - (a) the contact details of the person; and
 - (b) the date and time at which that person entered and left the care facility.
- (4) A record under subclause (3) must be kept for at least 28 days from the day the authorisation is given.

15 Essential visitors to care facilities

Subject to clause 11, an operator of a care facility must take all reasonable steps to ensure that a person who is an essential visitor listed in the Benchmark Essential Visitors List is permitted to enter, or remain on, the premises of the facility, including during an outbreak.

16 Operator to take all reasonable steps

The operator of a care facility must take all reasonable steps to ensure that:

- (1) a person does not enter or remain on the premises of the care facility if the person is prohibited from doing so by clause 10; and
- (2) the care facility facilitates telephone, video or other means of electronic communication with the parents, guardians, partners, carers, support persons and family members of residents to support the physical, emotional and social wellbeing (including mental health) of residents.

17 Visitor declarations

- (1) The operator of a care facility must require visitors in relation to the care facility to declare in writing at the start of each visit, but before entering any area of the care facility that is freely accessible to residents, whether the visitor:
 - (a) is free of COVID-19 symptoms other than symptoms caused by an underlying health condition or medication; and

- (b) has received a negative result from a COVID-19 rapid antigen test on the same day that they attend the care facility; and
 - (c) is not currently required to self-isolate, self-quarantine or is a close contact but is not required to self-quarantine in accordance with the **Quarantine, Isolation and Testing Order**.
- (2) Where a visitor of a resident of a care facility is aged under 18 years, a parent, carer or guardian of the visitor may make the declaration required of the visitor by the operator of a care facility under subclause (1) on the visitor's behalf.

PART 4 – GENERAL PROVISIONS

18 Relationship with other Orders

- (1) Where the premises of a care facility are located within the premises of a hospital, the care facilities requirements in this Order apply, in relation to the premises of the care facility and to matters that relate to the care facility.
- (2) This Order operates alongside, and is not intended to derogate from, obligations imposed on operators of care facilities under the **Workplace Order**.
- (3) If there is any inconsistency between Part 2 of this Order and the **Quarantine, Isolation and Testing Order**, Part 2 of this Order is inoperative to the extent of any inconsistency.
- (4) If there is any inconsistency between this Order and any other pandemic order in force or other requirement contained in a **Detention Notice**, this Order is inoperative to the extent of the inconsistency.
- (5) If there is any inconsistency between Part 2 of this Order and Part 3 of this Order, Part 2 of this Order is inoperative to the extent of any inconsistency.
- (6) Unless the context otherwise requires, a reference in any pandemic order in force, in any **Detention Notice**, or in any approved form under a pandemic order in force or a **Detention Notice** to:
 - (a) a pandemic order in force or this Order, or a defined term in a pandemic order in force or this Order, will be taken to mean that Order (and hence that defined term) as amended or replaced from time to time; or
 - (b) an earlier version of a particular pandemic order in force or this Order will be taken to be a reference to the current version of that particular pandemic order.

19 Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked Public Safety Order or a Revoked Visitors to Hospitals and Care Facilities Order or a Revoked Movement and Gathering Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under a Revoked Public Safety Order or a Revoked Visitors to Hospitals and Care Facilities Order or a Revoked Movement and Gathering Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked Public Safety Order or a Revoked Visitors to Hospitals and Care Facilities Order or a Revoked Movement and Gathering Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

20 Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

PART 5 – PENALTIES**21 Penalties**

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.

Penalty: In the case of a natural person, 60 penalty units;
 In the case of a body corporate, 300 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – DEFINITIONS**1 Definition of care facility**

A **care facility** is a facility in Victoria that is:

- (1) an alcohol and drug residential service;
- (2) a homelessness residential service;
- (3) a residential aged care facility;
- (4) a disability residential service;
- (5) an eligible SDA enrolled dwelling;
- (6) a secure welfare service;
- (7) a short-term accommodation and assistance dwelling;
- (8) a supported residential service;
- (9) the Thomas Embling Hospital.

2 Definition of care facility worker

A person is a **care facility worker** in relation to a care facility if:

- (1) the person is the operator of a care facility or an employee or contractor in relation to the care facility; or
- (2) the person is a student under the supervision of an employee or contractor in relation to the care facility; or
- (3) the person's presence at the premises of the care facility is for the purposes of providing goods or services that are necessary for the effective operation of the care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
- (4) the person's presence at the premises of the care facility is for the purposes of providing any of the following goods or services to a resident of the care facility, whether the goods or services are provided for consideration or on a voluntary basis:
 - (a) health, medical, or pharmaceutical goods or services; or
 - (b) behavioural support services; or
 - (c) functional and well-being support services; or
 - (d) other support services; or
- (5) in the case of a disability residential service or an eligible SDA enrolled dwelling – the person's presence at the premises of the facility is for the purposes of providing treatment under a treatment plan to a resident of the facility, whether the treatment is provided for consideration or on a voluntary basis; or
- (6) in the case of a secure welfare service – the person's presence at the premises of the facility is for the purposes of providing educational services to a resident of the facility, whether the goods or services are provided for consideration or on a voluntary basis; or
- (7) the person's presence at the premises of the care facility is authorised or required for the purposes of emergency management, law enforcement, or the performance of a duty, function or power under a law.

Note: this includes advocates with a legislated role such as the National Aged Care Advocacy Program and the Community Visitors Scheme.

3 Other definitions

For the purposes of this Order:

aircraft means an aircraft that is mainly used for the purpose of, or is engaged, or is intended or likely to be engaged, in a flight wholly within Australia;

airport means an aerodrome at which facilities are available for the arrival or departure of aircraft into or from the State of Victoria;

alcohol and drug residential service means any of the following:

- (1) a treatment centre within the meaning of the **Severe Substance Dependence Treatment Act 2010**;
- (2) a residential treatment service (however described) that provides drug or alcohol withdrawal or rehabilitation services in a residential setting to people dependent on alcohol or other drugs;
- (3) a service that provides supported accommodation to a person after the person has received residential treatment services of the kind referred to in subclause (2);

authorised officer has the same meaning as in the **Public Health and Wellbeing Act 2008**;

Benchmark Essential Visitors List means the document titled ‘Benchmark Essential Visitors List’ as amended or reissued from time to time by the Secretary of the Department of Health and included with this Order;

bus company has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**;

care facility has the meaning in clause 1 of this Schedule;

care facility excluded person means a person who:

- (1) is required to self-isolate under the **Quarantine, Isolation and Testing Order**; or
- (2) is required to self-quarantine under the **Quarantine, Isolation and Testing Order**; or
- (3) has COVID-19 symptoms unless those symptoms are caused by an underlying health condition or medication; or

Note: for the purposes of this Order, COVID-19 symptoms, including but not limited to acute respiratory infection (such as cough, shortness of breath, sore throat), loss of smell, and loss of taste do not include those symptoms where caused by an underlying health condition or medication.

- (4) in the case of a visitor – has been tested for COVID-19, and has not yet received the results of that test;

care facility worker has the meaning in clause 2 of this Schedule;

close contact has the same meaning as in the **Quarantine, Isolation and Testing Order**;

confirmed case means a person who has been diagnosed with COVID-19 and includes the period of time prior to the diagnosis during which the confirmed case is considered infectious;

Note: the period during which a person is considered infectious is generally considered to be 48 hours prior to the onset of COVID-19 symptoms, however, alternative infectious periods may be determined at the discretion of an officer or nominated representative of the Department of Health (for instance, in high-risk settings or if the confirmed case is asymptomatic).

commercial passenger vehicle has the same meaning as in the **Workplace Order**;

court means any premises in the State of Victoria that is:

- (1) the Supreme Court; or
- (2) the County Court; or
- (3) the Magistrates’ Court; or
- (4) the Children’s Court; or
- (5) any Federal Court; or
- (6) the Coroner’s Court; or
- (7) the Victorian Civil and Administrative Tribunal; or
- (8) any other court or tribunal of Victoria conducting in-person hearings;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID-19 symptoms means symptoms consistent with COVID-19, including but not limited to the following:

- (1) a fever ($\geq 37.5^{\circ}\text{C}$) or consistent fever of less than 37.5°C (such as night sweats or chills);
- (2) acute respiratory infection (such as cough, shortness of breath, sore throat);
- (3) loss of smell;
- (4) loss of taste;

day procedure centre has the same meaning as in the **Health Services Act 1988**;

denominational hospital has the same meaning as in the **Health Services Act 1988**;

designated Local Public Health Unit means:

- (1) Western Public Health Unit;
- (2) South Eastern Public Health Unit;
- (3) North Eastern Public Health Unit;
- (4) Barwon South West Public Health Unit;
- (5) Grampians Wimmera Southern Mallee Public Health Unit;
- (6) Loddon-Mallee Public Health Unit;
- (7) (Hume) Goulburn Valley Public Health Unit;
- (8) (Hume) Albury-Wodonga Public Health Unit;
- (9) Gippsland Public Health Unit;

Detention Notice means a notice given to a person requiring the person to be detained for a specified period under the **Public Health and Wellbeing Act 2008**;

Director or Medical Lead of a designated Local Public Health Unit means a person with the title of Director or Medical Lead in a designated Local Public Health Unit who is authorised under section 165AW(2)(a) of the **Public Health and Wellbeing Act 2008** to exercise the pandemic management powers or to exercise public health risk powers;

disability has the same meaning as in the **Disability Service Safeguards Act 2018**;

disability residential service means a residential service within the meaning of the **Disability Act 2006** and to avoid doubt, includes the facility called the Intensive Residential Treatment Program of the Statewide Forensic Service;

Note: the Intensive Residential Treatment Program of the Statewide Forensic Service is often referred to as 'DFATS'.

disability service has the same meaning as in the **Disability Service Safeguards Act 2018**;

disability service provider has the same meaning as in the **Disability Act 2006**;

disability worker has the same meaning as in the **Disability Service Safeguards Act 2018**;

eligible SDA enrolled dwelling means a Specialist Disability Accommodation (SDA) enrolled dwelling that is provided under an SDA residency agreement within the meaning of section 498B of the **Residential Tenancies Act 1997**;

employee or contractor in relation to a care facility, means a person employed or engaged as a contractor by the operator of a care facility, and includes a person who provides labour hire services to the operator of a care facility;

employer has the same meaning as in the **Workplace Order**;

end of life in relation to a patient or a resident:

- (1) means a situation where the person's death is expected within days (including periods of 28 days or less), or where the person, with or without existing conditions, is at risk of dying from a sudden acute event;

- (2) does not mean a situation where a person has an advanced, progressive, incurable condition, or general frailty and co-existing conditions, that mean that the person is expected to die within 12 months (except where the situation also falls within subclause (1));

essential visitor has the same meaning as in the Benchmark Essential Visitors List;

flexible care subsidy has the same meaning as in the **Aged Care Act 1997** of the Commonwealth;

face covering means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection (but does not include a face shield);

healthcare premises means:

- (1) a community health centre, including mental health, child and maternity, and drug and alcohol counselling services centres; or
- (2) a general practice; or
- (3) a COVID-19 related healthcare site, including testing sites, vaccination centres and hotel quarantine premises; or
- (4) a dental surgery and dental practice; or
- (5) a health clinic, including medical specialist and/or allied health professional operated clinics; or
- (6) a diagnostic and medical imaging centre; or
- (7) a premises at which mobile health services are provided; or
- (8) a premises at which blood donation services are provided;

homelessness residential service means a service that is funded by government to provide a staffed residential service to people who are homeless or at risk of being homeless;

hospital means a public hospital, a denominational hospital, a multi-purpose service, a private hospital, a day procedure centre and includes any retail or other premises operating within a hospital including but not limited to a cafe, newsagent and florist;

indoor space means an area, room or premises that is or are substantially enclosed by a roof and walls that are permanent structures rising either from floor to ceiling or are at least 2.1 metres high, regardless of whether the roof or walls or any part of them are open or closed;

justice centre means a Justice Service Centre as established by the Department of Justice and Community Safety;

licensed tourism operator has the same meaning as in the **Workplace Order**;

multi-purpose service has the same meaning as in the **Health Services Act 1988**;

operator of a care facility means:

- (1) for an alcohol and drug treatment facility – the operator of the facility;
- (2) for a homelessness residential service – the entity that receives government funding to provide the service;
- (3) for a residential aged care facility – the operator of the facility;
- (4) for a disability residential service – the disability service provider that operates the service;
- (5) for an eligible SDA enrolled dwelling – the disability service provider or the registered NDIS provider that operates the service;
- (6) for a short-term accommodation and assistance dwelling – the registered NDIS provider or the disability service provider that operates the service;
- (7) for a secure welfare service – the Secretary to the Department of Families, Fairness and Housing;
- (8) for a supported residential service – the proprietor of the supported residential service;
- (9) for the Thomas Embling Hospital – the Victorian Institute of Forensic Mental Health;

outbreak has the same meaning as in the **Quarantine, Isolation and Testing Order**;

pandemic orders in force means any of the following as amended or replaced from time to time:

- (1) the **Workplace Order**;
- (2) the **Public Safety Order**;
- (3) the **Quarantine, Isolation and Testing Order**;

parent, carer or guardian in relation to a patient aged under 18 means an adult in a significant primary caring role, including biological, adoptive, or foster parents, kinship carers, step-parents and legal guardians;

passenger transport company has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**;

police gaol has the same meaning as in the **Corrections Act 1986**;

post-sentence facility means a residential facility or residential treatment facility under the **Serious Offenders Act 2018**;

premises means:

- (1) a building, or part of a building; and
- (2) any land on which the building is located, other than land that is available for communal use;

prison has the same meaning as in the **Corrections Act 1986**;

prisoner has the same meaning as in the **Corrections Act 1986**;

private hospital has the same meaning as in the **Health Services Act 1988**;

proprietor of a supported residential service has the same meaning as in the **Supported Residential Services (Private Proprietors) Act 2010**;

provides labour hire services has the same meaning as in the **Labour Hire Licensing Act 2018**;

public hospital has the same meaning given in the **Health Services Act 1988**;

Public Safety Order means the **Pandemic (Public Safety) Order 2022 (No. 3)** as amended or replaced from time to time;

public transport means a vehicle operated by a passenger transport company or by a bus company in the provision of public transport service;

public transport service has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 10)** as amended or replaced from time to time;

registered NDIS provider has the same meaning as in the National Disability Insurance Scheme Act 2013 of the Commonwealth;

remand centre has the same meaning as in the **Children, Youth and Families Act 2005**;

resident of a care facility includes a patient or resident of the care facility;

residential aged care facility means premises at which accommodation and personal care or nursing care or both are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the Aged Care Act 1997 of the Commonwealth;

residential care subsidy has the same meaning as in the Aged Care Act 1997 of the Commonwealth;

Revoked Movement and Gathering Order means the **Stay Safe Directions (Victoria) (No. 30)** or the **Pandemic (Movement and Gathering) Order 2022 (No. 5)**, or their predecessors;

Revoked Public Safety Order means the **Pandemic (Public Safety) Order 2022 (No. 2)**, or its predecessors;

Revoked Visitors to Hospitals and Care Facilities Order means the **Care Facilities Directions (No. 50)**, the **Hospital Visitor Directions (No. 40)** or the **Pandemic (Visitors to Hospitals and Care Facilities) Order 2022 (No. 5)**, or their predecessors;

SDA enrolled dwelling has the same meaning as in the **Disability Act 2006**;

SDA provider has the same meaning as in the **Disability Act 2006**;

secure welfare service has the same meaning as in the **Children, Youth and Families Act 2005**;

short-term accommodation and assistance dwelling has the same meaning as in the **Disability Act 2006**;

supported residential service has the same meaning as in the **Supported Residential Services (Private Proprietors) Act 2010**;

Thomas Embling Hospital means the hospital of that name operated by the Victorian Institute of Forensic Mental Health;

treatment plan has the same meaning as in the **Disability Act 2006**;

vehicle has the same meaning as in the **Public Health and Wellbeing Act 2008**;

worker means any person engaged or employed by an operator of a premises to work at the premises;

work premises has the same meaning as in the **Workplace Order**;

Workplace Order means the **Pandemic (Workplace) Order 2022 (No. 10)** as amended or replaced from time to time;

youth justice centre has the same meaning as in the **Children, Youth and Families Act 2005**;

youth residential centre has the same meaning as in the **Children, Youth and Families Act 2005**.

Dated 11 July 2022

THE HON. MARY-ANNE THOMAS MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

GUIDANCE FOR THE PANDEMIC (QUARANTINE, ISOLATION AND TESTING)
ORDER 2022 (No. 10)

This Order requires persons to limit the spread of COVID-19 including by requiring persons who are:

- (1) diagnosed with COVID-19 or probable cases to self-isolate; or
- (2) close contacts to self-quarantine and/or undertake testing, as applicable; or
- (3) risk individuals to observe relevant testing requirements issued by the Department.

This Order also sets out the conditions under which a person may be granted an exemption from this Order.

Failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic (Quarantine Isolation and Testing) Order 2022 (No. 10) and it is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (QUARANTINE, ISOLATION AND TESTING) ORDER 2022 (No. 10)

TABLE OF PROVISIONS

PART 1 – PRELIMINARY	3163
1 Objective.....	3163
2 Citation	3163
3 Authorising provision.....	3163
4 Commencement and revocation	3163
5 Definitions	3163
6 Application of this Order.....	3163
PART 2 – SELF-ISOLATION FOR DIAGNOSED PERSONS	3163
7 Who is a diagnosed person?.....	3163
8 Requirement to self-isolate.....	3163
9 Location of self-isolation.....	3164
10 Self-isolation period	3164
11 Notifications by the diagnosed person	3164
PART 3 – SELF-ISOLATION FOR PROBABLE CASES	3165
12 Who is a probable case?.....	3165
13 Requirement to self-isolate.....	3165
14 Location of self-isolation.....	3165
15 Self-isolation period	3165
16 Notification by the probable case.....	3166
PART 4 – SELF-QUARANTINE FOR CLOSE CONTACTS.....	3167
17 Who is a close contact?	3167
18 Requirement to self-quarantine	3167
19 Location of self-quarantine	3167
20 Self-quarantine period	3167
21 End of period of self-quarantine	3168
22 Exception – surveillance testing.....	3168
23 Exception – previous clearance.....	3169
24 Review of determination and notice	3169
25 Notifications by the close contact	3169
26 Testing of persons in self-quarantine	3169
PART 5 – RISK INDIVIDUALS.....	3170
27 Who is a risk individual?.....	3170
28 Testing of risk individuals	3170
PART 6 – GENERAL PROVISIONS.....	3170
29 Requirements of self-isolation and self-quarantine.....	3170
30 General exemption power	3172
31 Exemption power – variation to the period of self-isolation for a diagnosed person or a probable case.....	3172

32	Exemption power – alternate premises for self-quarantine or self-isolation	3173
33	Exemption power – healthcare worker who is a close contact – return to work.....	3173
34	Severability.....	3174
35	Transitional provisions	3174
PART 7 – PENALTIES		3174
36	Penalties.....	3174
SCHEDULE 1 – DEFINITIONS		3175

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (QUARANTINE, ISOLATION AND TESTING) ORDER 2022 (No. 10)

I, Mary-Anne Thomas, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1 Objective**

The objective of this Order is to require persons to limit the spread of COVID-19 including by requiring persons:

- (1) diagnosed with COVID-19 or who are probable cases to self-isolate;
- (2) who are living with a diagnosed person or a probable case or who have been in close contact with a diagnosed person or a probable case, to self-quarantine and/or undertake testing, as applicable;
- (3) who are risk individuals to observe relevant testing requirements issued by the Department.

