



**Note: Version 2 of this document is current as at 24 April 2020. The most significant changes made since version 1 was published on 14 April 2020 are in the areas of Housing, specifically residential tenancies, (see part 5) and Education (see part 10).**

**SUMMARY OF KEY COVID-19 LEGISLATIVE CHANGES AFFECTING PEOPLE IN NEW SOUTH WALES  
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**1. PUBLIC HEALTH ORDERS**

Since 30 March 2020, the NSW Government has introduced a number of Public Health Orders (**PHOs**), significantly restricting the movement of people and the operation of non-essential services. This section sets out the current restrictions under NSW PHOs. It is an offence not to comply with a public health order.

**Stay at home order**

**A person must not, without reasonable excuse, leave their place of residence.**

The order provides for 4 categories of reasonable excuses which are: (1) obtaining food or other goods or services; (2) travelling for the purpose of work or education, if it is not possible to work or study from home; (3) completing exercise; and (4) for medical/ caring reasons. Reasonable excuses falling within these categories are:

- (a) obtaining food or other goods or services;
- (b) travelling for the purposes of work or education if it is not possible to work or study from home;
- (c) exercise;
- (d) obtaining medical care or supplies;
- (e) attending a wedding or funeral;
- (f) moving to a new place of residence;
- (g) providing care or assistance to a vulnerable person or providing emergency assistance;
- (h) donating blood;
- (i) undertaking legal obligations;
- (j) accessing public services, including social services, employment services, domestic violence services, mental health services and services provided to victims;
- (k) for children who do not live in the same household as their parent or sibling (i.e. shared care arrangements), to continue the existing arrangements;
- (l) for a person who is a priest, or minister of religion, providing pastoral care;
- (m) avoiding injury or illness or to escape the risk of harm; and
- (n) for emergency or compassionate reasons.

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<b>Public gatherings</b>	<p>A person must not participate in a non-essential public gathering of more than 2 persons (other than with people of their immediate household).</p> <p>The only exempted non-essential gatherings are: a gathering for the purpose of school or work; a gathering for a wedding (limit of 5 people); a gathering for a funeral (limit of 10 people – excluding people necessary for the conduct and preparation of the funeral); a gathering to facilitate a move to a new place of residence; a gathering to provide care or assistance to a vulnerable person; a gathering to provide emergency assistance; and a gathering to fulfil a legal obligation (i.e. to attend Court).</p>
<b>Closure of non-essential services</b>	<p>The following services must not be open to members of the public: pubs and registered clubs (except for take-away or accommodation services); food and drink premises (except for take-away, fast-food, or room service); entertainment facilities; amusement centres; casinos; micro-breweries and distilleries; indoor recreation facilities; places of worship (except to allow for services to be streamed or otherwise recorded); spas, nail salons, beauty salons, waxing salons, tanning salons, tattoo parlours and massage parlours; auction houses or betting agencies; markets (other than food markets); information and education facilities; caravan parks and camping grounds (other than in specified circumstances); community services; and sex service premises.</p> <p>The following places must be closed: public swimming pools; properties operated by the National Trust or Historic Houses Trust; gaming lounges; strip clubs; outdoor play equipment in public places; outdoor gymnasium equipment in public places; and skate parks.</p>
<b>Intentional spitting or coughing</b>	<p>It is an offence to intentionally spit or cough on a public official while they are at work or are travelling to or from work in a way that is likely to cause fear of the spread of COVID-19. Public officials include health workers, police officers, and other workers such as retail workers and transport workers. The penalty for doing so is a \$5,000 fine.</p>
<b>2. ENFORCEMENT POWERS</b>	
<b>Arrest</b>	<p>A police officer may arrest a person if the police officer suspects on reasonable grounds that the person is contravening a PHO relating to the COVID-19 pandemic.</p>
<b>Fines</b>	<p><b>On-the-spot Fines:</b> If a person breaches a PHO, NSW Police have the power to issue on-the-spot fines of \$1,000 for individuals and \$5,000 for corporations. Fines can be issued to adults, and children 10 years or older.</p> <p><b>Maximum penalties:</b> The maximum penalties that can be imposed are 6 months imprisonment and/or a fine of \$11,000 for individuals or \$55,000 for corporations. Additional fines can be issued for each day that an offence continues: \$5,500 per day for individuals and \$27,500 for corporations.</p>

