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MEDIA RELEASE

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COVID-19: PARLIAMENT TO CONSIDER PANDEMIC REFORMS

A special sitting of NSW Parliament will consider a second set of laws to equip citizens, businesses and the justice system to address the impacts of the COVID-19 pandemic.

Attorney General Mark Speakman will introduce three Bills for debate today.

“The Bills build on legislation enacted in late March and again makes the health and safety of the people of NSW our first priority,” Mr Speakman said.

The Bills include proposals for extraordinary regulation-making powers to enhance social distancing by:

- The modification or suspension of laws requiring people to hold meetings in person, for example a board meeting or physical examination by a medical practitioner for a particular purpose;
- The facilitation of wholly electronic signing of documents (the Government continues to consult on what classes of documents will be affected); and
- The extension of limitation periods to take into account delays caused by the pandemic.

In addition, the Government is proposing a number of other amendments, including the following:

- **Health:** The proposed health amendments will expand the ability of individual public health orders to require people to undergo testing or a medical examination and streamline COVID-19 medical research and data collection for a public health register. They will allow for COVID-19-related conditions to be placed on the licences of private health facilities and also for audio-visual link mental health examinations.
- **Justice:** Where a judicial officer decides it is in the interests of justice, accused persons will be required to appear in court via video link. Sheriff's Officers will be given authority to protect court users from the risk of COVID-19 by being able to ask people who display signs of illness, including fever, to leave the court. They may also take the temperature of anyone attending court. When assisting agencies like the NSW Police Force in enforcing Public Health Orders, Sheriff's Officers will have powers of arrest.

- **Employee Relations:** Changes to annual leave and long service leave laws will provide welcome, flexible alternatives to standing down workers. Long service leave will be available in single day periods to shorten working weeks, but maintain income. Local Government sector workers will be able to agree to cash out annual leave, or take it at half or double pay. The employee must have at least four weeks' leave entitlement remaining after it is cashed out.
- **Treasury:** The Government will provide a payroll tax exemption for Job Keeper payments made to workers who have been stood down, and for any extra wages paid to workers that earn less than the Job Keeper payment. This additional payroll tax relief will help keep people in jobs and support businesses who sign up to the Commonwealth's Job Keeper scheme.
- **Planning:** Amendments to the *Environmental Planning and Assessment Act 1979* will extend the timeframe for when a development consent lapses and when appeals can be lodged in the Land and Environment Court. The amount of time a business can remain empty before it loses its existing use rights will be extended from one to three years. These changes will provide more certainty for the community, business owners and the development industry and support NSW's economic recovery.
- **Energy and Environment:** Amendments to the *Waste Avoidance and Resource Recovery Act* will allow the EPA to temporarily exempt businesses struggling because of COVID-19 from certain requirements of the container deposit scheme, such as fees, charges and other regulatory requirements. The Bill will also support businesses, tradies and workers in the energy industry by creating a regulation-making power to establish the Energy Security Safeguard. The Safeguard will drive the rollout of technologies such as energy efficient and smart appliances in a way that improves grid reliability and lowers power prices.
- **Better Regulation:** A series of amendments to the *Strata Schemes Management Act*, *Community Land Management Act* and *Retirement Villages Act* will remove the need for face-to-face meetings by allowing retirement village committees, owners' corporations and associations in community schemes to operate electronically. Changes to the *Contract Cleaning Industry Act 2010* will temporarily eradicate the 20 week waiting period, to fast track long service payments for those who have permanently left the industry after 5 years.
- **Local Government:** Changes will allow councils to apply the rate peg more flexibly and respond to changing economic conditions such as COVID-19, bushfires and drought. The Minister will have the power to limit a council's general income as an added safeguard against it disproportionately burdening one sector of the community (such as residential, business, agricultural or mining). Subject to certain conditions, the Government is also placing a two-year moratorium on council chambers and offices building works to ensure investment in infrastructure projects (such as roads, bridges, parks and sportsgrounds), which directly benefit the community and contribute to local economic recovery. The changes will also prevent councils taking legal action for outstanding rates for six months for ratepayers experiencing financial hardship, and provide local government workers with flexibility around leave entitlements to help councils minimise job losses and manage and retain staff.

- **Families and Communities:** Amendments to the *Children’s Guardian Act 2019* will maintain continuity of current child protection regulations relevant to the Children’s Guardian’s functions until 1 March 2021, so that there is no gap in coverage while consultation on new regulations is undertaken. Extending the timeframe for consultation gives stakeholders greater flexibility to provide meaningful input in light of COVID-19 restrictions.

Mr Speakman thanked the people of NSW for the many sacrifices they’ve made to help protect the most vulnerable across the state during this unprecedented health crisis.

“There is no question that the community’s unwavering response has been absolutely crucial to slowing the spread of this horrific virus and avoiding the tragic toll of death and illness experienced overseas,” Mr Speakman said.

“The Government is confident these new measures will help protect those hard-won gains and lay the foundations for our state’s successful recovery.”

The Bills will be available to read in full on the NSW Parliament website [here](#).