2 Citation

This Order may be referred to as the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 10)**.

3 Authorising provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4 Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 12 July 2022 and ends at 11:59:00 pm on 12 October 2022.
- (2) The **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 9)** is revoked at 11:59:00 pm on 12 July 2022.

5 Definitions

Terms used in this Order have the meanings set out in Schedule 1.

6 Application of this Order

- (1) This Order applies to the whole State of Victoria.
- (2) This Order does not apply to a person during the period in which they are detained pursuant to a direction given by an authorised officer under section 165B or section 165BA of the **Public Health and Wellbeing Act 2008**.

PART 2 – SELF-ISOLATION FOR DIAGNOSED PERSONS**7 Who is a diagnosed person?**

- (1) A person is a diagnosed person if the person at any time before, on or after the commencement of this Order, has received a positive result from a COVID-19 PCR test and is not a recent confirmed case.
- (2) A person ceases to be a diagnosed person when they have completed self-isolation in accordance with this Part 2 or a Revoked Quarantine, Isolation and Testing Order.

8 Requirement to self-isolate

A diagnosed person must self-isolate under this Order:

- (1) if the diagnosis is communicated to the person on or after the commencement of this Order; or
- (2) if the diagnosis was communicated to the person before the commencement of this Order.

Note: the requirements of self-isolation are specified in clause 29. A diagnosed person can still leave the premises at which they are self-isolating to obtain medical care.

9 Location of self-isolation

- (1) A diagnosed person must self-isolate:
 - (a) if clause 8(1) applies, at the premises chosen by the person under subclause (2); or
 - (b) if clause 8(2) applies, at the premises at which the person was required to reside under a Revoked Quarantine, Isolation and Testing Order.
- (2) For the purposes of subclause (1)(a), the diagnosed person may choose to self-isolate at:
 - (a) a premises at which they ordinarily reside; or
 - (b) another premises that is suitable for the person to reside in for the purpose of self-isolation.

Note 1: a person can decide to self-isolate at a hotel or other suitable location, instead of self-isolating at their ordinary place of residence.

Note 2: once a person has chosen the premises at which to self-isolate, the person must reside at that premises for the entirety of the period of self-isolation unless an exemption to move to and self-isolate at an alternate premises has been given: see clauses 29(2)(a) and 29(5).

- (3) If a diagnosed person who has chosen a premises under subclause (2) is not at the premises at the time when the choice is made, the person must immediately and directly travel to that premises, unless the person is admitted to a hospital or other facility for the purposes of receiving medical care.

10 Self-isolation period

- (1) For the purposes of clause 8, the period of self-isolation begins:
 - (a) if clause 8(1) applies, when the diagnosis is communicated to the person; or
 - (b) if clause 8(2) applies, upon the commencement of this Order.
- (2) For the purposes of clause 8 and subject to clause 31, the period of self-isolation ends at 12:01:00 am on the seventh day from the date on which the person undertook a COVID-19 PCR test, from which they were diagnosed with COVID-19.

Note: if a person's period of self-isolation ends before the commencement of this Order, they are not required to self-isolate on the commencement of this Order. If a person's period of self-isolation begins but does not end before the commencement of this Order, they are only required to self-isolate for the remainder of their self-isolation period on the commencement of this Order.

Example: a person who undertook a COVID-19 PCR test on Monday, the first Monday of the month, and received a positive test result from that test, would end their self-isolation period at 12:01:00 am on the following Monday, the second Monday of the month.

11 Notifications by the diagnosed person

- (1) Immediately after choosing a premises under clause 9(2), the diagnosed person must:
 - (a) if any other person is residing at the premises chosen by the diagnosed person, notify the other person that:
 - (i) the diagnosed person has been diagnosed with COVID-19; and
 - (ii) the diagnosed person has chosen to self-isolate at the premises; and
 - (b) notify the Department of the address of the premises chosen by the diagnosed person.
- (2) If, during the period that a diagnosed person is self-isolating at a premises for the purposes of clause 8, another person informs the diagnosed person that they intend to commence residing at the premises chosen by the diagnosed person, the diagnosed person must inform the other person of their diagnosis.
- (3) The diagnosed person must as soon as practicable notify the persons listed below that the diagnosed person has been diagnosed with COVID-19, and of the diagnosed person's infectious period:
 - (a) the operator of any education facility at which they are enrolled, if the diagnosed person attended an indoor space at the education facility during their infectious period; and

Note: the diagnosed person's parent, guardian or carer may notify the operator of the education facility on behalf of the diagnosed person for the purpose of paragraph (a).

- (b) the operator of any work premises at which they ordinarily work, if the diagnosed person attended an indoor space at the work premises during their infectious period; and
- (c) any person who is a close contact or a social contact of the diagnosed person, to the extent the diagnosed person is able to reasonably ascertain and notify such person.

PART 3 – SELF-ISOLATION FOR PROBABLE CASES

12 Who is a probable case?

- (1) A person is a probable case if the person at any time before, on or after the commencement of this Order, has received a positive result from a COVID-19 rapid antigen test and is not a recent confirmed case.
- (2) A person ceases to be a probable case after the person has completed self-isolation in accordance with this Part 3.

13 Requirement to self-isolate

A probable case must self-isolate under this Order:

- (1) if the person received the positive result from a COVID-19 rapid antigen test on or after the commencement of this Order; or
- (2) if the person received the positive result from a COVID-19 rapid antigen test before the commencement of this Order.

Note: the requirements of self-isolation are specified in clause 29. A probable case can still leave the premises at which they are self-isolating to obtain medical care.

14 Location of self-isolation

- (1) A probable case must self-isolate:
 - (a) if clause 13(1) applies, at the premises chosen by the person under subclause (2); or
 - (b) if clause 13(2) applies, at the premises at which the person was required to reside under a Revoked Quarantine, Isolation and Testing Order.
- (2) For the purposes of subclause (1)(a), the probable case may choose to self-isolate at:
 - (a) a premises at which they ordinarily reside; or
 - (b) another premises that is suitable for the person to reside in for the purpose of self-isolation.

Note 1: a person can decide to self-isolate at a hotel or other suitable location, instead of self-isolating at their ordinary place of residence.

Note 2: once a person has chosen the premises at which to self-isolate, the person must reside at that premises for the entirety of the period of self-isolation unless an exemption to move to and self-isolate at an alternative premises has been given: see clauses 29(2)(a) and 29(5).

- (3) If a probable case who has chosen a premises under subclause (2) is not at the premises at the time when the choice is made, the person must immediately and directly travel to that premises, unless the person is admitted to a hospital or other facility for the purposes of receiving medical care.

15 Self-isolation period

- (1) For the purposes of clause 13, the period of self-isolation begins:
 - (a) if clause 13(1) applies, when the probable case received a positive result from a COVID-19 rapid antigen test; or
 - (b) if clause 13(2) applies, upon the commencement of this Order.

- (2) For the purposes of clause 13 and subject to clause 31, the period of self-isolation ends on the earlier of:
- (a) 12:01:00 am on the seventh day from the date on which the probable case received a positive result from a COVID-19 rapid antigen test; or
 - (b) the day on which a negative result is received by the probable case from a COVID-19 PCR test that was undertaken within 48 hours after the COVID-19 rapid antigen test from which the person became a probable case.

Note 1: if the probable case undertakes a COVID-19 PCR test within 48 hours after receiving the positive result from the COVID-19 rapid antigen test and receives a positive result from the COVID-19 PCR test, the probable case is not required to restart their self-isolation period; that period still begins from the relevant date under subclause (1).

Note 2: if a person's period of self-isolation ends before the commencement of this Order, they are not required to self-isolate on the commencement of this Order. If a person's period of self-isolation begins but does not end before the commencement of this Order, they are only required to self-isolate for the remainder of their self-isolation period on the commencement of this Order.

Example: in the case of subclause (a), a probable case who undertook a COVID-19 rapid antigen test which was positive on Monday, the first Monday of the month, would end their self-isolation period at 12:01:00 am on the following Monday, the second Monday of the month.

16 Notification by the probable case

- (1) Immediately after choosing a premises under clause 14(2), the probable case must:
- (a) if any other person is residing at the premises chosen by the probable case, notify the other person that:
 - (i) the probable case has received a positive result from a COVID-19 rapid antigen test; and
 - (ii) the probable case has chosen to self-isolate at the premises; and
 - (b) notify the Department of the positive result from a COVID-19 rapid antigen test by submitting a COVID-19 Positive Rapid Antigen Test Self-Reporting Form or by calling the Department and providing:
 - (i) the positive result from the COVID-19 rapid antigen test; and
 - (ii) the address of the premises chosen by the probable case.

Note: notification to the Department is to occur by the submission of the COVID-19 Positive Rapid Antigen Test Self-Reporting Form online at dhvicgovau.powerappsportals.com/rapid-antigen-test/ as amended or reissued from time to time by the Secretary of the Department or by calling the Department.

- (2) If, during the period that a probable case is self-isolating at a premises for the purposes of clause 13, another person informs the probable case that they intend to commence residing at the premises chosen by the probable case, the probable case must inform the other person of their positive result from a COVID-19 rapid antigen test.
- (3) The probable case must as soon as practicable notify the persons listed below that the probable case has received a positive result from a COVID-19 rapid antigen test, and of the probable case's infectious period:
- (a) the operator of any education facility at which they are enrolled, if the probable case attended an indoor space at the education facility during their infectious period; and

Note: the probable case's parent, guardian or carer may notify the operator of the education facility on behalf of the probable case for the purpose of paragraph (a).
 - (b) the operator of any work premises at which they ordinarily work, if the probable case attended an indoor space at the work premises during their infectious period; and
 - (c) any person who is a close contact or a social contact of the probable case, to the extent the probable case is able to reasonably ascertain and notify such person.

PART 4 – SELF-QUARANTINE FOR CLOSE CONTACTS**17 Who is a close contact?**

- (1) A person is a close contact if the person is not a recent confirmed case and before, on or after the commencement of this Order:
 - (a) an officer or nominated representative of the Department makes a determination that the person is a close contact of a diagnosed person or a probable case, including in the event of an outbreak, and has given that person a notice of the determination in accordance with subclause (2); or
 - (b) the person has spent more than four hours in an indoor space at a private residence, accommodation facility or care facility with a diagnosed person or a probable case during their infectious period.
- (2) For the purposes of subclause (1)(a), the notice:
 - (a) may be given orally or in writing, and, if given orally, must be confirmed in writing as soon as reasonably practicable; and
 - (b) is not required to be in a particular form.

18 Requirement to self-quarantine

Subject to clauses 22 and 23, a close contact must self-quarantine under this Order:

- (1) if the person becomes a close contact on or after the commencement of this Order; or
- (2) if the person became a close contact before the commencement of this Order.

Note: the requirements of self-quarantine are specified in clause 29.

19 Location of self-quarantine

- (1) A close contact may choose to self-quarantine:
 - (a) if clause 18(1) applies, at:
 - (i) a premises at which they ordinarily reside; or
 - (ii) another premises that is suitable for the person to reside in for the purpose of self-quarantine; or

Note 1: a person can decide to self-quarantine at a hotel or other suitable location, instead of self-quarantining at their ordinary place of residence.

Note 2: once a person has chosen the premises at which to self-quarantine, the person must reside at that premises for the entirety of the period of self-quarantine unless an exemption to move to and self-quarantine at an alternate premises has been given: see clauses 29(2)(a) and 29(5).

 - (b) if clause 18(2) applies, at a premises at which the person was permitted to reside under a Revoked Quarantine, Isolation and Testing Order.
- (2) If, at the time a person becomes aware or is given notice that they are a close contact, the person is not at the premises chosen by the person under subclause (1), the person must immediately and directly travel to those premises.

20 Self-quarantine period

- (1) Subject to clauses 22 and 23 and if clause 18(1) applies, if a close contact self-quarantines at the same premises where the diagnosed person or the probable case is self-isolating, the close contact's period of self-quarantine begins:
 - (a) on the date the diagnosed person undertook a COVID-19 PCR test, from which they were diagnosed with COVID-19; or
 - (b) on the date the probable case received a positive result from a COVID-19 rapid antigen test.
- (2) Subject to clause 22 and 23 and if clause 18(1) applies, if a close contact self-quarantines at a different premises from where the diagnosed person or the probable case is self-isolating, the close contact's period of self-quarantine begins

from the date the close contact most recently had in-person contact with the diagnosed person or the probable case.

- (3) Subject to clause 22 and 23 and if clause 18(2) applies, a close contact's period of self-quarantine begins upon the commencement of this Order.

21 End of period of self-quarantine

For the purposes of this clause, the period of self-quarantine ends on the earlier of:

- (1) subject to subclauses (2) to (5), at 12:01:00 am on the seventh day from the relevant date specified under clause 20(1) or 20(2) or as varied or revoked under clause 24; or
Example: a person who resides with a diagnosed person where the diagnosed person undertook a COVID-19 test which was positive on Monday, the first Monday of the month, would end their self-isolation period at 12:01:00 am on the following Monday, the second Monday of the month, unless the person themselves tests positive for COVID-19 during the period.
- (2) if the notice given to the person under clause 17(1)(a) is revoked under clause 24, at the time that revocation takes effect; or
- (3) if the person becomes a diagnosed person, when the diagnosis is communicated to the person; or
Note: a close contact who becomes a diagnosed person will then be required to self-isolate under clause 8.
- (4) if the person becomes a probable case, the date the person receives a positive result from a COVID-19 rapid antigen test; or
Note: a close contact who becomes a probable case will then be required to self-isolate under clause 13.
- (5) if the person is a close contact of a probable case, the date the probable case receives a negative test result from a COVID-19 PCR test that was undertaken within 48 hours after the COVID-19 rapid antigen test from which the person became a probable case.

Note 1: a close contact of a probable case may end self-quarantine early if the probable case receives a negative COVID-19 PCR test result before the seven day self-isolation period provided that the COVID-19 PCR test is undertaken within 48 hours of the COVID-19 rapid antigen test.

Note 2: if a person's period of self-quarantine ends before the commencement of this Order, they are not required to self-quarantine on the commencement of this Order. If a person's period of self-quarantine begins but does not end before the commencement of this Order, they are only required to self-quarantine for the remainder of their self-quarantine period on the commencement of this Order.

22 Exception – surveillance testing

A close contact is not required to self-quarantine under clause 18 if:

- (1) the person, during the period commencing from the date the person became a close contact until the date the close contact's period of self-quarantine would have ended under clause 21, or as varied or revoked under clause 24:
- (a) undertakes a COVID-19 rapid antigen test once within each 24 hour period (up to a maximum of 5 tests) and receives a negative result on each occasion; and
 - (b) wears a face covering when attending any indoor space outside their ordinary place of residence unless, in accordance with the pandemic orders in force, an exception from the requirement to wear a face covering applies to the person; and
 - (c) does not visit a hospital or care facility, unless:
 - (i) in relation to a hospital, the person is permitted to do so by an officer of that hospital with the position of Executive Director of Nursing and Midwifery or equivalent; or
 - (ii) in relation to a care facility, the person is permitted to do so under the Public Safety Order; and
- (2) within 24 hours after the person becomes a close contact, the person notifies the following persons that they are a close contact and required to comply with the conditions specified in subclause (1):

- (a) the operator of any education facility at which they are enrolled and are likely to attend during the period specified in subclause (1); and
- (b) the operator of any work premises at which they are likely to attend for work during the period specified in subclause (1).

23 Exception – previous clearance

- (1) A close contact is not required to self-quarantine under clause 18 if the person has been given clearance from self-quarantine by the Director or Medical Lead of a designated Local Public Health Unit in accordance with subclause (2).
- (2) For the purposes of subclause (1):
 - (a) the Director or Medical Lead of a designated Local Public Health Unit may make a determination in relation to a person if the Director or Medical Lead of a designated Local Public Health Unit is satisfied that the person is at negligible risk of infection of COVID-19, on the basis that the person has previously been a diagnosed person or probable case and has since been given clearance from self-isolation and must give the person notice of the decision; and
 - (b) for the purposes of paragraph (a), the notice must be in writing but is not required to be in a particular form.

24 Review of determination and notice

- (1) The Chief Health Officer, a Deputy Chief Health Officer, a Director or Medical Lead of a designated Local Public Health Unit or an authorised officer who is authorised to exercise the pandemic management powers under section 165AW(2) of the **Public Health and Wellbeing Act 2008**, may review a determination made under clause 17(1)(a) and, if satisfied that it is appropriate, having regard to Departmental Requirements, may vary or revoke the notice given to the person under clause 17(1)(a) and must give the person notice of the decision.
- (2) For the purposes of subclause (1), the notice must be given in writing but is not required to be in a particular form.

25 Notifications by the close contact

If a close contact is required to self-quarantine under clause 18 and, during the period of self-quarantine, another person informs the close contact that they intend to commence residing at the premises chosen by the close contact, the close contact must inform the other person of their self-quarantine.

26 Testing of persons in self-quarantine

- (1) A close contact must comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure.
- (2) If a close contact is required to self-quarantine under clause 18 and, during the period of self-quarantine, the person receives a COVID-19 PCR test result stating that they have been diagnosed with COVID-19, the person becomes a diagnosed person and must self-isolate under clause 8.
- (3) If a close contact is required to self-quarantine under clause 18 and, during the period of self-quarantine, the person receives a positive result from a COVID-19 rapid antigen test, the person becomes a probable case and must self-isolate under clause 13.
- (4) If a close contact of a diagnosed person or a probable case is required to self-quarantine under clause 18 and, during the period of self-quarantine, the person receives a negative result from a COVID-19 rapid antigen test or a COVID-19 PCR test result stating that they have not been diagnosed with COVID-19, the person must, if the period of self-quarantine has not expired, continue to self-quarantine under clause 18 for the remainder of the self-quarantine period.

PART 5 – RISK INDIVIDUALS**27 Who is a risk individual?**

A person is a risk individual if the person is:

- (1) a social contact; or
- (2) a symptomatic person in the community; or
- (3) an international arrival.

28 Testing of risk individuals

A person who is a risk individual must comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure.