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**3. FINANCIAL SUPPORT**

<b>Social Security</b>	<p>Social security legislation has been significantly amended to provide additional financial assistance to Australians impacted by COVID-19.</p> <p><b>COVID-19 Supplement:</b> Any person receiving an eligible Centrelink payment will have their payment increased by the COVID-19 supplement (being <b>an additional \$550.00 per fortnight</b>) from 27 April 2020. The supplement is payable for a 6-month period, with the possibility of an extension, up to 3 months. Eligible Centrelink payments are parenting payments, Youth Allowance, JobSeeker payment, and the Sickness Allowance.</p> <p><b>Economic Support Payment:</b> Eligible persons will receive up to two “Economic Support Payments” of \$750.00, with the first payment being made after 31 March 2020, and the second payment being made after 13 July 2020.</p> <p>The first Economic Support Payment was automatically paid to any person living in Australia who, between 12 March 2020 and 13 April 2020, was in receipt of an eligible Centrelink payment OR was an eligible concession card holder. Eligible payments and concessions include the Aged Pension, the Disability Support Pension, the Jobseeker Payment (Newstart Allowance), Carer’s Allowance, Youth Allowance, ABSTUDY, Family Tax Benefit A or B, Pensioner Concession Card, Commonwealth Seniors Health Card, and the Veterans’ Affairs Pension, among others.</p> <p>The second Economic Support Payment will be automatically paid to people who, as at 10 July 2020, are eligible Centrelink payment recipients or eligible concession card holders (as above). However, the second payment <b>will not</b> be made to those in receipt of the COVID-19 supplement.</p> <p>Changes have also been made to the qualification criteria for Centrelink payments, including asset tests, and waiting periods have been waived.</p>
<b>Superannuation</b>	<p>Amendments have been made to superannuation legislation allowing eligible persons to <b>access \$10,000 from superannuation</b> in the 2019-2020 financial year, and an additional \$10,000 from their superannuation in the 2020-2021 financial year. Tax is not required to be paid on the amounts released. A person is eligible for early release of their superannuation if they are currently (1) unemployed; (2) eligible to receive a specified Centrelink payment (including the JobSeeker payment (see below), Youth Allowance, a Parenting Payment, a Special Benefit or Farm Household Payment); and (3) were made redundant on or after 1 January 2020 or had their working hours reduced by 20% or, for sole traders, had their business suspended or turnover reduced by 20%.</p> <p>Temporary residents may be able to access up to \$10,000 of their superannuation if they meet certain eligibility criteria, dependent on their visa status.</p>
<b>Essential services – hardship assistance</b>	<p>On 9 April 2020, the National Cabinet (including the NSW government) agreed to adopt standard principles for essential services (including energy, water and rates) to assist households and small businesses suffering financial hardship as a result of COVID-19. The principles include:</p> <ol style="list-style-type: none"> <li>1. offering flexible payment options to all households and small businesses in financial stress;</li> <li>2. not disconnecting or restricting supply/services to those in financial stress;</li> </ol>

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	<p>3. deferring debt recovery proceedings and credit default listing;</p> <p>4. waiving late fees and interest charges on debt; and</p> <p>5. minimising planned outages for critical works and providing as much notice as possible to assist households and businesses during any outage.</p> <p>These principles are yet to be specifically legislated in NSW however energy providers have begun to introduce support programs. If a person is struggling to pay their energy bills due to COVID-19 related financial hardship they should contact their energy provider directly.</p>
<b>Energy assistance</b>	NSW has expanded its Energy Accounts Payment Assistance ( <b>EAPA</b> ) scheme, which provides \$50.00 vouchers to people suffering financial hardship which can be used to credit home electricity or gas accounts.
<b>Home Loan Repayment Pauses</b>	<p>A number of banks (including NAB, ANZ, Westpac and CBA) have implemented home loan repayment pauses for up to 6 months for eligible, existing customers who are financially impacted by COVID-19 (including loss of job due to COVID-19 and loss of revenue over 20%).</p> <p>Interest on the loan will <b>continue</b> to be calculated and added onto the loan during the pause. Therefore, if the term of the loan is not altered, each instalment of the home loan repayment will be <b>HIGHER</b> after the pause.</p>
<b>Bankruptcy</b>	<p>From 25 March 2020, changes have been made to bankruptcy legislation which will remain in place for 6 months. They include:</p> <ul style="list-style-type: none"> <li>• an increase in the bankruptcy notice minimum debt amount from \$5,000 to \$20,000;</li> <li>• an increase in the time period a debtor has to comply with the notice from 21 days to 6 months; and</li> <li>• an increase in the stay period afforded by a declaration of intention to present a debtor's petition from 21 days to 6 months.</li> </ul>
<b>4. EMPLOYMENT/ INDUSTRIAL RELATIONS</b>	
<b>JobSeeker/ JobKeeper schemes</b>	<p>The Newstart payment has been renamed the <b>JobSeeker</b> payment. Eligibility criteria for the payment has been extended, the partner income limit has been increased, mutual obligation requirements have been suspended and asset testing waived. Payment is open to permanent employees, sole traders, self-employed people, casual workers and contract workers who have lost their jobs or have had their hours reduced due to COVID-19.</p> <p>A <b>JobKeeper</b> scheme has been introduced to support businesses affected by COVID-19. The government will make payments to businesses, of \$1,500 per fortnight per employee for up to 6 months, starting on 30 March 2020. The first payments will be received by employers in the first week of May.</p>