PART 6 – GENERAL PROVISIONS**29 Requirements of self-isolation and self-quarantine**

- (1) This clause applies to a person who is required to:
 - (a) self-isolate at a premises under clauses 8 or 13; or
 - (b) self-quarantine at a premises under clause 18.
- (2) The person identified in subclause (1):
 - (a) must reside at the premises for the entirety of the period of self-isolation or self-quarantine, as the case requires, except for any period that the person is admitted to a hospital or other facility for the purposes of receiving medical care; and
 - (b) must not leave the premises, except:
 - (i) for the purposes of obtaining medical care or medical supplies; or
 - (ii) for the purposes of transporting another person with whom they reside to or from a hospital if the person identified in subclause (1) is asymptomatic for COVID-19; or
 - (iii) if the person is a person identified in subclause (1)(a), for the purposes of transporting another person with whom they reside to, or from, a work premises, an education facility, a healthcare appointment or a location where that other person is obtaining essential food only if:
 - (A) the need for transportation is essential or other arrangements cannot be made; and
 - (B) the person being transported is not required to self-isolate or self-quarantine under this Order; and
 - (C) the person identified in subclause (1)(a) that is leaving self-isolation:
 1. travels directly to and from the location, making no stops, unless:
 - a. in any emergency situation; or
 - b. if required to do so by law; and
 2. remains in the vehicle at all times, unless:
 - a. reasonably required to escort the person being transported to the location; or
 - b. in any emergency situation; or
 - c. if required to do so by law; and
 3. wears a face covering at all times when they are not in the premises where they are self-isolating unless, in accordance with the pandemic orders in force, an exception from the requirement to wear a face covering applies to the person; or

- (iv) for the purposes of getting tested for COVID-19; or
- (v) in any emergency situation; or
- (vi) if required to do so by law; or
- (vii) for the purposes of visiting a patient in hospital if permitted to do so by an officer of that hospital with the position of Executive Director of Nursing and Midwifery or equivalent; or
- (viii) for the purposes of working in a care facility if permitted to do so under the **Public Safety Order**; or
- (ix) for the purpose of sitting a Senior Secondary examination provided that the person is not a diagnosed person or a probable case; or
- (x) to escape the risk of harm (including harm relating to family violence or violence of another person at the premises); or
- (xi) for the purpose of relocating from the premises chosen under this Order to the Victorian Quarantine Hub or a CIRF, only if the person has not spent any time at the Victorian Quarantine Hub or a CIRF during the person's self-isolation or self-quarantine period; or
- (xii) for the purpose of relocating from the Victorian Quarantine Hub or a CIRF to another suitable premises to complete the person's self-isolation or self-quarantine period only if the person has complied with subclause (3); and

Note: once a person has relocated from the Victorian Quarantine Hub or a CIRF, they may return to their chosen premises for the remainder of their period of self-isolation or self-quarantine, where they must remain, unless an exemption is granted under this Order.

- (c) subject to (4), must not permit any other person to enter the premises unless:
 - (i) that other person:
 - (A) ordinarily resides at the premises; or
 - (B) is required to self-isolate or self-quarantine at the premises under this Order; or
 - (ii) it is necessary for the other person to enter for medical or emergency purposes; or
 - (iii) the other person is a disability worker, and it is necessary for the disability worker to enter for the purpose of providing a disability service to a person with a disability; or
 - (iv) it is necessary for the other person to enter for the purpose of providing personal care or household assistance to the person as a result of that person's age, disability or chronic health condition; or

Examples: personal care includes assistance with showering, toileting, eating; household assistance includes help with cooking, house cleaning, laundry and gardening.

 - (v) the entry is otherwise required or authorised by law.
- (3) If the person is a person identified in subclause (1)(a) and the person is relocating to another suitable premises under subclause (2)(b)(xii), the person must, immediately after choosing a premises:
 - (a) if any other person is residing at the premises chosen, notify the other person that:
 - (i) the person has been diagnosed with COVID-19 or has received a positive result from a COVID-19 rapid antigen test; and
 - (ii) the person has chosen to self-isolate at the premises for the remainder of their self-isolation period; and

- (b) notify the Department of the address of the chosen premises where they will complete the remainder of their self-isolation period by calling the Department and providing the address of the premises chosen.
- (4) Subclause (2)(c) does not apply to a person who is a resident of a care facility.
*Note: the **Public Safety Order** governs who can enter a care facility.*
- (5) Despite subclause (2)(a):
 - (a) a diagnosed person or a probable case who is required to self-isolate; or
 - (b) a close contact who is required to self-quarantine,
 may apply under clause 32(2) to the Chief Health Officer, a Deputy Chief Health Officer, a Director or Medical Lead of a designated Local Public Health Unit for an exemption from the requirement to remain at the premises chosen for the purposes of subclause (2)(a) for the purpose of moving to an alternate premises for the remainder of the period of self-quarantine or self-isolation.
- (6) Despite subclause (2)(a), a healthcare worker who is a close contact and required to self-quarantine, may apply to the Chief Health Officer, a Deputy Chief Health Officer or a Director or Medical Lead of a designated Local Public Health Unit under clause 33(2) for an exemption from the requirement to remain at the premises chosen for the purposes of subclause (2)(a) for the purpose of a healthcare worker who is a close contact returning to work.

30 General exemption power

- (1) A person is not required to comply with a requirement of this Order if the person is granted an exemption from that requirement under subclause (2).
- (2) The Chief Health Officer, Deputy Chief Health Officer or a Director or Medical Lead of a designated Local Public Health Unit may exempt a person and the Chief Health Officer or Deputy Chief Health Officer may exempt a group of persons, from any or all requirements contained in this Order, if satisfied that an exemption is appropriate, having regard to the:
 - (a) need to protect public health; and
 - (b) principles in sections 5 to 10 of the **Public Health and Wellbeing Act 2008**, as appropriate.
- (3) An exemption under subclause (2) must:
 - (a) be given, in writing, to the person or a group of persons the subject of the exemption; and
 - (b) specify the requirement or requirements that the person or a group of persons need not comply with.
- (4) An exemption granted to a person or group of persons under this clause does not prevent an authorised officer from exercising a pandemic management power to give a person or a group of persons a different order or impose a different requirement on the person or group of persons.

31 Exemption power – variation to the period of self-isolation for a diagnosed person or a probable case

- (1) If a person is granted an exemption from the requirement under subclause 32(2), they:
 - (a) are not required to comply with the requirement to remain in self-isolation for the period specified in clause 10 (if the person is a diagnosed person) or clause 15 (if the person is a probable case); and
 - (b) must comply with the period of self-isolation specified in the exemption.

- (2) The Chief Health Officer, a Deputy Chief Health Officer or a Director or Medical Lead of a designated Local Public Health Unit may:
 - (a) exempt a person or group of persons from requirement to remain in self-isolation for the period specified in clause 10 (if the person is a diagnosed person) or clause 15 (if the person is a probable case); and
 - (b) require the person or group of persons to self-isolate for a shorter period of time, if satisfied that an exemption is appropriate having regard to the:
 - (a) need to protect public health; and
 - (b) principles in sections 5 to 10 of the **Public Health and Wellbeing Act 2008**, as appropriate.
- (3) An exemption under subclause (2) must:
 - (a) be given, in writing, to the person the subject of the exemption; and
 - (b) specify the requirement or requirements that the person need not comply with; and
 - (c) the period of time during which they must self-isolate.
- (4) An exemption granted to a person under subclause (2) does not prevent an authorised officer from exercising a pandemic management power to give the person a different order or impose a different requirement on the person.

32 Exemption power – alternate premises for self-quarantine or self-isolation

- (1) A person is not required to comply with the requirement to remain at the premises chosen for the purposes of clause 29(2)(a) for the purpose of moving to an alternate premises for the remainder of the period of self-isolation or self-quarantine if the person is granted an exemption from the requirement under subclause (2).
- (2) The Chief Health Officer, a Deputy Chief Health Officer or a Director or Medical Lead of a designated Local Public Health Unit may exempt a person or group of persons from any or all requirements in clauses 9(1), 9(2), 14(1), 14(2) (location of self-isolation) or 19 (location of self-quarantine) or 29(2)(a), if satisfied that an exemption from a requirement is appropriate having regard to the:
 - (a) need to protect public health; and
 - (b) principles in sections 5 to 10 of the **Public Health and Wellbeing Act 2008**, as appropriate.
- (3) An exemption under subclause (2) must:
 - (a) be given, in writing, to the person the subject of the exemption; and
 - (b) specify the requirement or requirements that the person need not comply with.
- (4) An exemption granted to a person under subclause (2) does not prevent an authorised officer from exercising a pandemic management power to give the person a different order or impose a different requirement on the person.

33 Exemption power – healthcare worker who is a close contact – return to work

- (1) A healthcare worker who is a close contact is not required to comply with a requirement to remain at the premises chosen for the purposes of clause 29(2)(a) for the purpose of the healthcare worker returning to work if the person is granted an exemption from the requirement under subclause (2).
- (2) The Chief Health Officer, a Deputy Chief Health Officer, a Director or Medical Lead of a designated Local Public Health Unit may exempt a person from any or all of the requirements of clause 19 (location of self-quarantine) or clause 29(2)(a), if satisfied that an exemption from that requirement is appropriate having regard to the:
 - (a) need to protect public health; and

- (b) principles in sections 5 to 10 of the **Public Health and Wellbeing Act 2008**, as appropriate.
- (3) An exemption under subclause (2) must:
 - (a) be given, in writing, to the person the subject of the exemption; and
 - (b) specify the requirement or requirements that the person need not comply with.
- (4) An exemption granted to a person under subclause (2) does not prevent an authorised officer from exercising a pandemic management power to give the person a different order or impose a different requirement on the person.

34 Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

35 Transitional provisions

- (1) A reference in any pandemic order in force to a Revoked Quarantine, Isolation and Testing Order or a Revoked Victorian Border Crossing Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under a Revoked Quarantine, Isolation and Testing Order or a Revoked Victorian Border Crossing Order immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which a Revoked Quarantine, Isolation and Testing Order or a Revoked Victorian Border Crossing Order was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 7 – PENALTIES

36 Penalties

Section 165BN of the **Public Health and Wellbeing Act 2008** provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.

Penalty: In the case of a natural person, 60 penalty units;
In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 – DEFINITIONS

For the purposes of this Order:

accommodation facility has the same meaning as in the **Workplace Order**;

authorised officer has the same meaning as in the **Public Health and Wellbeing Act 2008**;

care facility has the same meaning as in the **Public Safety Order**;

childcare or early childhood service means onsite early childhood education and care services or children's services provided under the:

- (1) **Education and Care Services National Law 2010** and the **Education and Care Services National Regulations 2011**, including long day care services, kindergartens and/or preschool and family daycare services, but not including outside school hours care services; and
- (2) **Children's Services Act 1996**, including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs;

CIRF means a Coronavirus Isolation and Recovery Facility operated by the Department of Families, Fairness and Housing;

close contact has the meaning in clause 17(1);

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID-19 Positive Rapid Antigen Test Self-Reporting Form means the form titled 'COVID-19 Positive Rapid Antigen Test Self-Reporting Form', as amended or reissued from time to time by the Secretary of the Department and available at dhvicgov.au.powerappsportals.com/rapid-antigen-test/

COVID-19 rapid antigen test procedure means if a person completed a COVID-19 rapid antigen test:

- (1) the person must undertake a second COVID-19 rapid antigen test as soon as possible if the person receives an invalid test result from the first COVID-19 rapid antigen test, such that it is not possible to conclude that the result is a negative test result; and
- (2) if the result of the second COVID-19 rapid antigen test is invalid such that it is not possible to conclude that the result is negative, the person must complete a COVID-19 PCR test within 24 hours and remain in self-quarantine until the person receives a negative test result;

COVID-19 symptoms means the following symptoms that a person may experience:

- (1) fever;
- (2) chills or sweats;
- (3) cough;
- (4) sore throat;
- (5) shortness of breath;
- (6) runny nose;
- (7) loss of or change in sense of smell or taste;

Department means the Victorian Department of Health;

Departmental Requirements means the document titled 'Case, Contact and Outbreak Management Policy', as amended or reissued from time to time by the Victorian Government with the approval of the Chief Health Officer or a Deputy Chief Health Officer;

designated Local Public Health Unit means:

- (1) Western Public Health Unit;
- (2) South Eastern Public Health Unit;
- (3) North Eastern Public Health Unit;
- (4) Barwon South West Public Health Unit;

- (5) Grampians Wimmera Southern Mallee Public Health Unit;
- (6) Loddon-Mallee Public Health Unit;
- (7) (Hume) Goulburn Valley Public Health Unit;
- (8) (Hume) Albury-Wodonga Public Health Unit;
- (9) Gippsland Public Health Unit;

diagnosed person has the meaning in clause 7;

Director or Medical Lead of a designated Local Public Health Unit means a person with the title of Director or Medical Lead in a designated Local Public Health Unit who is authorised under section 165AW(2)(a) of the **Public Health and Wellbeing Act 2008** to exercise the pandemic management powers or to exercise public health risk powers;

disability has the same meaning as in the **Disability Service Safeguards Act 2018**;

disability service has the same meaning as in the **Disability Service Safeguards Act 2018**;

disability worker has the same meaning as in the **Disability Service Safeguards Act 2018**;

education facility means:

- (1) premises at which a childcare or early childhood service is provided;
- (2) premises at which an outside school hours care service is provided;
- (3) a school;
- (4) school boarding premises;

employee includes a person who is self-employed;

employer means a person who owns, operates or controls work premises (or a work premises) and includes a person who is self-employed;

exemption means an exemption granted by the Chief Health Officer or the Deputy Chief Health Officer, or a Director or Medical Lead of a designated Local Public Health Unit, or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department, as the case may be, under clause 30(2), 31(2), 32(2) or 33(2) of this Order;

face covering means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection (but does not include a face shield);

healthcare worker means a worker of a health service managed by a designated Local Public Health Unit;

hospital means a public hospital, a denominational hospital, a multi-purpose service, a private hospital, a day procedure centre and includes any retail or other premises operating within a hospital including but not limited to a cafe, newsagent and florist;

indoor space means an area, room or premises that is or are substantially enclosed by a roof and walls that are either floor to ceiling high or are at least 2.1 metres high, regardless of whether the roof or walls or any part of them are:

- (1) permanent or temporary; or
- (2) open or closed;

infectious period means the period:

- (1) commencing:
 - (a) if the person undertook a COVID-19 PCR test or COVID-19 rapid antigen test (from which they were diagnosed with COVID-19) without experiencing symptoms of COVID-19, 48 hours before the person undertook the COVID-19 PCR test or COVID-19 rapid antigen test; or
 - (b) if the person was experiencing symptoms of COVID-19 at the time they undertook a COVID-19 PCR test or COVID-19 rapid antigen test (from which they were diagnosed with COVID-19), 48 hours before the person first experienced symptoms; and

- (2) concluding:
- (a) seven days from the date on which the person undertook the COVID-19 PCR test or COVID-19 rapid antigen test (from which they were diagnosed with COVID-19); or
 - (b) where a person is a probable case, on the date which the probable case undertook the COVID-19 PCR test from which a negative result was received; or
 - (c) such other time as specified by an officer or nominated representative of the Department;

international arrival means a person who:

- (1) has been in another country in the 7 days prior to arrival in Victoria; or
- (2) has arrived from another country and is disembarking a maritime vessel at a Victorian maritime port;

outbreak means a declaration made by the Chief Health Officer, a Deputy Chief Health Officer, a Director or Medical Lead of a designated Local Public Health Unit in relation to a specific location at which diagnosed persons or probable cases were present at a specific time, which presents a public health risk of the transmission of COVID-19;

pandemic management power has the same meaning as in the **Public Health and Wellbeing Act 2008**;

pandemic orders in force has the same meaning as in the **Public Safety Order**;

premises means:

- (1) a building, or part of a building; and
- (2) any land on which the building is located, other than land that is available for communal use;

probable case has the meaning in clause 12;

Public Safety Order means the **Pandemic (Public Safety) Order 2022 (No. 3)** as amended or replaced from time to time;

recent confirmed case means a person:

- (1) who is currently within their infectious period and has begun, but not yet completed a period of self-isolation, including persons whose infectious period or period of self-isolation commenced while they were not in Victoria; or
- (2) whose period of self-isolation ended within the previous 4 weeks, including persons whose period of self-isolation ended while they were not in Victoria but does not include a person whose infectious period ended in accordance with clause 15(2)(b);

resident of a care facility has the same meaning as in the **Public Safety Order**;

Revoked Quarantine, Isolation and Testing Order means the **Diagnosed Persons and Close Contacts Directions (No. 35)** or the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 9)**, or their predecessors;

Revoked Victorian Border Crossing Order means the **Victorian Border Crossing Permit Directions (No. 44)** or the **Pandemic (Victorian Border Crossing) Order 2022 (No. 7)**, or their predecessors;

risk individual has the meaning in clause 27;

school means a registered school as defined in the **Education and Training Reform Act 2006**;

school boarding premises means a registered school boarding premises, as defined in the **Education and Training Reform Act 2006**;

Senior Secondary examination means an examination relating to a senior secondary certificate;

social contact means a person who is not a close contact, or recent confirmed case and:

- (1) the person has spent more than 15 minutes of face-to-face contact with a diagnosed person or a probable case during the diagnosed person's or a probable case's infectious period; or

(2) the person has spent more than two hours in an indoor space with a diagnosed person or a probable case during the diagnosed person's or the probable case's infectious period;

symptomatic person in the community means a person who is not a close contact, social contact or recent confirmed case and is experiencing one or more COVID-19 symptoms, unless those symptoms are caused by an underlying health condition or medication;

Testing Requirements Policy means the document titled 'Testing Requirements Policy' as amended or reissued from time to time by the Secretary of the Department of Health;

Victorian maritime port means the authorised first points of entry for international maritime vessels including seaports of Geelong, Melbourne, Portland and Western Port;

Victorian Quarantine Hub means the quarantine facility located on Donnybrook Road in Mickleham, operated by COVID-19 Quarantine Victoria;

work premises means the premises of an employer in which work is undertaken, including any vehicle whilst being used for work purposes, but excluding a worker's ordinary place of residence;

worker includes employees, subcontractors (and their employees), volunteers and any other person engaged or permitted by an employer to perform work;

Workplace Order means the **Pandemic (Workplace) Order 2022 (No. 10)** as amended or replaced from time to time.

Dated 11 July 2022

THE HON. MARY-ANNE THOMAS MP
Minister for Health

Public Health and Wellbeing Act 2008

Section 165AI

GUIDANCE FOR THE PANDEMIC (WORKPLACE) ORDER 2022 (No. 10)

This Order imposes specific obligations on employers to assist in reducing the frequency of outbreaks of COVID-19 in Victorian workplaces.

An employer must take reasonable steps to ensure that all workers comply with face covering requirements that may apply under the **Public Safety Order** and that they respond appropriately if there is a symptomatic person or a confirmed case in the work premises.

This Order specifies additional obligations on certain categories of hospitals.

A regulated employer must not permit a worker to work outside their ordinary place of residence, or to work at a facility if the worker is under 18 years of age and is not fully vaccinated, or the worker is 18 years or over and is not fully vaccinated (boosted), in order to limit the spread of COVID-19 within the population of those workers.

Amongst other things, this Order requires certain regulated employers to:

- (1) collect, record and hold certain vaccination information of workers;
- (2) not permit workers to work outside their ordinary place of residence unless the worker is under 18 years of age and is fully vaccinated, or the worker is 18 years or over and is fully vaccinated (boosted), or an excepted person or unless an exception applies to the worker; and
- (3) notify current and new workers that the employer is obliged to collect, record and hold vaccination information about the worker and to not permit the worker who is not fully vaccinated (for workers under 18 years of age) or not fully vaccinated (boosted) (for workers aged 18 years or over) from working outside the worker's ordinary place of residence, or at a facility, as applicable.

Exceptions are set out in this Order where an employer is not required to comply with this Order. Otherwise, failure to comply with this Order may result in penalties.

This guidance does not form part of the Pandemic (Workplace) Order 2022 (No. 10) and is for explanatory purposes only.

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (WORKPLACE) ORDER 2022 (No. 10)

TABLE OF PROVISIONS

PART 1 – PRELIMINARY	3183
1 Objective.....	3183
2 Citation	3183
3 Authorising provision.....	3183
4 Commencement and revocation	3183
5 Definitions	3183
6 Application of this Order.....	3183
PART 2 – WORKPLACE REQUIREMENTS	3183
Division 1 – Precautionary measures	3183
7 Operation of a work premises	3183
8 Face coverings requirement.....	3183
9 COVIDSafe Plan	3184
10 Signage requirements	3185
Division 2 – Responding to a symptomatic person or a confirmed case	3185
11 Responding to a symptomatic person in a work premises.....	3185
12 Responding to a confirmed case in a work premises.....	3185
13 Notifications by the operator of an education facility	3186
14 Collection of information by operators of an education facility.....	3186
Division 3 – Additional Obligations for Hospitals	3186
15 Additional obligations for hospitals	3186
PART 3 – VACCINATION INFORMATION AND NOTIFICATIONS FOR REGULATED EMPLOYERS.....	3187
Division 1 – Vaccination information.....	3187
16 Vaccination status	3187
17 Booster information about specified workers and facility workers	3187
18 Timing.....	3187
Division 2 – Authorisation and disclosure of vaccination information	3187
19 Authorisation to hold or use vaccination information	3187
20 Disclosure to authorised officers.....	3188
21 Disclosure by facility operators.....	3188
Division 3 – Notification to workers	3188
22 Notification to current workers	3188
23 Notification to new workers.....	3189
Division 4 – Exceptions to vaccination and booster information obligations.....	3189
24 Exception for fully vaccinated, fully vaccinated (boosted) and excepted persons.....	3189
25 Exception for information already held	3190
PART 4 – EMPLOYER MUST ENSURE UNVACCINATED WORKERS DO NOT WORK OUTSIDE ORDINARY PLACE OF RESIDENCE.....	3190
Division 1 – Specified workers.....	3190
26 No work outside ordinary place of residence.....	3190

Division 2 – Facility workers	3190
27 Prevention of entry to premises.....	3190
PART 5 – EXCEPTIONS	3191
28 Not eligible for booster	3191
29 Recent international arrival	3191
30 No longer excepted person.....	3191
31 Recent diagnosed persons or probable cases	3191
32 State or Federal elections	3191
33 Exceptional circumstances	3192
PART 6 – SERVICE VICTORIA AUTHORISATION	3192
34 Notification of eligibility for booster and collection of information.....	3192
PART 7 – GENERAL PROVISIONS.....	3192
35 Cruise ship protocol.....	3192
36 Severability.....	3193
37 Transitional provisions	3193
PART 8 – PENALTIES	3193
38 Penalties.....	3193
SCHEDULE 1 –RESTRICTIONS ON ELECTIVE SURGERY	3194
SCHEDULE 2 – SPECIFIED WORKERS	3196
SCHEDULE 3 – FACILITIES	3197
SCHEDULE 4 – DEFINITIONS	3198
Division 1 – Key definitions	3198
1 Vaccination status.....	3198
2 Vaccination information	3199
Division 2 – Worker-specific definitions	3199
3 Employers and workers.....	3199
4 Accommodation worker	3200
5 Agricultural and forestry worker.....	3201
6 Airport worker	3201
7 Ancillary, support and welfare worker.....	3201
8 Authorised officer.....	3202
9 Care worker	3202
10 Community worker.....	3203
11 Creative arts worker	3203
12 Custodial worker	3203
13 Disability worker	3203
14 Emergency service worker	3205
15 Entertainment and function worker.....	3205
16 Food distribution worker	3205
17 Funeral worker.....	3205
18 Higher education worker	3205
19 Justice worker.....	3205

20	Manufacturing worker	3206
21	Marriage celebrant	3206
22	Meat and seafood processing worker	3206
23	Media and film production worker	3206
24	Mining worker	3206
25	Physical recreation worker	3207
26	Port or freight worker	3207
27	Professional sports, high-performance sports, or racing person	3207
28	Professional services worker	3207
29	Public sector worker	3208
30	Quarantine accommodation worker	3208
31	Real estate worker	3208
32	Religious worker	3208
33	Repair and maintenance worker	3209
34	Retail worker	3209
35	Science and technology worker	3210
36	Social and community service worker	3210
37	Transport worker	3210
38	Utility and urban worker	3211
39	Veterinary and pet/animal care worker	3211
	Division 3 – Facility-specific definitions	3211
40	Accommodation facility	3211
41	Community facility	3212
42	Construction sites	3212
43	Education facility	3212
44	Food and drink facilities	3213
45	Healthcare facility	3214
46	Residential aged care facility	3215
47	Specialist school facility	3215
	Division 4 – Other definitions	3216

Public Health and Wellbeing Act 2008

Section 165AI

PANDEMIC (WORKPLACE) ORDER 2022 (No. 10)

I, Mary-Anne Thomas, Minister for Health, make the following Order under the **Public Health and Wellbeing Act 2008** in the belief that this Order is reasonably necessary to protect public health throughout Victoria from the serious risk arising from the coronavirus (COVID-19) pandemic disease.

PART 1 – PRELIMINARY**1 Objective**

- (1) The objective of this Order is to impose obligations upon employers in relation to workers, in order to limit the spread of COVID-19 within the population of those workers.
- (2) This Order must be read together with the pandemic orders in force.
- (3) This Order is intended to supplement any obligation an employer may have under the **Occupational Health and Safety Act 2004** and is not intended to derogate from any such obligations.

2 Citation

This Order may be referred to as the **Pandemic (Workplace) Order 2022 (No. 10)**.

3 Authorising provision

This Order is made under section 165AI of the **Public Health and Wellbeing Act 2008**.

4 Commencement and revocation

- (1) This Order commences at 11:59:00 pm on 12 July 2022 and ends at 11:59:00 pm on 12 October 2022.
- (2) The **Pandemic (Workplace) Order 2022 (No. 9)** is revoked at 11:59:00 pm on 12 July 2022.

5 Definitions

In this Order:

- (1) key definitions are contained in Division 1 of Schedule 4; and
- (2) worker-specific definitions are contained in Division 2 of Schedule 4; and
- (3) facility-specific definitions are contained in Division 3 of Schedule 4; and
- (4) other definitions are contained in Division 4 of Schedule 4.

6 Application of this Order

This Order applies to the whole State of Victoria.

PART 2 – WORKPLACE REQUIREMENTS**Division 1 – Precautionary measures****7 Operation of a work premises**

- (1) Where an employer permits or requires work to be performed at a work premises, the employer must comply with clauses 8 to 12.
- (2) A worker must not attend a work premises if they have undertaken a COVID-19 PCR test or a COVID-19 rapid antigen test and they are awaiting the result of that test except if more than 7 days have passed since the date of the test.

8 Face coverings requirement

An employer must take reasonable steps to ensure a worker, when working at a work premises, complies with any face covering requirement that may apply to the worker under the **Public Safety Order**.

Note: face shields on their own do not meet the face covering requirements. Please refer to the Department's guidelines for further information.

9 COVIDSafe Plan

- (1) Subject to subclause (3), an employer must, for each work premises:
- (a) have in place a COVIDSafe Plan, which addresses the health and safety issues arising from COVID-19, including but not limited to:

Note: employers can use the template plan accessible from the following website for guidance: www.coronavirus.vic.gov.au/covidsafe-plan, as amended or replaced from time to time by the Victorian Government.

 - (i) where applicable, the employer's process for implementing any record-keeping obligations under this Order;
 - (ii) the appropriate level of PPE to be worn at the work premises;
 - (iii) actions taken by the employer to mitigate the introduction of COVID-19 at the work premises;

Examples: temperature testing, provision and training for PPE use, physical distancing requirements (e.g. closing or reconfiguring common areas such as lunchrooms to support workers remaining 1.5 metres apart at all times).
 - (iv) the processes which the employer has put in place to respond to any symptomatic person or any confirmed case at the work premises, taking into account the employer's obligations under this Order and the Case, Contact and Outbreak Management Policy;
 - (v) an acknowledgement that the employer understands its responsibilities and obligations under this Order; and
 - (b) document and evidence, and require its managers to document and evidence, implementation of the COVIDSafe Plan.
- (2) The employer and the employer's workers must comply with the COVIDSafe Plan.
- (3) An employer is not required to comply with subclause (1):
- (a) for any work premises that have no workers working at that work premises; or
 - (b) in relation to:
 - (i) each individual vehicle that makes up a fleet of two or more vehicles; and

Note 1: despite subparagraph (i), an employer must have a COVIDSafe Plan in relation to a fleet of two or more vehicles.

Note 2: where an employer owns, operates or controls only one vehicle, then it must have a COVIDSafe Plan for that vehicle.

Example: where an employer owns, operates or controls only one vehicle used to provide commercial passenger vehicle services or a vehicle used to provide passenger services, then it must have a COVIDSafe Plan for that vehicle.
 - (ii) vehicles used predominantly by a worker to travel between the work premises and the worker's ordinary place of residence; or

Note: each vehicle used predominantly as a work premises (e.g. food trucks, dental vans) requires a COVIDSafe Plan.
 - (c) in relation to a premises governed by an owners corporation where that premises has:
 - (i) no shared spaces; or
 - (ii) only shared outdoor spaces (such as shared driveways, lawns or gardens).

Note: an owners corporation is required to have a COVIDSafe Plan for all premises where there are shared indoor spaces (for example: hallways, underground carparking facilities, or gyms).
- (4) An employer must:
- (a) ensure the COVIDSafe Plan is held at the work premises at all times; and
 - (b) immediately present a copy of the COVIDSafe Plan on request to an authorised officer; and

- (c) comply with any direction given by an authorised officer or WorkSafe inspector to modify a COVIDSafe Plan, including:
 - (i) following an outbreak of confirmed cases at a work premises; or
 - (ii) if the authorised officer considers that the COVIDSafe Plan is not fit for purpose; and
- (d) implement any modifications required in accordance with paragraph (c).

10 Signage requirements

Where the **Public Safety Order** requires a face covering to be worn in a work premises or part of a work premises:

- (1) an employer in relation to that work premises; or
- (2) a person who owns, operates or controls that work premises,

must display a sign at each public entry advising that each person required to wear a face covering under the **Public Safety Order** must wear a face covering when entering the work premises, unless an exception under a pandemic order in force applies.

Division 2 – Responding to a symptomatic person or a confirmed case

11 Responding to a symptomatic person in a work premises

- (1) An employer must not require a worker to perform work at a work premises if the worker is a symptomatic person.
- (2) As soon as practicable after becoming aware that a worker who is a symptomatic person has attended a work premises in the period commencing 48 hours prior to the onset of COVID-19 symptoms, an employer must:
 - (a) advise the worker that they are required to comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure; and
 - (b) ensure appropriate records are maintained in order to support contact tracing if the symptomatic person becomes a confirmed case, particularly from the period commencing 48 hours prior to the onset of COVID-19 symptoms; and
Note: this will include, for example, rosters and worker details to ascertain which persons were present at the work premises and who they may have come into contact with.
 - (c) inform all workers (including the health and safety representative) to be vigilant about the onset of COVID-19 symptoms and advise all workers to comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure if they develop COVID-19 symptoms.

12 Responding to a confirmed case in a work premises

- (1) As soon as practicable after becoming aware of a diagnosed person or a probable case who has attended the work premises in their infectious period, the operator must:
 - (a) to the extent not already completed, direct the diagnosed person or the probable case not to attend the work premises and advise them to self-isolate immediately in accordance with the relevant requirements in the **Quarantine, Isolation and Testing Order** and support the worker in doing so, by either:
 - (i) directing the worker to travel home immediately (and providing support to the worker to do so); or
 - (ii) where the worker is unable to travel home immediately, directing the worker to isolate themselves at the work premises and, whilst doing so, to wear a face covering and remain at least 1.5 metres from any other

person at the work premises, until the worker can return home later that day to self-isolate; and

Note: the worker should isolate in a separate room from other persons, where possible.

- (b) take reasonable steps to notify workers who attended the work premises during the relevant infectious period that a diagnosed person or probable case has attended the work premises; and
 - (c) inform all workers (including health and safety representatives) to be vigilant about the onset of COVID-19 symptoms and advise all workers to comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure, if they develop COVID-19 symptoms; and
- (2) As soon as practicable after becoming aware that the number of confirmed cases that attended the work premises within a 7 day period has reached the workplace outbreak threshold under the Case, Contact and Outbreak Management Policy, the operator must notify the Department (or other entity nominated by the Department on its website) and comply with any further directions given by the Department or WorkSafe in relation to closure of the work premises (or part of the work premises) and/or cleaning.

13 Notifications by the operator of an education facility

An education operator who has been informed that a diagnosed person or a probable case attended that education facility during the diagnosed person's or the probable case's infectious period must take reasonable steps to notify the parents, guardians and carers of the persons enrolled at the education facility during the relevant infectious period:

- (1) that a diagnosed person or a probable case has attended the education facility during their infectious period; and
- (2) to monitor if the person enrolled at the education facility begins to experience COVID-19 symptoms; and
- (3) that the person enrolled at the education facility must, if they begin to experience COVID-19 symptoms, comply with the relevant requirements set out in the Testing Requirements Policy and, where applicable, follow the COVID-19 rapid antigen test procedure.

14 Collection of information by operators of an education facility

- (1) The education operator must collect, record and store the following information:
 - (a) the dates on which they were notified of any diagnosed persons or probable cases who attended the education facility during their infectious period; and
 - (b) the dates that any diagnosed persons or probable cases attended the education facility during their infectious period.
- (2) For the purposes of complying with this clause, an education operator is authorised to use any information that it holds under subclause (1).

Division 3 – Additional Obligations for Hospitals

15 Additional obligations for hospitals

In relation to a work premises identified in Column 1 of Schedule 1, an employer must comply with the restrictions and requirements outlined in Column 2 of Schedule 1, except in relation to:

- (1) an in vitro fertilisation (IVF) procedure performed at a work premises that is a registered facility; or
- (2) a procedure for the surgical termination of pregnancy.

PART 3 – VACCINATION INFORMATION AND NOTIFICATIONS FOR REGULATED EMPLOYERS**Division 1 – Vaccination information****16 Vaccination status***Specified workers*

- (1) If a specified worker is, or may be, scheduled to work outside their ordinary place of residence after the commencement of this Order, the specified employer must collect, record and hold the following vaccination information about the specified worker:
 - (a) the specified worker's vaccination status; and
 - (b) if the specified worker is fully vaccinated – the date on which the specified worker became fully vaccinated.

Facility workers

- (2) If a facility worker is, or may be, scheduled to work at a facility after the commencement of this Order, the facility operator must collect, record and hold the following vaccination information about the facility worker:
 - (a) the facility worker's vaccination status; and
 - (b) if the facility worker is fully vaccinated – the date on which the facility worker became fully vaccinated.

17 Booster information about specified workers and facility workers

- (1) If:
 - (a) a specified worker or facility worker is aged 18 years or over; and
 - (b) the worker is, or may be, scheduled to work outside the worker's ordinary place of residence,the specified employer or the facility operator (as applicable) must collect, record and hold the following vaccination information about the specified worker or facility worker:
 - (c) whether the specified worker or facility worker is fully vaccinated (boosted); and
 - (d) if the specified worker or facility worker is fully vaccinated (boosted) – the date on which the person became fully vaccinated (boosted).
- (2) If an exception under clause 29 applies to a specified worker or facility worker, the specified employer or a facility operator (as applicable) must collect, record and hold information about whether the worker has a booking to receive a booster dose and any information about that booking including the date of the booking.
- (3) If a specified employer or a facility operator is not required to comply with clause 26(2) or 27(2) in relation to a worker specified in subclause (1) because the exception in clause 29 applies to the worker, the specified employer or facility operator must collect, record and hold information regarding the entry of the worker into Australia from another country including the date of entry.

18 Timing

A regulated employer must comply with the obligations in clause 16 and 17 as soon as reasonably practicable after the commencement of this Order.

Division 2 – Authorisation and disclosure of vaccination information**19 Authorisation to hold or use vaccination information**

- (1) A regulated employer is authorised to use any information about a worker that it holds under clause 16 or 17, except a worker's Individual Healthcare Identifier, for the purposes of complying with Part 4 and 5.

- (2) If a ‘regulated employer’, as defined under the **Pandemic (Workplace) Order (No. 8)**, was required to collect, record or hold vaccination information under a Revoked Pandemic (Workplace) Order, they are authorised to hold that information.

Note: a COVID-19 digital certificate issued by Services Australia may include a person’s Individual Healthcare Identifier. Individual Healthcare Identifiers are regulated by the Healthcare Identifiers Act 2010 of the Commonwealth.

20 Disclosure to authorised officers

- (1) An authorised officer may request a regulated employer to produce to the authorised officer any vaccination information held by the regulated employer under clause 16 or 17, except any Individual Healthcare Identifiers that the regulated employer might hold.

- (2) If an authorised officer makes a request to a person under subclause (1), the person must comply with the request.

*Note: authorised officers may also be authorised to exercise the public health risk power in section 190(1) (d) of the **Public Health and Wellbeing Act 2008** to require the provision of any information needed to investigate, eliminate or reduce the risk to public health.*

21 Disclosure by facility operators

If a facility operator is obliged to comply with Part 4 in relation to a facility worker and the facility operator is not the person who:

- (1) employed the worker; or
- (2) engaged the worker to work at the facility,

the facility operator is authorised to disclose to the person who employed or engaged the worker that the facility operator is obliged to comply with Part 4 in relation to the worker.