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<b>Migrant workers</b>	<p><b>JobSeeker eligibility:</b> Currently, the JobSeeker payment is only available to “Australian residents” (i.e. Australian citizens, permanent residents and protected Special Category Visa (SCV) Holders) and those who are exempt from residency requirements. Non-Australian Residents are only eligible for the JobSeeker payment if they hold a non-protected SCV <b>and</b> have lived in Australia continuously for at least 10 years before making their claim. SCV holders are only eligible for the Jobseeker payment for a single 6-month period. Migrant workers on other visa types are not eligible for the JobSeeker payment.</p> <p><b>Student visa holders:</b> The working hour restrictions (currently 40 hours per fortnight) have been relaxed for international student visa holders working in specified industries. For student visa holders working in supermarkets, the 40-hour work limit has been relaxed until 1 May 2020. For student visa holders working in aged care and for NDIS providers, the 40-hour work limit has been relaxed indefinitely. Student visa holders enrolled in any health care related course can also undertake work to support the health effort against COVID-19 and enforcement action will not be taken against them.</p> <p><b>Temporary skills shortage visa holders:</b> Temporary skills shortage visa holders who have been stood down (but not laid off) will maintain their visa validity and can have their hours reduced without being in breach of their visa conditions.</p> <p><b>Other:</b> Temporary changes have been introduced to the Seasonal Worker Programme, the Pacific Labour Scheme and the Working Holiday Makers Scheme. Under the changes, Seasonal Worker Programme workers and Pacific Labour Scheme workers with visas due to expire will be able to apply for new visas of specified subclasses. Workers currently in Australia under these programs will also be exempt from the requirement to work for a single employer.</p>
<b>Changes to Modern Awards</b>	<p>The Federal Government has announced two key changes to 99 modern awards:</p> <ol style="list-style-type: none"> <li>(1) employees are entitled to <b>2 weeks’ unpaid COVID-19 pandemic leave</b> if the employee is, by virtue of government or medical authorities, required to self-isolate or is otherwise prevented from working. Pandemic leave is only available until 30 June 2020; and</li> <li>(2) an employer and employee may agree for the employee to take <b>twice as much annual leave at half rate of pay</b>.</li> </ol> <p>Additional changes have also been made to the:</p> <ul style="list-style-type: none"> <li>• <b>Hospitality Industry (General) Award 2010</b>, allowing flexibility in relation to the range of duties employees can be required to perform, the hours of work of full-time and part-time employees and the taking of annual leave (changes operate until 30 June 2020);</li> <li>• <b>Clerks – Private Sector Award 2010</b>, allowing for flexibility in relation to the duties employees can be required to perform, hours of work and the taking of annual leave (changes operate until 30 June 2020); and</li> <li>• <b>Restaurant Industry Award 2010</b>, allowing flexibility in relation to the hours of work and the taking of annual leave.</li> </ul> <p>The Fair Work Commission is in the process of considering changes to health sector awards, the <i>Legal Services Award 2010</i> and the <i>Real Estate Industry Award 2020</i>.</p>
<b>Enterprise agreements</b>	<p>The minimum notice period that employers must give employees of proposed changes to enterprise agreements has been reduced from 7 days to 1 day.</p>

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<b>Long service leave</b>	Amendments have been made to long service leave legislation providing employees with earlier and more flexible access to long service leave during the COVID-19 pandemic. Where agreed between the employee and employer, long service leave can be taken with less than one month's notice and in blocks of less than a month. This amendment is valid for 6 months.
<b>Minimum wage</b>	The Australian Chamber of Commerce and Industry has advised that if the COVID-19 pandemic worsens, it <b>may</b> consider a reduction in award rates and minimum wages.
<b>5. HOUSING</b>	
<b>Tenancies – General</b>	On 29 March 2020, the National Cabinet agreed to a moratorium on evictions over the next 6 months for commercial and residential tenants experiencing financial hardship because of COVID-19. This does not relieve tenants of their obligations to meet their rental payments if they lose their source of income. It does, however, prevent a landlord from enforcing their right to evict the tenant for failure to meet their rental payment obligations.
<b>Residential tenancies NSW</b>	<p>NSW has introduced a 6-month moratorium period for residential tenancies, commencing on 15 April 2020 and ending on 14 October 2020.</p> <p>During the moratorium period, a residential landlord is prohibited from giving a tenant who has been financially affected by COVID-19, a termination notice for non-payment of rent or charges; <b>AND</b> is further prohibited from applying to the Tribunal for an order to terminate a residential tenancy agreement for non-payment of rent or charges by a tenant who has been financially impacted by COVID-19. However, the prohibition on giving a termination notice <b>DOES NOT</b> apply where the landlord has:</p> <ol style="list-style-type: none"> <li>1. issued a termination notice after 13 June 2020 (being 60 days after the changes came into effect); <b>AND</b></li> <li>2. participated, in good faith, in a formal rent negotiation process with the tenant; <b>AND</b></li> <li>3. it is fair and reasonable in the circumstances of the case for the landlord to give a termination notice.</li> </ol> <p>During the moratorium period, a landlord terminating a fixed-term tenancy, a periodic tenancy, a tenancy which has been breached for a reason other than non-payment of rent or charges OR a tenancy of 20 years or more, must give the tenant a minimum of 90 days' notice of termination (regardless of whether the tenant has been financially impacted by COVID-19 or not). The requirement for 90 days' notice of termination does not apply to social housing tenancy agreements.</p> <p>See: <i>Residential Tenancies Amendment (COVID-19) Regulation 2020</i> (NSW).</p>
<b>Commercial tenancies NSW</b>	On 7 April 2020, the National Cabinet adopted a <i>Mandatory Code of Conduct – SME Commercial Leasing Principles During COVID-19</i> . This Code of Conduct was implemented in NSW through amendments to the <i>Retail Leases Act 1994</i> (NSW) on 24 April 2020.

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<b>Public housing</b>	Increased social security payments (i.e. the Economic Support Payment and the COVID-19 Supplement (referred to above)), do not constitute assessable income for the purpose of determining eligibility for public/ community housing. This means that people living in public or community housing should not have their rent increased even if their income has increased because of COVID-19 payments.
<b>Inspections</b>	<p>A person <b>must not conduct an open inspection of premises</b> for the purpose of the sale or lease of their premises. However, a person may show a single person the premises (i.e. private inspection by appointments are allowed to take place).</p> <p>If a private inspection takes place, the landlord/agent must:</p> <ul style="list-style-type: none"> <li>• ask any person who is attending an inspection if they have returned to Australia from overseas and if they are experiencing flu-like symptoms. If the answer is yes, the landlord/agent should not allow them to attend the premises for an inspection;</li> <li>• provide masks and hand sanitiser to any person attending the inspection; and</li> <li>• ensure any person inspecting a property does not touch anything.</li> </ul>
<b>Auctions</b>	A person <b>must not conduct an auction</b> at which persons attend in person (except a livestock auction conducted outside for food supply purposes).
<b>Moving house</b>	Moving house is a reasonable excuse for a person to leave their place of residence.