Division 3 – Notification to workers

22 Notification to current workers

Specified workers

- (1) Unless an exception applies under this Order, a specified employer must, as soon as reasonably practicable after the commencement of this Order, inform each specified worker who is, or may be, scheduled to work outside the worker’s ordinary place of residence that:
- (a) clauses 16 and 17 oblige the specified employer to collect, record and hold the information specified in those clauses in relation to the specified worker; and
 - (b) clause 26(1) obliges the specified employer not to permit a specified worker under 18 years of age to work for that employer outside the specified worker’s ordinary place of residence unless the specified worker is fully vaccinated or an excepted person; and
 - (c) if the specified worker is aged 18 years or over, clause 26(2) obliges the specified employer not to permit the specified worker to work for that employer outside the specified worker’s ordinary place of residence unless the specified worker is fully vaccinated (boosted) or an excepted person.

Facility workers

- (2) Unless an exception applies under this Order, a facility operator must, as soon as reasonably practicable after the commencement of this Order, inform each facility worker aged 18 years or over who is, or may be, scheduled to work at the facility that:
- (a) clauses 16 and 17 oblige the facility operator to collect, record and hold the information specified in those clauses in relation to the worker; and
 - (b) clause 27(1) obliges the facility operator to take all reasonable steps to ensure that the worker under 18 years of age does not enter, or remain on, the premises of a facility for the purposes of working at the facility unless the worker is fully vaccinated or an excepted person; and

- (c) if the facility worker is aged 18 years or over, clause 27(2) obliges the facility operator to take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of the facility for the purposes of working at the facility unless the worker is fully vaccinated (boosted) or an excepted person.

Exception

- (3) Subclause (1) and (2) do not apply to the extent that the specified employer or the facility operator has previously notified the worker of the matters specified in that subclause under a Revoked Pandemic (Workplace) Order or its predecessors.

23 Notification to new workers

Specified workers

- (1) Unless an exception applies under this Order, if a specified employer engages a specified worker who is, or may be, scheduled to work outside the specified worker's ordinary place of residence, the employer must inform the worker, as soon as reasonably practicable after engaging the worker, that:
 - (a) clauses 16 and 17 oblige the specified employer to collect, record and hold the information specified in those clauses in relation to the worker; and
 - (b) clause 26(1) obliges the specified employer not to permit a specified worker under 18 years of age to work for that employer outside the worker's ordinary place of residence, unless the specified worker is fully vaccinated or an excepted person; and
 - (c) if the specified worker is aged 18 years or over, clause 26(2) obliges the specified employer not to permit the worker to work for that specified employer outside the worker's ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person.

Facility workers

- (2) Unless an exception applies under this Order, if a facility operator engages a facility worker aged 18 years or over who is, or may be, scheduled to work at the facility, the facility operator must inform the worker, as soon as reasonably practicable after engaging the worker, that:
 - (a) clauses 16 and 17 oblige the facility operator to collect, record and hold the information specified in those clauses in relation to the worker; and
 - (b) clause 27(1) obliges the facility operator to take all reasonable steps to ensure that a facility worker under 18 years of age does not enter, or remain on, the premises of a facility for the purposes of working at the facility unless the worker is fully vaccinated or an excepted person; and
 - (c) if the facility worker is aged 18 years or over, clause 27(2) obliges the operator to take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of the facility for the purposes of working at the facility unless the worker is fully vaccinated (boosted) or an excepted person.

Division 4 – Exceptions to vaccination and booster information obligations

24 Exception for fully vaccinated, fully vaccinated (boosted) and excepted persons

Clause 16(1) and 16(2) do not apply in relation to a specified worker or a facility worker if the specified employer or facility operator (as applicable) already holds, in relation to the relevant worker, information that the worker:

- (1) is fully vaccinated or fully vaccinated (boosted) (as applicable); or
- (2) will be an excepted person for the period beginning when this Order commences and ending when this Order ends.

25 Exception for information already held

Clauses 16 and 17 do not apply in relation to a specified worker or a facility worker if the specified employer or facility operator (as applicable) already holds the information specified in those subclauses.

PART 4 – EMPLOYER MUST ENSURE UNVACCINATED WORKERS DO NOT WORK OUTSIDE ORDINARY PLACE OF RESIDENCE**Division 1 – Specified workers****26 No work outside ordinary place of residence**

Fully vaccinated requirement for workers under 18 years

- (1) If a specified worker is under 18 years of age, the specified employer of the worker must not permit the worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated or an excepted person.

Booster requirement for workers aged 18 years and over

- (2) If a specified worker is aged 18 years and over, the specified employer of the worker must not permit the worker to work for that employer outside the worker's ordinary place of residence unless the worker is fully vaccinated (boosted) or an excepted person, or one or more exceptions under this Order apply.

Where employer does not hold information about vaccination status

- (3) For the purposes of this clause, if a specified employer does not hold information about the vaccination status of a specified worker, the employer must treat the worker as if the worker is unvaccinated.

Exception – risk of harm

- (4) Subclauses (1) and (2) do not apply if it is not reasonable for the specified worker to work from their ordinary place of residence because of a risk of harm (including harm relating to family violence or violence of another person at the premises).

Division 2 – Facility workers**27 Prevention of entry to premises**

Fully vaccinated requirement for workers under 18 years

- (1) If a facility worker is under 18 years of age, a facility operator must take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of a facility for the purposes of working at the facility unless the worker is fully vaccinated or an excepted person.

Booster requirement for workers aged 18 years and over

- (2) If a facility worker is aged 18 years and over, a facility operator must take all reasonable steps to ensure that the worker does not enter, or remain on, the premises of the facility for the purposes of working at the facility unless the worker is fully vaccinated (boosted) or an excepted person, or one or more of the exceptions under this Order apply.

Where operator does not hold information about vaccination status

- (3) For the purposes of this clause, if a facility operator does not hold information about the vaccination status of a facility worker, the facility operator must treat the worker as if the worker is unvaccinated.

Exception – risk of harm

- (4) Subclauses (1) and (2) do not apply if it is not reasonable for the facility worker to work from their ordinary place of residence because of a risk of harm (including harm relating to family violence or violence of another person at the premises).

PART 5 – EXCEPTIONS**28 Not eligible for booster**

Despite clauses 26(2) and 27(2), a specified employer or a facility operator may permit a specified worker or facility worker referred to in those clauses to work for the specified employer or facility operator (as applicable) outside of the worker's ordinary place of residence if the worker became fully vaccinated in the previous 3 months and 14 days.

Note: once 3 months and 14 days have passed since a worker aged 18 years and over has become fully vaccinated, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence, and an operator can only permit the worker to work at the facility, if the worker is fully vaccinated (boosted).

29 Recent international arrival

Despite clauses 26(2) and 27(2), a specified employer or a facility operator may permit a specified worker or facility worker referred to in those clauses to work for the specified employer or facility operator (as applicable), outside of the worker's ordinary place of residence if the worker:

- (1) is fully vaccinated; and
- (2) entered Australia from another country in the previous 4 weeks; and
- (3) has a booking to receive a booster dose within 4 weeks of entering Australia; and
- (4) has provided evidence to the specified employer or facility operator (as applicable) that the worker has a booking as specified in subclause (3).

Note: once 4 weeks have passed since a worker aged 18 years and over has entered Australia from another country, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence, and an operator can only permit the worker to work at the facility if the worker is fully vaccinated (boosted).

30 No longer excepted person

Despite clauses 26(2) and 27(2), a specified employer or a facility operator may permit a specified worker or facility worker referred to in those clauses to work for the specified employer or facility operator (as applicable) outside of the worker's ordinary place or residence if the worker is fully vaccinated and ceased to be an excepted person in the previous 14 days.

Note: once 14 days have passed since a worker aged 18 years and over has ceased to be an excepted person, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence, and an operator can only permit the worker to work at the facility if the worker is fully vaccinated (boosted).

31 Recent diagnosed persons or probable cases

Despite clauses 26(2) and 27(2), a specified employer or a facility operator may permit a specified worker or facility worker referred to in those clauses to work for the specified employer or facility operator (as applicable) outside of the worker's ordinary place of residence, if the worker is fully vaccinated and:

- (1) was a diagnosed person whose infectious period ended within the previous 4 months; or
- (2) was a probable case whose infectious period ended within the previous 4 months, and the worker received a positive result from a COVID-19 PCR test undertaken during the infectious period.

Note 1: to demonstrate to an employer or operator that a worker is covered by this exception, the worker may provide the employer or operator with a written positive result from a COVID-19 PCR test for the purposes of subclause (1) and (2).

Note 2: once 4 months have passed since the period of self-isolation for a worker aged 18 years and over has ended, an employer can only permit the worker to work for that employer outside of the worker's ordinary place of residence, and an employer can only permit the worker to work at a facility if the worker is fully vaccinated (boosted).

32 State or Federal elections

The obligations in Part 3 and Part 4 do not apply in relation to an indoor space or outdoor space at a premises when used as a polling place for the purposes of voting in an election conducted by the Australian Electoral Commission or Victorian Electoral Commission.

33 Exceptional circumstances

- (1) A specified employer or a facility operator is not required to comply with clause 26 or 27 if one or more of the exceptional circumstances specified in subclause (2) applies.
- (2) The exceptional circumstances are:
 - (a) a worker is required to perform work or duties at a facility that is or are necessary to provide for urgent specialist clinical or medical care due to an emergency situation or a critical unforeseen circumstance; or
 - (b) a worker is required to fill a vacancy to provide urgent care, to maintain quality of care and/or to continue essential operations due to an emergency situation or a critical unforeseen circumstance; or
Example 1: a work premises has a large number of workers furloughed due to self-quarantine or self-isolation obligations.
Example 2: a medical practitioner is required to work at a premises outside their ordinary place of residence on short notice due to an emergency situation.
 - (c) a worker is required to respond to an emergency; or
 - (d) a worker is required to perform urgent and essential work, including critical training, to protect the health and safety of workers or members of the public, or to protect assets and infrastructure.
Example 1: securing a crane due to impending high winds.
Example 2: works required at a construction site in order to make the construction site safe for continued operation.
- (3) If a circumstance specified in subclause (2) applies, the specified employer or facility operator must take all reasonable steps to ensure that the worker:
 - (a) in the case of a specified employer – does not work outside the worker’s ordinary place of residence for any longer than the period of time necessary to respond to the exceptional circumstance; or
 - (b) in the case of a facility operator – remains upon the premises of the facility only for the period of time necessary to respond to the exceptional circumstances.
- (4) If a circumstance specified in subclause (2)(a) applies in relation to a facility, the facility operator does not have the obligation in subclause (3)(b).
- (5) If a circumstance specified in subclause (2) applies in relation to a facility, the relevant facility operator must take all reasonable steps to ensure that the facility worker wears, at all times while on the premises of the facility, PPE that includes, at a minimum, a surgical mask and face shield.

PART 6 – SERVICE VICTORIA AUTHORISATION**34 Notification of eligibility for booster and collection of information**

The Service Victoria CEO is authorised to notify a person through the Service Victoria App that the person:

- (1) is eligible to receive a booster dose; or
- (2) will shortly become eligible to receive a booster dose,

by using the information contained in the person’s COVID-19 digital certificate issued by Services Australia and displayed through the Service Victoria App.

PART 7 – GENERAL PROVISIONS**35 Cruise ship protocol**

- (1) The Secretary of the Department of Health, Chief Health Officer or Deputy Chief Health Officer may make a protocol that specifies requirements in relation to the use and operation of cruise ships (as defined in a protocol under this subclause) if satisfied that a protocol is appropriate, having regard to the:

- (a) need to protect public health; and
 - (b) principles in sections 5 to 10 of the **Public Health and Wellbeing Act 2008**, as appropriate.
- (2) A protocol under subclause (1) must be published on a website controlled by the Department.
 - (3) A person referred to in a protocol made under subclause (1) must comply with any requirement that applies to the person in the protocol.
 - (4) A protocol under this clause does not prevent an authorised officer from exercising a pandemic management power to give a person or a group of persons a different order or impose a different requirement on the person or group of persons.

36 Severability

To the extent that any part of this Order is held to be in excess of power or otherwise invalid it is intended that it is to be taken to be valid to the extent to which it is not in excess of that power.

37 Transitional provisions

- (1) A reference in any pandemic order in force (other than this Order) to a Revoked Pandemic (Workplace) Order is taken on and after the commencement of this Order to be a reference to this Order.
- (2) Any act, matter or thing that had effect under any Order listed in subclause (1) immediately before it was revoked continues to have effect under this Order.
- (3) Without limiting subclause (2), this Order is subject to any exemption, benefit, requirement or entitlement (however described) to which any Order listed in subclause (1) was subject immediately before it was revoked.
- (4) This clause is subject to any express provision to the contrary in this Order.

PART 8 – PENALTIES

38 Penalties

Section 165BN of the Public Health and Wellbeing Act 2008 provides:

Failure to comply with pandemic order, direction or other requirement

- (1) A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power.
Penalty: In the case of a natural person, 60 penalty units;
In the case of a body corporate, 300 penalty units.
- (2) A person is not guilty of an offence against section (1) if the person had a reasonable excuse for refusing or failing to comply.

*Note: the **Public Health and Wellbeing Regulations 2019** provide for infringement notices to be served on any person who has refused or failed to comply (without a reasonable excuse) with a pandemic order, or a direction given or a requirement made in the exercise of a pandemic management power. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

SCHEDULE 1 –RESTRICTIONS ON ELECTIVE SURGERY

Work premises (Column 1)	Elective surgery restrictions (Column 2)
<p>Private hospitals (excluding day procedure centres) in the local government area of the City of Ballarat, the City of Greater Shepparton, the City of Greater Bendigo, the City of Latrobe, the Rural City of Wangaratta and the City of Greater Geelong.</p> <p>Private hospitals and day procedure centres in Metropolitan Melbourne.</p>	<p>Not applicable</p>
<p>All public health services in Victoria.</p>	<p>(a) Subject to paragraph (b), an employer may permit an elective surgery procedure to be performed that is a Category 1, Category 2, Category 3 or non-urgent non-ESIS elective surgery procedure.</p> <p>(b) An employer must ensure:</p> <ul style="list-style-type: none"> (i) the volume of elective surgery activity is determined by the employer’s assessment of capacity in consultation with the Department and in line with agreed Health Service Partnership bed plans; and (ii) all patients requiring elective surgery must be prioritised based on clinical need; and (iii) COVID-19 demand is met; and (iv) workforce pressures are manageable to support the resumption of non-urgent elective surgery. <p>(c) If an employer intends to reduce the volume of non-urgent elective surgery, the employer must notify the Department.</p> <p>(d) If paragraph (c) applies, an employer should ensure elective surgery procedures that are not urgent elective surgery procedures, including Category 2 elective surgery procedures, Category 3 elective surgery procedures and non-urgent non-ESIS procedures, are reduced in the first instance.</p> <p>(e) An employer of a public health service operating a COVID-19 streaming service must:</p> <ul style="list-style-type: none"> (i) continue to focus on supporting patients with COVID-19; and (ii) establish local partnerships with public and private hospitals with a focus on treating Category 1 and Category 2 patients within the clinically recommended time.

Work premises (Column 1)	Elective surgery restrictions (Column 2)
	<p>(f) An employer of a public health service that is not operating a COVID-19 streaming service must:</p> <ul style="list-style-type: none">(i) provide required capacity to support the COVID-19 pandemic response;(ii) support requests by other public health services operating a COVID-19 streaming service to treat Category 1 and Category 2 patients within clinically recommended time; and(iii) if directed by the Department of Health, actively participate in COVID-19 streaming services and adhere to the requirements of paragraph (e).

SCHEDULE 2 – SPECIFIED WORKERS

Row	Worker (Column 1)	Worker-specific definitions
1.	custodial worker	Schedule 4, Division 2, Clause 12
2.	disability worker	Schedule 4, Division 2, Clause 13
3.	emergency service worker	Schedule 4, Division 2, Clause 14

SCHEDULE 3 – FACILITIES

Row	Facility (Column 1)	Facility operator (Column 2)	Facility worker (Column 3)	Facility-specific definitions
1.	healthcare facility	healthcare operator	healthcare worker	Clause 45 of Schedule 4
2.	residential aged care facility	approved provider with responsibility for that residential aged care facility	residential aged care facility worker	Clause 46 of Schedule 4
3.	specialist school facility	specialist school operator	specialist education worker	Clause 47 of Schedule 4

SCHEDULE 4 – DEFINITIONS**Division 1 – Key definitions****1 Vaccination status**

- (1) A person's **vaccination status** is one of the following:
 - (a) fully vaccinated (boosted); or
 - (b) fully vaccinated; or
 - (c) partially vaccinated; or
 - (d) unvaccinated; or
 - (e) excepted person.
- (2) A person is **fully vaccinated** if the person has received:
 - (a) one dose of a one dose COVID-19 vaccine; or
 - (b) two doses of a two dose COVID-19 vaccine including two different types of two dose COVID-19 vaccines.
- (3) A person is **fully vaccinated (boosted)** if the person has received a booster dose.
- (4) A person is **partially vaccinated** if the person has received one dose of a two dose COVID-19 vaccine and is not an excepted person.
- (5) A person is **unvaccinated** if the person has not received a dose of a COVID-19 vaccine and is not an excepted person.
- (6) A person is an **excepted person** if the person:
 - (a) holds acceptable certification that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to:
 - (i) a medical contraindication;
 - (ii) an acute medical illness (including where the person has been diagnosed with COVID-19); or
 - (b) the person is under 12 years and 2 months of age.
- (7) An **acceptable certification** for the purpose of subclause (6) is:
 - (a) a current COVID-19 digital certificate issued by Services Australia and displayed through the Medicare App, Service Victoria App or equivalent smartphone wallet, that states that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia; or
 - (b) a printed version of the COVID-19 digital certificate referred to in subparagraph (a);
 - (c) a current Immunisation History Statement displayed through the Medicare App, that states that the person is unable to receive a dose of a COVID vaccine that is available in Australia (whether that person has already received one or two doses of a COVID vaccine); or
 - (d) a printed version of the Immunisation History Statement referred to in subparagraph (c).
- (8) A person has received a **booster dose** if they have received:
 - (a) a second dose of a COVID-19 vaccine after receiving one dose of a one dose COVID-19 vaccine; or
 - (b) a third dose of a COVID-19 vaccine after receiving two doses of a two dose COVID-19 vaccine including different types of two dose COVID-19 vaccines.

2 Vaccination information

- (1) For the purposes of this Order, **vaccination information** is information relating to a person's vaccination status and includes:
 - (a) any information that is derived from a record of information that was made under, or in accordance with, the **Australian Immunisation Register Act 2015** of the Commonwealth; and
 - (b) the name or type of any dose of COVID-19 vaccine received by the person; and
 - (c) the date on which the person received any dose of a COVID-19 vaccine.

Note: vaccination information may be recorded in a variety of documents, such as a letter from a medical practitioner; a certificate of immunisation or an immunisation history statement obtained from the Australian Immunisation Register. For overseas travellers, it may be recorded in an Australian International COVID-19 Vaccination Certificate or vaccination certificates issued by an overseas government authority, accompanied by the Australian Traveller Declaration or COVID-19 Vaccination and Testing Declaration for travel to Australia.
- (2) For the purposes of this Order, a person may display their vaccination information by:
 - (a) a current COVID-19 digital certificate issued by Services Australia and displayed through the Medicare App, Service Victoria App or equivalent smartphone wallet; or
 - (b) a printed version of the COVID-19 digital certificate referred to in subparagraph (a); or
 - (c) in relation to an excepted person, an acceptable certification.

Division 2 – Worker-specific definitions

3 Employers and workers

For the purpose of this Order:

- (1) **employee** includes a person who is self-employed;
- (2) **employer** means a person who owns, operates or controls work premises (or a work premises) and includes a person who is self-employed;
- (3) **excluded worker** means:
 - (a) a Commonwealth employee;
 - (b) a judge or judicial registrar;
 - (c) a person who works in connection with proceedings in a court, where that work cannot be done from the person's ordinary place of residence;
 - (d) a person who is a member of the staff of Court Services Victoria within the meaning of the **Court Services Victoria Act 2014**;
 - (e) a person employed or engaged by the Chief Executive Officer of the Victorian Civil and Administrative Tribunal;
 - (f) a member of State Parliament;
 - (g) the Clerk of the Legislative Assembly;
 - (h) the Clerk of the Legislative Council;
 - (i) an electorate officer within the meaning of the **Parliamentary Administration Act 2004**;
 - (j) a parliamentary officer within the meaning of the **Parliamentary Administration Act 2004**;
 - (k) a person who works at or in connection with a place of worship and:
 - (i) conducts services of public worship and acknowledgments of faith;
 - (ii) performs marriages, funerals and special memorial services according to tradition and ecclesiastical and civil law;

- (iii) visits members of the community in their homes, hospitals and other institutions to provide advice and religious comfort for the purpose of end of life faith reasons;
- (l) a person identified in Article 1 of the Vienna Convention on Diplomatic Relations, as set out in the Schedule to the **Diplomatic Privileges and Immunities Act 1967** of the Commonwealth;
- (m) a person identified in Article 1 of the Vienna Convention on Consular Relations, as set out in the Schedule to the **Consular Privileges and Immunities Act 1972** of the Commonwealth;
- (n) the Governor and the Lieutenant Governor;
- (4) **facility** means a facility identified in Column 1 of Schedule 3 for the purposes of this Order, except in relation to Division 3 and 4 of Schedule 4;
- (5) **facility operator** means:
 - (a) a person identified in Column 2 of Schedule 3; or
 - (b) where an indoor space or outdoor space at a facility has been leased or hired for use for a period of time, the person whom that space has been leased or hired for that period of time;
- (6) **facility worker** means a person identified in Column 3 of Schedule 3 for that facility, but does not include an excluded worker;
- (7) **regulated employer** means:
 - (a) a specified employer;
 - (b) a facility operator;
- (8) **specified employer** means a person who employs or engages a specified worker, or if the specified worker is self-employed – the specified worker;
- (9) **specified worker** means a person identified in Column 1 of Schedule 2, whether paid or unpaid, but does not include:
 - (a) a Commonwealth employee;
 - (b) a worker who works in connection with proceedings in a court, where that work cannot be done from the person’s ordinary place of residence;
 - (c) a person under 12 years and two months of age;
- (10) **worker** includes employees, subcontractors (and their employees), volunteers and any other person engaged or permitted by an employer to perform work.

4 Accommodation worker

For the purposes of this Order, **accommodation worker** means a person who works at or in connection with one of the following accommodation premises, whether operated on a for-profit or not-for-profit basis:

- (1) camping ground;
- (2) caravan park;
- (3) hotel;
- (4) hostel;
- (5) bed and breakfast;
- (6) private holiday rental facility, including Airbnbs;
- (7) motel;
- (8) serviced apartment; or
- (9) a licensed premises to the extent that it is operated as a premises specified in (1) to (8).

5 Agricultural and forestry worker

For the purposes of this Order, **agricultural and forestry worker** means a person who works in connection with:

- (1) food safety and verification, inspection or associated laboratory services and biosecurity functions;
- (2) animal saleyards, knackeries and animal transportation services (including livestock and pets);
- (3) services connected with animal health, husbandry or welfare;
- (4) farm, animal and bloodstock leasing activities, including but not limited to:
 - (a) farming activities and other operations relating to agriculture, horticulture, viticulture, irrigation, permaculture, apiculture, grains, fibre production, dairy, flower industry, commercial fishing, aquaculture and livestock;
 - (b) intensive agricultural production including greenhouses and animal production;
 - (c) agricultural, veterinary chemicals and vaccine production, transportation and distribution (including the Pig Services Centre);
 - (d) laboratory and diagnostic services;
 - (e) animal feed production, transportation, packaging, sale, and feeding (including livestock and pets);
 - (f) animal pounds and shelters activities;
- (5) forestry activities for the purposes of or relating to:
 - (a) production of firewood for heating of premises;
 - (b) production of pallets;
 - (c) production of building supplies for construction;
 - (d) production of other goods (e.g. paper, packaging, caskets and coffins).

6 Airport worker

For the purposes of this Order:

- (1) **airport** has the same meaning as in the **Airports Act 1996** of the Commonwealth;
- (2) **airport worker** means a person who works at or in connection with an airport.

7 Ancillary, support and welfare worker

For the purposes of this Order, **ancillary, support and welfare worker** means:

- (1) a person who works in connection with:
 - (a) services that are critical to, and relate to, the Victorian Government's COVID-19 response (including hotel quarantine);
 - (b) a public event where that event has received an exemption allowing it to proceed, including any workers and public broadcast personnel that support the safe running of the public event;
 - (c) employment services;
 - (d) union/peak body/employer organisation officials attending a worksite as permitted by law or for Occupational Health and Safety (OHS) advice;
- (2) fly in fly out workers or drive in drive out workers who are required for continuity of an industry or business and maintenance of a competitive operation and where the service is time-critical, or for the critical maintenance or repair of infrastructure critical to a region of, or to, Victoria;
- (3) maritime crew.

8 Authorised officer

For the purposes of this Order, **authorised officer** has the same meaning as in the **Public Health and Wellbeing Act 2008**.

9 Care worker

For the purposes of this Order:

- (1) **alcohol and drug residential service** means:
 - (a) a treatment centre within the meaning of the **Severe Substance Dependence Treatment Act 2010**;
 - (b) a residential treatment service (however described) that provides drug or alcohol withdrawal or rehabilitation services in a residential setting to people dependent on alcohol or other drugs;
 - (c) a service that provides supported accommodation to a person after the person has received residential treatment services of the kind referred to in subclause (b);
- (2) **care worker** means a person who works in connection with:
 - (a) an alcohol and drug residential service;
 - (b) a disability residential service;
 - (c) services provided to an NDIS participant in any setting;
 - (d) a homelessness residential service;
 - (e) a secure welfare service;
 - (f) a supported residential service;
 - (g) essential relief activities including the activities provided at Neighbourhood Houses;
 - (h) an eligible SDA enrolled dwelling;
 - (i) a short-term accommodation and assistance dwelling;
 - (j) a mental health residential service including the service provided at a Community Care Unit or a Prevention and Recovery Centre;
 - (k) a retirement village;
- (3) **disability residential service** means a residential service within the meaning of the **Disability Act 2006** and includes the Intensive Residential Treatment Program of the Statewide Forensic Service, often referred to as 'DFATS';
- (4) **eligible SDA enrolled dwelling** means a Specialist Disability Accommodation (SDA) enrolled dwelling that is provided under an SDA residency agreement within the meaning of section 498B of the **Residential Tenancies Act 1997**;
- (5) **homelessness residential service** means a service that is funded by government to provide a staffed residential service to people who are homeless or at risk of being homeless;
- (6) **mental health residential service** means a service that is funded by the Victorian Government to provide a staffed residential service to people who have a mental illness;
- (7) **retirement village** has the same meaning as in the **Retirement Villages Act 1986**;
- (8) **secure welfare service** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (9) **short-term accommodation and assistance dwelling** has the same meaning as in the **Disability Act 2006**;
- (10) **supported residential service** has the same meaning as in the **Supported Residential Services (Private Proprietors) Act 2010**.

10 Community worker

For the purposes of this Order, **community worker** means a person who works at or in connection with a community premises or an organisation providing community services, whether operated on a for profit or not-for-profit basis, including but not limited to:

- (1) a premises at which services are provided by an Aboriginal Community Controlled Organisation;
- (2) a community centre or community hall;
- (3) a public library;
- (4) a youth centre;
- (5) a skatepark in an outdoor space.

11 Creative arts worker

For the purposes of this Order, **creative arts worker** means a person who works at or in connection with:

- (1) an art studio;
- (2) a ceramics studio;
- (3) a music room or studio;
- (4) a rehearsal room or studio;
- (5) any other facility that is used for creative art.

12 Custodial worker

For the purposes of this Order:

- (1) **custodial worker** means a person who works at or in connection with a:
 - (a) custodial facility that is a facility used for the detention of persons, including but not limited to:
 - (i) a prison;
 - (ii) a remand centre;
 - (iii) a youth residential centre;
 - (iv) a youth justice centre;
 - (v) residential facilities;
 - (vi) residential treatment facilities;
- (2) **prison** has the same meaning as in the **Corrections Act 1986**;
- (3) **remand centre** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (4) **residential facility** has the same meaning as in the **Serious Offenders Act 2018**, and includes the Maribyrnong Community Residential Facility;
- (5) **residential treatment facility** has the same meaning as in the **Serious Offenders Act 2018**;
- (6) **youth residential centre** has the same meaning as in the **Children, Youth and Families Act 2005**;
- (7) **youth justice centre** has the same meaning as in the **Children, Youth and Families Act 2005**.

13 Disability worker

For the purposes of this Order, **disability worker** means:

- (1) an accommodation worker; or
- (2) agricultural and forestry worker; or
- (3) airport worker; or

- (4) ancillary, support and welfare worker; or
 - (5) authorised officer; or
 - (6) care worker; or
 - (7) community worker; or
 - (8) creative arts worker; or
 - (9) custodial worker; or
 - (10) emergency service worker; or
 - (11) entertainment and function worker; or
 - (12) food distribution worker; or
 - (13) funeral worker; or
 - (14) higher education worker; or
 - (15) justice worker; or
 - (16) manufacturing worker; or
 - (17) marriage celebrant; or
 - (18) meat and seafood processing worker; or
 - (19) media and film production worker; or
 - (20) mining worker; or
 - (21) physical recreation worker; or
 - (22) port or freight worker; or
 - (23) professional sports, high performance sports or racing person; or
 - (24) professional services worker; or
 - (25) public sector worker; or
 - (26) quarantine accommodation worker; or
 - (27) real estate worker; or
 - (28) religious worker; or
 - (29) repair and maintenance worker; or
 - (30) retail worker; or
 - (31) science and technology worker; or
 - (32) social and community service worker; or
 - (33) transport worker; or
 - (34) utility and urban worker; or
 - (35) veterinary and pet/animal care worker,
- who:
- (36) directly provides a disability service to a person with a disability; or
 - (37) supervises or manages another person who directly provides a disability service to a person with a disability,
- but does not include a person who:
- (38) is a family member of a person with a disability, and provides disability services to the person with a disability and does not receive a fee or reward for providing those disability services; or
 - (39) voluntarily provides disability services, unless the person provides the disability services on behalf of an organisation or agency.

14 Emergency service worker

For the purposes of this Order, **emergency service worker** means a person who works in connection with emergency services including but not limited to:

- (1) the Victoria State Emergency Services;
- (2) Fire Rescue Victoria, the Country Fire Authority or any other firefighting services;
- (3) the Emergency Services Telecommunications Authority;
- (4) aquatic safety services, including life saving services and marine search and rescue services;
- (5) paramedical services;
- (6) ambulance and paramedics services;
- (7) air ambulance and medical retrieval services (including Royal Flying Doctor Service);
- (8) Victoria Police, protective services and police custody services;
- (9) essential infrastructure and essential services that are required to maintain or protect human health, safety and wellbeing (whether provided by a public or private undertaking), and including maintenance and repair of such infrastructure.

15 Entertainment and function worker

For the purposes of this Order, **entertainment and function worker** means a worker who works at an amusement park for the purpose of providing statutorily required training for staff prior to reopening.

16 Food distribution worker

For the purposes of this Order, **food distribution worker** means a person who works at or in connection with a premises used for the distribution of food and is a:

- (1) manufacturing worker; or
- (2) port or freight worker; or
- (3) meat and seafood processing worker.

17 Funeral worker

For the purposes of this Order, **funeral worker** means a person who works in connection with funerary or mortuary services.

18 Higher education worker

For the purposes of this Order, **higher education worker** means a person who works at or in connection with:

- (1) a university;
- (2) a vocational education and training institute;
- (3) a technical and further education institute;
- (4) an adult community and further education institute;
- (5) a registered training organisation;
- (6) any other facility undertaking post-compulsory education or training.

19 Justice worker

For the purposes of this Order:

- (1) **honorary justice** has the same meaning as in the **Honorary Justices Act 2014**;
- (2) **justice service centre** means:
 - (a) a premises or place appointed as a community corrections centre pursuant to section 86 of the **Corrections Act 1986** or a youth justice unit pursuant to section 478 of the **Child Youth and Families Act 2005**; or
 - (b) the Wulgunggo Ngalu Learning Place;

- (3) **justice worker** means:
- (a) a person who works at or in connection with a justice service centre; or
 - (b) an honorary justice or a person who works in connection with an honorary justice.

20 Manufacturing worker

For the purposes of this Order, **manufacturing worker** means a person who works at or in connection with a premises used for the distribution, production or processing of goods, including but not limited to production or processing of:

- (1) food (excluding meat, seafood or poultry);
- (2) beverages including brewed and bottled drinks;
- (3) textiles, leather, clothing, footwear and accessories;
- (4) wood products;
- (5) pulp and paper products;
- (6) printing including small and large production runs;
- (7) chemicals, including fertilisers, pesticides, pharmaceutical, medicinal, cleaning products, toiletries, cosmetics, photographic and explosives;
- (8) metal and plastics;
- (9) machinery and equipment manufacturing including parts;
- (10) furniture;
- (11) household goods;
- (12) whole or partial products;
- (13) software, essential marketing or product installation.

21 Marriage celebrant

For the purposes of this Order, **marriage celebrant** has the same meaning as authorised celebrant in the **Marriage Act 1961** of the Commonwealth.

22 Meat and seafood processing worker

For the purposes of this Order, **meat and seafood processing worker** means a person who works at or in connection with an abattoir or a meat, seafood or poultry processing plant.

23 Media and film production worker

For the purposes of this Order, **media and film production worker** means a person who works in connection with:

- (1) journalism;
- (2) media services;
- (3) the production of feature films, theatre, television shows and documentaries (excluding television commercials, student and corporate productions);
- (4) broadcasting performances from an entertainment premises;
- (5) a rehearsal conducted in a theatre that has a seated capacity of more than 1000 people and ordinarily conducts performances on a commercial basis;
- (6) a rehearsal conducted by a National Performing Arts Partnership Company.

24 Mining worker

For the purposes of this Order, **mining worker** means a person who works at a premises at which mining activities take place, including coal mining, oil and gas extraction, metal ore mining, non-metallic mineral mining and quarrying petroleum production.

25 Physical recreation worker

For the purposes of this Order:

- (1) **physical recreation worker** means a person:
 - (a) who works at or in connection with:
 - (i) a facility used or partly used for sport, sport racing or physical recreation;
 - (ii) a play centre;
 - (iii) a trampolining centre;
 - (iv) a swimming pool, hydrotherapy pool, spa, sauna, steam room or spring facility; or
 - (b) who provides personal training services;
- (2) **hydrotherapy pool** means a pool designed to be used for hydrotherapy or rehabilitation purposes;
- (3) **play centre** means a premises, whether indoor or outdoor, that has play equipment to be used or partly used by children under the age of 12 years but does not mean a playground;
- (4) **spring facility** means a hot, sweet, geothermal or mineral pool, spa or bath fed by groundwater from an aquifer.

26 Port or freight worker

For the purposes of this Order, **port or freight worker** means a person works in connection with:

- (1) air transport services;
- (2) port operations;
- (3) freight services (including postal and courier services);
- (4) services provided by a transport, freight or logistics driver;
- (5) monitoring compliance with the **Heavy Vehicle National Law**.

27 Professional sports, high-performance sports, or racing person

For the purposes of this Order, **professional sports, high-performance sports, or racing person** means a person who:

- (1) performs a sporting activity in an open-aged national or international competition (at the highest level as identified by the recognised national body);
- (2) is employed to perform a sporting activity as their primary source of income (for example, employed by a professional club or recognised national body);
- (3) is a National Institute Network Scholarship holder or equivalent level national categorised athlete;
- (4) supports the safe conduct of another person's professional sport;
- (5) publicly broadcasts professional sport;
- (6) participates in thoroughbred, harness and greyhound racing.

28 Professional services worker

For the purposes of this Order:

- (1) **Australian legal practitioner** has the same meaning as in the **Legal Profession Uniform Law Application Act 2014**;
- (2) **legal worker** means:
 - (a) an Australian legal practitioner who provides services in connection with the administration of justice where the services cannot be provided by an online communication, teleconference or by means of an audio-visual link facility; or
 - (b) a person who works in connection with a person specified in subparagraph (a).

- (3) **professional services worker** means:
- (a) a person who provides a financial service within the meaning of section 766A of the **Corporations Act 2001** of the Commonwealth, or works in connection with the provision of such a service; or
 - (b) a legal worker.

29 Public sector worker

For the purposes of this Order:

- (1) **local government worker** means:
- (a) a Chief Executive Officer within the meaning of the **Local Government Act 2020**;
 - (b) a member of Council staff appointed under section 48 of the **Local Government Act 2020**;
- (2) **public sector worker** means:
- (a) a Ministerial officer employed under section 98 of the **Public Administration Act 2004**;
 - (b) a local government worker;
 - (c) a person who is a public sector employee within the meaning of the **Public Administration Act 2004**, except:
 - (i) a person who is a member of the staff of Court Services Victoria within the meaning of the **Court Services Victoria Act 2014**;
 - (ii) a parliamentary officer within the meaning of the **Parliamentary Administration Act 2005**;
 - (iii) a person employed or engaged by the Chief Executive Officer of the Victorian Civil and Administrative Tribunal.

30 Quarantine accommodation worker

For the purposes of this Order, **quarantine accommodation worker** means a person who works in connection with quarantine accommodation services that are critical to, and relate to, the Victorian Government's COVID-19 response.

31 Real estate worker

For the purposes of this Order:

- (1) **estate agent** has the same meaning as in the **Estate Agents Act 1980**;
- (2) **real estate worker** means an estate agent or any person who works in connection with the provision of services by an estate agent.