**6. FAMILIES (INCLUDING FAMILY AND DOMESTIC VIOLENCE)**

<b>Shared care arrangements</b>	<p>During the COVID-19 pandemic, the paramount consideration in parenting/care matters remains the best interests of the child/ren. Courts still expect parents and carers to comply with orders in relation to parenting arrangements including facilitating time being spent by the children with each parent or carer pursuant to parenting orders. As the continuation of shared care arrangements is listed in the PHO as a reasonable excuse for leaving a person’s place of residence, health concerns in relation to COVID-19 cannot be used as an excuse not to comply with parenting orders.</p> <p>Where strict compliance with parenting orders is no longer possible (for example, because Orders state that changeover is to occur at a school which the child is no longer attending or a public place which is no longer open), parents should communicate <b>sensibly</b> and <b>reasonably</b> to find a practical solution responding to the current COVID-19 climate. It is recommended that parents keep written records of new arrangements reached. Where parents would like to formalise an agreement reached, they can file an online application to the Court requesting consent orders to be made. This can be done without a hearing.</p> <p>Where parents are in the process of reaching a new agreement, they should ensure that the other parent has contact with their child/ren such during the negotiation process. When varying parenting arrangements, parents must still respect the spirit and purpose of the original agreement.</p>
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<b>Interstate movement of children</b>	Some state/territory borders have been closed which may have an impact on contact/ care arrangements between parents and children. Courts are working with state and territory authorities to introduce exemptions in relation to movement across borders where parenting orders are in place. A specific exemption is yet to be introduced, but parents may be required to show court orders and photo ID to border control personnel as evidence of essential movement. Parents should seek advice from state authorities as to how the border restrictions may impact their situation.
<b>Family Dispute Resolution services</b>	The <b>Family Relationships Advice Line</b> can provide information, advice and telephone-based Family Dispute Resolution services to assist parents and carers to discuss any issues that arise and help them come to an agreement. The Family Relationships Advice Line can be contacted on <b>1800 050 321</b> .
<b>Domestic violence services</b>	<p>The Federal Government has committed additional funding to domestic violence services. The following telephone hotlines remain fully operational:</p> <p><b>1800 RESPECT (1800 737 732)</b>: confidential information, counselling and support service.</p> <p><b>NSW Domestic Violence Line (1800 65 64 63)</b>: telephone crisis counselling and referral service for women.</p> <p><b>Link2Home (1800 152 152)</b>: refer women experiencing domestic violence to crisis accommodation.</p> <p>In addition to the above state/national services, <b>Western Womens Legal Support</b> provides <b>FREE</b> legal and non-legal support to women and children across central western New South Wales. Call <b>6885 4531</b> for assistance.</p> <p>Under the Public Health Orders in place, a person is permitted to leave their home to escape the risk of harm (including from domestic violence) and to access domestic violence services.</p>
<b>Apprehended Violence Orders (AVOs)</b>	The time that a provisional Apprehended Violence Order ( <b>AVO</b> ) can be in place has been extended from 28 days to up to 6 months.
<b>7. COURTS AND CORRECTIVE SERVICES</b>	
<b>Domestic and personal violence court proceedings</b>	<p>Until 1 May 2020, or until otherwise advised:</p> <ul style="list-style-type: none"> <li>(a) no new AVO hearings will be listed;</li> <li>(b) AVO hearings listed prior to 1 May 2020 will not proceed;</li> <li>(c) AVO cases listed for hearing with related criminal charge(s) will be adjourned to the same date as the criminal charge;</li> <li>(d) AVO cases listed for hearing with no related criminal charges(s) will be adjourned for mention for at least 3 months; and</li> </ul>

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	<p>(e) parties are permitted to appear in writing or by email, including when seeking orders by consent. Consent orders may be made in the absence of the parties involved. If the order is contested, the matter will be adjourned in accordance with the timeframes in (c) and (d).</p> <p>New provisional AVOs will be listed:</p> <p>(a) where there is no related criminal charge, on a domestic violence list day 3 months from the date the provisional AVO is made;</p> <p>(b) where there are related criminal charges, on the same date the criminal charge is listed. At the first return date the criminal charge will be adjourned for 8 weeks. The provisional AVO must be adjourned to that same date so that the matters continue together; and</p> <p>(c) where the application is known to be contested, Magistrates should set a timetable for filing evidence. Where possible, evidence is to be served by email.</p> <p>The Court will <b>continue to accept urgent applications</b> for variation or interim orders. Parties making urgent applications should contact the Court as soon as possible via email and specify the nature of the application and why it is urgent.</p> <p>The Court will NOT REQUIRE the attendance of the person in need of protection in respect of any application brought by police for an apprehended domestic violence order unless the proceedings are fixed for hearing.</p>
<b>Local Court – Criminal</b>	<p>Significant amendments have been made to criminal procedure legislation to allow for judge-alone trials, witness statements to be given via pre-recorded evidence, and witness evidence recorded in the original trial to be used in a subsequent trial. Amendments have also been made around evidence laws to facilitate greater use of audio and audio-visual links in trials.</p>
<b>Local Court – Small Claims Division</b>	<p>The hearing of matters before an assessor in the Small Claims Division of the Local Court is to take place by teleconference. The physical appearance of a party will not be required.</p>
<b>Family Court</b>	<p>The Family Court remains open, however court operations have changed. Registry services will only be available via telephone and online, with face-to-face interactions only permitted in urgent circumstances, at the discretion of the Court. Urgent and priority trials and contested hearings will remain listed. Current listings will proceed electronically where possible. Non urgent face-to-face hearings will likely be delayed.</p> <p>The following changes have also been made to court procedures:</p> <ul style="list-style-type: none"> <li>• all document must be efiled or elodged. Hard copies are not to posted/delivered to Court Registries. If documents are unable to be e-filed or e-lodged they may be emailed. Those without access to email, including self-represented litigants, should telephone the Registry;</li> <li>• subpoena viewing at all Court registries is by appointment only and should only be sought if critically urgent;</li> <li>• access to subpoenaed material that has 'photocopy access' may be provided at the discretion of the registry. Registry staff will email approved documents. No 'photocopy access' is available to certain documents including child welfare records, criminal records, medical records and police records.</li> </ul>