32 Religious worker

For the purposes of this Order:

- (1) **religious worker** means a person who works at or in connection with a place of worship, but does not include a person who:
- (a) conducts services of public worship and acknowledgments of faith;
 - (b) performs marriages, funerals and special memorial services according to tradition and ecclesiastical and civil law;
 - (c) visits members of the community in their homes, hospitals and other institutions to provide advice and religious comfort for the purpose of end of life faith reasons;
- (2) **place of worship** has the same meaning as in the **Heritage Act 2017**.

33 Repair and maintenance worker

For the purposes of this Order, **repair and maintenance worker** means a person who works in connection with:

- (1) laundry services;
- (2) dry cleaning services;
- (3) car washing services;
- (4) commercial cleaning service;
- (5) locksmith services;
- (6) roadside assistance services;
- (7) pool and spa maintenance services for commercial pools and spas;
- (8) vehicle and mechanical repair services;
- (9) outdoor maintenance, repairs, and cleaning, including at occupied premises;
- (10) outdoor home installations;
- (11) home solar panel installations that involve outdoor work or in roof cavities with external access;
- (12) critical repairs to any premises where required for emergency or safety.

34 Retail worker

For the purposes of this Order:

- (1) **bottle shop** means an area that is physically attached to a licensed premises where packaged alcohol is sold to be consumed off the premises;
- (2) **club licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (3) **food and drink facility** means a café, restaurant, licensed premises, fast-food store, cafeteria, canteen, winery, food truck or food court;
Note: a food and drink facility includes a food and drink facility at a stadium or arena.
- (4) **general licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (5) **late night licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (6) **licensed premises** means a business characterised as a pub, bar, club, nightclub or hotel that supplies alcohol under a general licence, an on-premises licence, a late night licence, a producer's licence, a club licence, a packaged liquor licence, or a restaurant and café licence;
- (7) **market** means a public market, whether indoor or outdoor, including a food market and includes individual stalls at a market;
- (8) **nightclub** means a facility:
 - (a) to which a late night licence applies; and
 - (b) with a dancefloor; and
 - (c) which does not serve food prepared at the facility for consumption on the premises;
- (9) **on-premises licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (10) **packaged liquor licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (11) **producer's licence** has the same meaning as in the **Liquor Control Reform Act 1998**;
- (12) **restaurant and café licence** has the same meaning as in the **Liquor Control Reform Act 1998**;

- (13) **retail facility** means a premises, or part of a premises, at which a business operates to provide for the sale or hire of goods by retail, or the provision of services by retail, including but not limited to a:
- (a) market, but only to obtain groceries or fresh food;
 - (b) retail shopping centre;
 - (c) supermarket, grocery store, bakery, butcher, fruit and vegetable store or fishmonger;
 - (d) food and drink facility;
 - (e) post office;
 - (f) news agent;
 - (g) petrol station (including a petrol station that sells groceries);
 - (h) bottle shop;
 - (i) pet store;
 - (j) facility that provides ‘click and collect’ services;
- (14) **retail worker** means a person who works at or in connection with a retail facility or a wholesale or distribution facility;
- (15) **retail shopping centre** has the same meaning as in the **Retail Leases Act 2003**.

35 Science and technology worker

For the purposes of this Order, **science and technology worker** means a person who works in connection with scientific and technical research or activities, but only in relation to:

- (1) COVID-19 (e.g. MedTech research regarding vaccines);
- (2) hazard monitoring and resilience;
- (3) biosecurity and public health;
- (4) medical or other research, which is ongoing and requires on site attendance;
- (5) critical scientific experiments, labs and collections.

36 Social and community service worker

For the purposes of this Order, **social and community service worker** means a person who works in connection with:

- (1) disability services;
- (2) services provided to an NDIS participant in any setting;
- (3) child protection services;
- (4) family violence and sexual assault support services;
- (5) homelessness support services;
- (6) public housing support services;
- (7) mental health services;
- (8) aged care services;
- (9) any social services provided or contracted by the government to support members of the community who have a particular need because of family violence, homelessness, illness or a chronic health condition, infirmity, disability, contact with the justice system or other essential support service;
- (10) interpreter, cultural or support services.

37 Transport worker

For the purposes of this Order:

- (1) **transport worker** means a person who performs work in connection with:
 - (a) a bus company;

- (b) a commercial passenger vehicle service;
- (c) a public transport service;
- (2) **bus company** has the same meaning as in **Transport (Compliance and Miscellaneous) Act 1983**;
- (3) **commercial passenger vehicle service** has the same meaning as in the **Commercial Passenger Vehicle Industry Act 2017**;
- (4) **public transport service** has the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**.

38 Utility and urban worker

For the purposes of this Order, **utility and urban worker** means a person who works in connection with:

- (1) specialist services at telecommunications stores to support telecommunications as a critical service during the COVID-19 pandemic;
- (2) services to support the ongoing provision and regulation of electricity, gas, water, sewage and waste and recycling services and their maintenance;
- (3) domestic and commercial waste and resource recovery services (including collection, treatment and disposal services and transfer stations), including:
 - (a) electricity services;
 - (b) operation of energy systems;
 - (c) gas services;
 - (d) water supply, sewerage and drainage services;
 - (e) liquid fuels and refinery services;
- (4) the operation of primary clinical waste incinerators by specialised clinical waste workers;
- (5) the operation of carparks for the purposes of supporting workers.

39 Veterinary and pet/animal care worker

For the purposes of this Order, **veterinary and pet/animal care worker** means a person who works:

- (1) in connection with:
 - (a) pet grooming services;
 - (b) veterinary services;
 - (c) animal rescue services;
 - (d) animal health, husbandry or welfare services; or
- (2) at the premises of or in connection with:
 - (a) a nature reserve at which animals are treated and cared for;
 - (b) a zoo.

Division 3 – Facility-specific definitions

40 Accommodation facility

For the purposes of this Order:

- (1) **accommodation facility** means any of the following:
 - (a) a camping ground;
 - (b) a caravan park;
 - (c) a hotel;
 - (d) a hostel;
 - (e) a bed and breakfast;

- (f) a private holiday rental facility, including Airbnbs;
- (g) a motel;
- (h) a serviced apartment; or
- (i) a licensed premises to the extent that it is operated as a premises specified in paragraphs (a) to (h).

41 Community facility

For the purposes of this Order:

- (1) **community facility** means any of the following, whether operated on a for profit or not-for-profit basis:
 - (a) a community centre or community hall;
 - (b) a public library (including a toy library, but not the State Library);
 - (c) a youth centre;
 - (d) a playground;
 - (e) a skatepark in an outdoor space; or
 - (f) a premises that has outdoor communal exercise equipment,but does not include:
 - (g) a creative arts premises;
 - (h) a physical recreation premises; or
 - (i) a premises that has a swimming pool, hydrotherapy pool, spa, sauna, steam room or spring; and
- (2) **early childhood education or care services** means onsite early childhood education and care services or children's services provided under the:
 - (a) **Children's Services Act 1996** including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs; or
 - (b) **Education and Care Services National Law Act 2010** and the **Education and Care Services National Regulations 2011** including long day care services, kindergarten/preschool and family day care services, but does not include outside school hours care services.

42 Construction sites

For the purposes of this Order:

- (1) **construction site** means a premises at which civil works, building or construction activities are taking place (the primary premises) and includes:
 - (a) premises that are nearby to the primary premises at which work relating to the operation of the primary premises is undertaken (secondary premises);
 - (b) any vehicle used to carry out work at the primary premises or secondary premises;
Example: a site office for a construction site that is located in an office building close to the construction site.
- (2) **vehicle** has the same meaning as in the **Public Health and Wellbeing Act 2008**.

43 Education facility

For the purposes of this Order:

- (1) **childcare or early childhood service** means onsite early childhood education and care services or children's services provided under the:
 - (a) **Education and Care Services National Law** and the **Education and Care Services National Regulations**, including long day care services, kindergartens and/or preschool and family daycare services, but not including outside school hours care services; and

- (b) **Children's Services Act 1996**, including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs;
- (2) **education facility** means:
 - (a) premises at which a childcare or early childhood service is provided;
 - (b) premises at which an outside school hours care service is provided;
 - (c) a school;
 - (d) school boarding premises;but does not include any indoor space or outdoor space when that space is used as a polling place for the purposes of voting in an election conducted by the Australian Electoral Commission or Victorian Electoral Commission.
- (3) **education operator** means a person who operates an education facility, whether public, private or denominational;
- (4) **school** means a registered school as defined in the **Education and Training Reform Act 2006**;
- (5) **school boarding premises** means a registered school boarding premises, as defined in the **Education and Training Reform Act 2006**.

44 Food and drink facilities

For the purposes of this Order:

- (1) **club licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and **food court** has the same meaning as in the **Liquor Control Reform Act 1998**; and
- (2) **food and drink facility** means:
 - (a) a cafe;
 - (b) a restaurant;
 - (c) a fast-food store;
 - (d) a cafeteria;
 - (e) a canteen;
 - (f) a winery;
 - (g) a food court;
 - (h) a licensed premises to the extent it operates as a premises specified in subparagraphs (a) to (g);
 - (i) a premises specified in subparagraphs (a) to (h) that is located within an accommodation facility; and
- (3) **general licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and
- (4) **late night licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and
- (5) **licensed premises** means a business characterised as a pub, bar, club, nightclub or hotel that supplies alcohol under a general licence, an on-premises licence, a late night licence, a producer's licence, a club licence or a packaged liquor licence; and
- (6) **on-premises licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and
- (7) **packaged liquor licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and
- (8) **producer's licence** has the same meaning as in the **Liquor Control Reform Act 1998**; and

45 Healthcare facility

For the purposes of this Order:

- (1) **healthcare facility** means each of the following premises:
 - (a) hospitals, including outpatient settings and in reach services;
 - (b) ambulance and patient transport services vehicles;
 - (c) community health centres including mental health, child and maternity, and drug and alcohol counselling services centres;
 - (d) general practices;
 - (e) COVID-19 related healthcare sites, including testing sites, vaccination centres and hotel quarantine premises;
 - (f) dental surgeries and practices;
 - (g) day procedure centres;
 - (h) health clinics, including medical specialist and allied health professional operated clinics;
 - (i) pharmacies;
 - (j) diagnostic and medical imaging centres;
 - (k) premises at which mobile health services are provided;
 - (l) premises at which blood donation services are provided;
 - (m) premises at which healthcare students undertake placement, registration or internships;
 - (n) premises at which health services within government agencies are provided, including the Victorian Department of Justice and Community Services – Victorian Institute of Forensic Medicine, but excluding an education facility;
 - (o) Coroner’s Court;
 - (p) any retail or other premises operating within a healthcare facility, including cafes, newsagents and florists;
- (2) **healthcare operator** means a person who operates a healthcare facility whether public, private or denominational;
- (3) **healthcare worker** means a person who is employed or engaged as a contractor by a healthcare operator to perform at a healthcare facility any of the following:
 - (a) healthcare services including:
 - (i) medical practitioners, dental professionals, nurses and midwives;
 - (ii) allied health professionals (including those that work within a discipline classified by the Victorian Department of Health as allied health, or are registered with the Australian Health Practitioner Regulation Agency);
 - (iii) palliative care workers;
 - (iv) personal care attendants;
 - (v) phlebotomists and pathology workers;
 - (vi) coroners;
 - (vii) lifestyle and social therapists;
 - (viii) formal language and interpretation services;
 - (ix) students;
 - (x) volunteers;
 - (b) administrative or ancillary roles, including:
 - (i) an administrative, clerical and managerial worker, and each of their assistants’ delegates;

- (ii) food preparation, cleaning and laundry services;
 - (iii) patient service assistants and porters;
 - (iv) operating theatre technicians;
 - (v) security, maintenance and repair and information technology, gardening and landscaping;
- (c) ambulance and patient transport services;
- (d) work at a retail business operating within a healthcare facility, including cafes, restaurants, newsagents and florists.

46 Residential aged care facility

For the purposes of this Order:

- (1) **approved provider** has the same meaning as in the **Aged Care Quality and Safety Commission Act 2018** of the Commonwealth;
- (2) **residential aged care facility** means the premises at which accommodation and personal care or nursing care or both are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the **Aged Care Act 1997** of the Commonwealth;
- (3) **residential aged care facility worker** means a person (including a volunteer) that is:
 - (a) employed, or engaged as a contractor, by an operator that operates a residential aged care facility to perform work at the residential aged care facility including:
 - (i) direct care workforce including nurses, personal care workers, allied health professionals, and allied health assistants;
 - (ii) administration staff including reception and management staff;
 - (iii) ancillary staff including food preparation, cleaning, laundry, gardening and general maintenance staff;
 - (iv) dental practitioners;
 - (v) phlebotomists (pathology nurses);
 - (vi) lifestyle and social staff, such as those delivering music or art therapy;
 - (vii) transport drivers who are responsible for collecting and transporting residents to and from the residential aged care facility for outings;
 - (viii) volunteers engaged by the residential aged care facility to undertake duties at the facility;
 - (ix) students on placement;
 - (x) medical practitioners and allied health professionals who attend the residential aged care facility to provide care to residents of the facility;
 - (b) a medical practitioner, dental practitioner or allied health professional who is employed or engaged by a resident of a residential aged care facility to provide care to the resident;
- (4) **residential care subsidy** has the same meaning as in the **Aged Care Act 1997** of the Commonwealth.

47 Specialist school facility

For the purposes of this Order:

- (1) **registered school** has the same meaning as in the **Education and Training Reform Act 2006**;
- (2) **specialist school facility** means a registered school established for the main purpose of providing instruction for students with a disability,

Note: where a multi-campus school includes a campus the main purpose of which is to provide instruction for students with a disability, a reference to 'specialist school' is taken to be a reference to that campus and not other campuses of the school that are established for other purposes.

- (3) **specialist school operator** means a person who operates a specialist school facility;
- (4) **specialist education worker** means:
- (a) any person who is employed by a specialist school operator to work in a specialist school facility (including teachers, early childhood educators and educational support staff);
 - (b) a person contracted to work at a specialist school facility and who will or may be in close proximity to children, students or staff, whether or not engaged by the specialist school operator including casual relief teachers, Breakfast Club suppliers, IT personnel, NDIS providers and auditors, (but does not include delivery personnel);
 - (c) staff of the Department of Education and Training who attend a specialist school facility (such as allied health personnel or Authorised Officers);
 - (d) staff of any other entity who attends a specialist school facility;
 - (e) volunteers that attend a specialist school facility and that work in close proximity to children, students or staff (including parent helpers);
 - (f) students on placements at a specialist school facility;
 - (g) a person providing healthcare services at a specialist school facility, but does not include:
 - (h) a person attending a specialist school facility outside of the specialist school facility's normal operating hours, where the facility is hired, leased, operated or controlled by a community group; or
Example: workers attending a specialist school facility for community sporting activities outside of normal operating hours.
 - (i) a person attending a specialist school facility outside of the specialist school facility's normal operating hours for the purposes of polling activities for an election conducted by the Australian Electoral Commission or Victorian Electoral Commission, provided no children or students that attend the specialist school facility are present.
Example: a candidate for a state or federal election attending a specialist school facility for a site visit outside of normal operating hours.

Division 4 – Other definitions

For the purposes of this Order:

Case, Contact and Outbreak Management Policy means the policy published by the Victorian Department of Health that describes the State's approach to case, contact and exposure site and outbreak management, as amended from time to time;

Category 1 elective surgery procedure means a procedure that is clinically indicated within 30 days and where the patient's condition has the potential to deteriorate quickly to the point where the patient's condition may become an emergency;

Category 2 elective surgery procedure means procedure that is clinically indicated within 90 days and is unlikely to deteriorate quickly or become an emergency during that period;

Category 3 elective surgery procedure means a procedure that is clinically indicated within 365 days but is unlikely to deteriorate quickly;

Commonwealth employee has the same meaning as in the **Sex Discrimination Act 1984** of the Commonwealth;

confirmed case means a diagnosis of COVID-19 in a worker at the work premises from a COVID-19 PCR test or a COVID-19 rapid antigen test and includes a worker who is a diagnosed person or a probable case;

court means:

- (1) the Supreme Court;

- (2) the County Court;
- (3) the Magistrates' Court;
- (4) the Children's Court;
- (5) any Federal Court;

COVID-19 means the contagious disease caused by severe acute respiratory syndrome coronavirus 2;

COVID-19 PCR test means a COVID-19 polymerase chain reaction test;

COVID-19 rapid antigen test means a COVID-19 rapid antigen test;

COVID-19 rapid antigen test procedure has the same meaning as in the **Quarantine, Isolation and Testing Order**;

COVID-19 streaming means providing a COVID-19 streaming service;

COVID-19 streaming service means any patient treatment service designated to treat COVID-19 patients;

COVID-19 symptoms means symptoms consistent with COVID-19, including but not limited to the following:

- (1) a fever ($\geq 37.5^{\circ}\text{C}$) or consistent fever of less than 37.5°C (such as night sweats, chills);
- (2) acute respiratory infection (such as cough, shortness of breath, sore throat);
- (3) loss of smell;
- (4) loss of taste;

COVID-19 vaccine means a one dose COVID-19 vaccine or a two dose COVID-19 vaccine;

COVIDSafe Plan has the meaning in clause 9(1);

critical unforeseen circumstance means a circumstance that the employer could not reasonably have foreseen nor planned for which results in a critical need for staff;

day procedure centre has the same meaning as in the **Health Services Act 1988**;

Department means the Victorian Department of Health;

diagnosed person has the same meaning as in the **Pandemic (Quarantine, Isolation and Testing) Order**;

disability has the same meaning as it has in the **Disability Service Safeguards Act 2018**;

disability service has the same meaning as in the **Disability Service Safeguards Act 2018**;

education and care service means:

- (1) school education at a registered school as defined in the **Education and Training Reform Act 2006**;
- (2) early childhood education or care services;

elective surgery procedure means an urgent elective surgery procedure, urgent non-ESIS procedures, Category 1 elective surgery procedure, Category 2 elective surgery procedure, Category 3 elective surgery procedure or non-urgent non-ESIS procedure;

emergency situation means a situation where it is reasonably apparent to an employer that medical treatment is necessary, as a matter of urgency to:

- (1) save a person's life; or
- (2) prevent serious damage to a person's health; or
- (3) prevent a person from suffering or continuing to suffer significant pain or distress;

face covering means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection;

health and safety representative has the same meaning as in the **Occupational Health and Safety Act 2004**;

hospital means a public hospital, a denominational hospital, a multi-purpose service, a private hospital, a day procedure centre and includes any retail or other premises operating within a hospital including but not limited to a cafe, newsagent and florist;

Individual Healthcare Identifier has the same meaning as the healthcare identifier of a healthcare recipient in section 9 of the **Healthcare Identifiers Act 2010** of the Commonwealth;

indoor space means an area, room or premises that is or are substantially enclosed by a roof and walls that are either floor to ceiling high or are at least 2.1 metres high, regardless of whether the roof or walls or any part of them are:

- (1) permanent or temporary; or
- (2) open or closed;

infectious period has the same meaning as in the **Quarantine, Isolation and Testing Order**;

inspector has the same meaning as in the **Occupational Health and Safety Act 2004**;

judge has the same meaning as judicial officer in the **Judicial Entitlements Act 2015**, but does not include the Deputy State Coroner or a reserve coroner;

judicial registrar has the same meaning as judicial registrar in **Judicial Entitlements Act 2015**, but does not include a judicial registrar within the meaning of the **Coroners Act 2008**;

medical contraindication means one of the following contraindications to the administration of a COVID-19 vaccine:

- (1) anaphylaxis after a previous dose;
- (2) anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;
- (3) in relation to AstraZeneca:
 - (a) history of capillary leak syndrome; or
 - (b) thrombosis with thrombocytopenia occurring after a previous dose;
- (4) in relation to Comirnaty or Spikevax, myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax;
- (5) where a person is in the process of completing a Federal Department of Health approved COVID-19 vaccine clinical trial;
- (6) the occurrence of any other serious adverse event that has:
 - (a) been attributed to a previous dose of a COVID-19 vaccine by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
 - (b) been reported to State adverse event programs and/or the Therapeutic Goods Administration;

medical practitioner means:

- (1) a general practice registrar on an approved 3GA training placement; or
- (2) a public health physician; or
- (3) an infectious disease physician; or
- (4) a clinical immunologist; or
- (5) a general practitioner who is vocationally registered; or
- (6) a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or
- (7) a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM); or
- (8) a paediatrician; or
- (9) a medical practitioner who is a fellow of the Royal Australasian College of Physicians;

Metropolitan Melbourne means the area within the municipal districts under the local government of the municipal councils set out in Schedule 2 of the **Planning and Environment Act 1987**;

NDIS participant has the same meaning as ‘participant’ under the **National Disability Insurance Scheme Act 2013** of the Commonwealth;

non-urgent non-ESIS procedure means a non-time critical procedure that is not reported via the Elective Surgery Information System where the patient’s condition is unlikely to deteriorate quickly;

one dose COVID-19 vaccine means ‘COVID-19 Vaccine Janssen’ (Janssen-Cilag);

outbreak has the same meaning as in the **Quarantine, Isolation and Testing Order**;

outdoor space means an area, room or premises that is not an indoor space;

owners corporation has the same meaning as in the **Owners Corporation Act 2006**;

passenger services has the same meaning as in the **Transport Integration Act 2010**;

pandemic orders in force has the same meaning as in the **Public Safety Order** as amended or replaced from time to time;

patient of a hospital means a person who requests or is being provided with health, medical or pharmaceutical services by the hospital;

PPE means personal protective equipment;

premises has the same meaning as in the **Public Health and Wellbeing Act 2008** but does not include a worker’s ordinary place of residence unless the place of residence is used for business purposes;

Example: a residential home from which a worker operates a remedial massage business.

private hospital has the same meaning as in the **Health Services Act 1988**;

probable case has the same meaning as in the **Quarantine, Isolation and Testing Order**;

public health service has the same meaning as in the **Health Services Act 1988**;

public hospital has the same meaning as in the **Health Services Act 1988**;

Public Safety Order means the **Pandemic (Public Safety) Order 2022 (No. 3)** as amended or replaced from time to time;

Quarantine, Isolation and Testing Order means the **Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 10)** as amended or replaced from time to time;

reasonably practicable is to have its ordinary and common sense meaning;

registered facility means a private hospital or a day procedure centre that is registered with the Department as a ‘private hospital’ or ‘day procedure centre’;

Revoked Pandemic (Workplace) Orders means;

- (1) the **Workplace Directions (No. 57)** or the **Pandemic (Workplace) Order (No. 9)**, or their predecessors;
- (2) the **COVID-19 Mandatory Vaccination (Workers) Directions (No. 8)** or the **Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 (No. 5)** or their predecessors;
- (3) the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions (No. 13)** or the **Pandemic COVID-19 Mandatory Vaccination (Specified Facilities) Order 2022 (No. 7)**, or their predecessors;
- (4) the **COVID-19 Mandatory Vaccination (General Workers) Directions (No. 3)** or the **Pandemic COVID-19 Mandatory Vaccination (General Workers) Order 2022 (No. 4)**, or their predecessors;
- (5) the **Workplace (Additional Industry Obligations) Directions (No. 58)** or the **Pandemic (Additional Industry Obligations) Order 2022 (No. 10)**, or their predecessors;

(6) the **Open Premises Directions (No. 7)** or the **Pandemic (Open Premises) Order 2022 (No.6)**, or their predecessors;

(7) the **Stay Safe Directions (Victoria) (No. 30)** or the **Pandemic (Movement and Gathering) Order 2022 (No. 5)**, or their predecessors;

self-isolate has the same meaning as in the **Quarantine, Isolation and Testing Order**;

self-quarantine has the same meaning as in the **Quarantine, Isolation and Testing Order**;

Service Victoria has the same meaning as in the **Service Victoria Act 2018**;

Service Victoria App means the digital system provided by the Chief Executive Officer of Service Victoria and other parts of the Victorian Government;

Service Victoria CEO has the same meaning as in the **Service Victoria Act 2018**;

signage requirements has the meaning in clause 10;

symptomatic person means a person that is experiencing one or more COVID-19 symptoms, unless those symptoms are caused by an underlying health condition or medication;

Testing Requirements Policy means the document titled ‘Testing Requirements Policy’ as amended or reissued from time to time by the Secretary of the Department of Health;

two dose COVID-19 vaccine means any of the following:

- (1) Vaxzevria (AstraZeneca);
- (2) Comirnaty (Pfizer);
- (3) Spikevax (Moderna);
- (4) Coronavac (Sinovac);
- (5) Covishield (AstraZeneca/Serum Institute of India);
- (6) Covaxin (Bharat Biotech);
- (7) BBIP-CorV (Sinopharm);
- (8) Sputnik V (Gamaleya Research Institute);
- (9) Nuvaxovid (Biocelect on behalf of Novavax);

urgent elective surgery procedure means:

- (1) a procedure where admission within 30 days is clinically indicated for a condition that has the potential to deteriorate quickly to the point that it might become an emergency;
- (2) an urgent non-ESIS procedure including a procedure undertaken for the purposes of cancer diagnosis and early or overdue cancer surveillance;

urgent non-ESIS procedure means a procedure that is a time critical procedure that is not reported via the Elective Surgery Information System where the patient’s condition is likely to deteriorate quickly including procedures undertaken for the purposes of cancer diagnosis and early or overdue cancer surveillance;

work premises means a premises in which work is undertaken, including any vehicle whilst being used for work purposes, but excluding a person’s ordinary place of residence;

workplace outbreak threshold means the number of confirmed cases constituting a workplace outbreak as set out in the Case Contact and Outbreak Management Policy;

WorkSafe means WorkSafe Victoria.

Dated 11 July 2022

THE HON. MARY-ANNE THOMAS MP
Minister for Health

Victorian Managed Insurance Authority Act 1996**VICROADS MODERNISATION TRANSITION INSURANCE**

Pursuant to section 25A of the **Victorian Managed Insurance Authority Act 1996**, I, Danny Pearson MP, hereby direct the Victorian Managed Insurance Authority ('VMIA') to provide Cyber Insurance to each Joint Venture Entity.

A Joint Venture Entity may apply to the VMIA for Cyber Insurance. A Joint Venture Entity that chooses to apply must do so in writing.

Subject to the terms of this direction, VMIA is to determine underwriting terms and conditions, including conditions as to premium and security, and any other policy terms and conditions, as are reasonably required for the provision of any Cyber Insurance and associated services (including the payment of claims) throughout the period for which any Cyber Insurance policies issued by it in accordance with this direction remain open to be claimed upon.

VMIA must directly manage all claims under Cyber Insurance policies issued by it in accordance with this direction.

This direction is effective from 1 August 2022 to 31 July 2024.

The following definitions apply in this direction unless the context requires otherwise:

'**Cyber Insurance**' means an insurance product that provides coverage in respect of losses associated with data breaches and network security.

'**Joint Venture Entity**' means:

- R&L Services Victoria Pty Ltd, ABN 28 657 005 493, as trustee for the Victorian R&L Services Trust, ABN 96 342 123 072; and
- CP Services Victoria Pty Ltd, ABN 16 657 005 439, as trustee for the Victorian CP Services Trust, ABN 72 128 511 730.

Dated 28 June 2022

THE HON. DANNY PEARSON MP
Assistant Treasurer

Water Act 1989
WANNON WATER
Multiple Services

Declaration of Properties Provided with
Water or Sewerage Services

Notice is hereby given pursuant to section 144 of the **Water Act 1989** that each property listed below has been declared a Serviced Property. The services available, locality and date from which the service was made available is shown under the relevant heading for the listed property.

Water and Sewer Services

Lots 1 and 2 PS 849708T

Port Fairy

9 June 2022

Lots 70–89 PS 838712Q

Warrnambool

10 June 2022

Lots 1 and 2 PS 904527T

Warrnambool

24 June 2022

Lots 1 and 2 PS 904865W

Warrnambool

27 June 2022

Lots 1 and 2 PS 905748V

Dunkeld

27 June 2022

Lot 1 PS 905755Y

Hamilton

27 June 2022

ANDREW JEFFERS
Managing Director



Water Act 1989

NOTICE OF DECLARATION OF SERVICED PROPERTIES DECLARATION NO. 837

Central Highlands Water declares the properties as described below to be serviced properties for the purpose of the **Water Act 1989** on and from Thursday 15 September 2022.

PROPERTY	TOWNS	TYPE
PS837926A Lot 1–22 incl.	Alfredton	water/sewer
PS728141X Lot 1–3 incl.	Ballarat Central	water/sewer
PS843942S Lot 1–5 incl.	Brown Hill	water/sewer
PS835479K Lot 1 and 2	Brown Hill	water/sewer
PS828041U Lot 1 and 2	Buninyong	water/sewer
PS843742B Lot 9–18 and 81–92 incl.	Cardigan	water/sewer
PS835487L Lot 1 and 2	Creswick	water/sewer
PS903748G Lot 1 and 2	Daylesford	water
PS848548U Lot 1 and 2	Lake Wendouree	water/sewer
PS849723X Lot 1 and 2	Learmonth	water/sewer
PS841529M Lot 1679–1709 incl.	Lucas	water/sewer
PS903711G Lot 1 and 2	Maryborough	water/sewer
PS646480E Lot S2	Maryborough	water/sewer
PS846384K Lot 1 and 2	Maryborough	water/sewer
PS842532T Lot S2, 391–409 incl.	Mount Pleasant	water/sewer
PS804720H Lot 1–3 incl.	Redan	water/sewer
PS841350F Lot 1 and 2	Scarsdale	water
C/A 4 Sec 10	Skipton	water
C/A 1 Sec 6	Smythesdale	sewer
PS804725W Lot 1 and 2	Soldiers Hill	water/sewer

For more information contact Central Highlands Water on 1800 061 514.

Planning and Environment Act 1987**BAYSIDE PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C190bays

The Minister for Planning has approved Amendment C190bays to the Bayside Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment applies heritage controls to 105 Dalgetty Road, Beaumaris on an interim basis until 5 November 2022 and makes minor corrections to the Schedule to the Heritage Overlay of the Bayside Planning Scheme, including the inclusion of Victorian Heritage Register site 23 North Road, Brighton and the correction of the address of heritage listing HO774.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected on the Bayside City Council website at www.bayside.vic.gov.au and/or free of charge, during office hours, at the offices of Bayside City Council at 76 Royal Avenue, Sandringham.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987**BOROONDARA PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C366boro

The Minister for Planning has approved Amendment C366boro to the Boroondara Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment rezones the land at 2 Paterson Street, Hawthorn from the Public Use Zone 2 'Education' (PUZ2) to Neighbourhood Residential Zone – Schedule 3 (NRZ3) to help facilitate the sale of surplus government land. It also applies an Environmental Audit Overlay (EAO) to the site.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected on the Boroondara City Council website at www.boroondara.vic.gov.au and/or free of charge, during office hours, at the offices of the Boroondara City Council, 8 Inglesby Road, Camberwell.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C201king

The Minister for Planning has approved Amendment C201king to the Kingston Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment will apply an Environmental Audit Overlay to 47 sites and amends the Schedule to Clause 72.03 to include the previously omitted 3EAO.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected on the Kingston City Council website at www.kingston.vic.gov.au and/or free of charge, during office hours, at the offices of the Kingston City Council, 1230 Nepean Highway, Cheltenham.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

MELTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C229melt

The Minister for Planning has approved Amendment C229melt to the Melton Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment deletes the Public Acquisition Overlay (PAO1) from 501 Brooklyn Road, Brookfield.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected on the Melton City Council website at www.melton.vic.gov.au and/or free of charge, during office hours, at the offices of the Melton City Council, 232 High Street, Melton.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987**MILDURA PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C106mild

The Minister for Planning has approved Amendment C106mild to the Mildura Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment updates the mapping of the Floodway Overlay and Land Subject to Inundation Overlay along the Murray River corridor within the Rural City of Mildura and amends the Schedule to Clause 72.03 to update the list of maps forming part of the Mildura Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Mildura Rural City Council website at www.mildura.vic.gov.au and/or during office hours, at the offices of the Mildura Rural City Council, Deakin Avenue Service Centre, 76 Deakin Avenue, Mildura.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987**NILLUMBIK PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C138nill

The Minister for Planning has approved Amendment C138nill to the Nillumbik Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment replaces the interim heritage controls applying to part of 14–26 Browns Lane, Plenty with a permanent Heritage Overlay (HO270), updates the Schedule to the Heritage Overlay, and inserts a statement of significance and heritage citation for the identified individually significant place into the Nillumbik Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, on the Nillumbik Shire Council website at www.nillumbik.vic.gov.au and/or during office hours, at the offices of the Nillumbik Shire Council, 34 Civic Drive, Greensborough.

STUART MENZIES

Director, State Planning Services

Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Approval of Amendment
Amendment C222whse

The Minister for Planning has approved Amendment C222whse to the Whitehorse Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment makes administrative, formatting and technical changes to local provisions of the Whitehorse Planning Scheme to reflect reforms introduced by Amendment VC142 and VC148 and to ensure consistency with the Ministerial Direction on the Form and Content of Planning Scheme, as part of the Smart Planning Program.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Whitehorse City Council website at www.whitehorse.vic.gov.au or during office hours, at the offices of the Whitehorse City Council, 379–397 Whitehorse Road, Nunawading, Victoria 3131.

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
WYNDHAM PLANNING SCHEME
Notice of Approval of Amendment
Amendment C261wynd

The Minister for Planning has approved Amendment C261wynd to the Wyndham Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment corrects an error in the Wyndham A-League Football Stadium Project Incorporated Document (which was gazetted as part of Amendment C254wynd) by deleting the words ‘except subdivision’ from Clause 4 of the document.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation and, free of charge, at the Wyndham City Council website at www.wyndham.vic.gov.au and/or during office hours, at the offices of the Wyndham City Council, 45 Princes Highway, Werribee.

STUART MENZIES
Director, State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C263yara

The Minister for Planning has approved Amendment C263yara to the Yarra Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment updates local schedules in zones, overlays, particular provisions, general provisions and operational provisions of the Yarra Planning Scheme to remove inconsistencies with:

- The *Victoria Planning Provisions* as a result of Amendment VC142 and Amendment VC148, and
- The *Ministerial Direction – Form and Content of Planning Schemes*.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the Amendment documentation. A copy of the Amendment can also be inspected, free of charge, at the Yarra City Council website at www.yarracity.vic.gov.au or during office hours, at the offices of the Yarra City Council, Richmond Town Hall, 333 Bridge Road, Richmond.

STUART MENZIES

Director, State Planning Services
Department of Environment, Land, Water and Planning

This page was left blank intentionally

**SUBORDINATE LEGISLATION ACT 1994
NOTICE THAT STATUTORY RULES ARE
OBTAINABLE**

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from TIMG Bookshop, Level 10, 575 Bourke Street, Melbourne 3000, on the date specified:

54. *Statutory Rule:* Magistrates' Court General Civil Procedure Amendment Rules 2022
Authorising Act: Magistrates' Court Act 1989
Date first obtainable: 14 July 2022
Code A
55. *Statutory Rule:* Electricity Industry (Penalty Regime) Regulations 2022
Authorising Act: Electricity Industry Act 2000
Date first obtainable: 19 July 2022
Code B
56. *Statutory Rule:* Gas Industry (Penalty Regime) Regulations 2022
Authorising Act: Gas Industry Act 2001
Date first obtainable: 19 July 2022
Code A
-

PRICING FOR SPECIAL GAZETTE, PERIODICAL GAZETTE AND VICTORIAN LEGISLATION

Retail price varies according to the number of pages in each Victoria Government Special Gazette, Victoria Government Periodical Gazette and Victorian legislation. The table below sets out the prices that apply.

<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price*</i>	<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price*</i>
A	1–16	\$4.22	#Z	1407–1470	\$125.60
B	17–32	\$6.33	#ZA	1471–1536	\$131.56
C	33–48	\$8.65	#ZB	1537–1610	\$136.57
D	49–96	\$13.61	#ZC	1611–1666	\$142.32
E	97–144	\$17.51	#ZD	1667–1730	\$147.70
F	145–192	\$20.78	#ZE	1731–1796	\$153.66
G	193–240	\$23.95	#ZF	1797–1860	\$159.20
H	241–288	\$25.43	#ZG	1861–1926	\$164.42
I	289–352	\$28.70	#ZH	1927–1990	\$170.38
J	353–416	\$33.44	#ZI	1991–2056	\$175.76
K	417–480	\$38.19			
L	481–544	\$44.52			
M	545–608	\$50.90			
N	609–672	\$56.28			
O	673–736	\$63.62			
P	737–800	\$70.10			
#Q	821–886	\$76.22			
#R	887–950	\$81.29			
#S	951–1016	\$86.83			
#T	1017–1080	\$92.21			
#U	1081–1146	\$97.75			
#V	1147–1210	\$103.50			
#W	1211–1276	\$108.88			
#X	1277–1340	\$114.78			
#Y	1341–1406	\$119.95			

* All prices include GST

Printed as two volumes

ive

The *Victoria Government Gazette* is published by IVE Group Limited with the authority of the Government Printer for the State of Victoria

© State of Victoria 2022

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order



**Retail &
Mail Sales**

Victoria Government Gazette
Ground Floor, Building 8,
658 Church Street,
Richmond 3121

DX 106 Melbourne



Telephone

(03) 8523 4601

email

gazette@ivegroup.com.au

Recommended Retail Price \$2.55 (includes GST)