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	<ul style="list-style-type: none"> <li>documents such as affidavits, financial statements and consent orders may be signed electronically by the deponent or their lawyer on the record (typing one's name in the signature block in lieu of physically signing is acceptable);</li> <li>the Court will accept unwitnessed affidavits (save for when related to divorce applications) and financial statements for filing, however the judicial officer may require the deponent swear or affirm, over telephone/videoconference, to the truth of the content of the document; and</li> <li>where Registry staff are working remotely, processing of fee payments may be delayed.</li> </ul> <p>To contact the Family Court of Australia, National Enquiry Centre call <b>1300 352 000</b>, between 8.30am and 5.00pm, Monday to Friday.</p>
<b>Children's Court</b>	<p>The Children's Court remains open, however court operations have changed. All hearings in the care or criminal jurisdictions listed between 24 March 2020 and 1 May 2020 have been vacated and will be re-listed for call-over after 1 May 2020. Part heard matters may continue at the discretion of the relevant judicial officer. Bail or court orders variation, release application, applications on the papers or further directions seeking to progress the matter <b>may</b> be considered for relisting.</p> <p>Hearings that are currently listed from Monday 4 May 2020 will be listed for a <b>Readiness Hearing</b> to ascertain whether appropriate arrangements can be made for the hearing to proceed virtually.</p> <p>For listed matters, documents should be emailed to the Children's Court Registry (voluminous documents should be posted to the Court Registry). The Court will accept unsworn/unaffirmed affidavits, if electronic signature is not possible.</p> <p><b>Crime Jurisdiction:</b> Criminal lists will continue to operate. Notwithstanding the Court's decision to vacate all hearings listed, a judicial officer may hear a case where the defendant is in custody, provided they are legally represented, and their lawyer is able to appear by audio visual link. Where appropriate, brief orders or other case management directions should be made on the first appearance.</p> <p><b>Care Jurisdiction:</b> Urgent care applications and directions list will continue to be heard at Parramatta Children's Court. Applications listed on and from Monday 4 May 2020 will be decentralised from the Parramatta Children's Court to hub locations. The Court has indicated that further information in relation to changes to listings will be uploaded to the Court website when available. Parties and their legal representatives should avoid attending Court wherever possible.</p> <p>From 25 March 2020 and until further notice, Children's Court circuits are suspended. Cases listed in a Children's Court circuit will continue to be dealt with by a Children's Magistrate or President at another location by video conference. To contact the Children's Court service centre, call <b>1300 679 272</b>.</p>
<b>NCAT</b>	<p>All NCAT hearings are currently being held online or over the phone. A direction has been given for people to avoid attending NCAT registries. Priority will be given to urgent cases.</p>

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<b>Early release of prisoners</b>	<p>Amendments have been made to <i>Crimes (Administration of Sentences) Act 1999</i> (NSW) allowing the Commissioner to release an inmate on parole if the inmate belongs to a specific class of prisoners (prescribed by regulations) and the Commissioner is satisfied that releasing the inmate on parole is reasonably necessary because of the risk to public health or to the good order and security of correctional premises arising from the COVID-19 pandemic.</p> <p>The Commissioner cannot make an early release order in relation to an inmate serving a life sentence; an inmate serving a sentence of imprisonment for murder, a serious sex offence or an offence of a sexual nature, a terrorism offence; a serious offender; or an inmate kept in custody in relation to an offence against a law of the Commonwealth, among others. The Commissioner must consider: the risks to community safety of releasing the inmate, the impact of the release of the inmate on any victim whose name is recorded in the Victims register, the availability of suitable accommodation for the inmate and, in the case of an inmate who has previously been convicted of a domestic violence offence, the protection of the victim of the domestic violence offence and any person with whom the inmate is likely to reside with if released.</p>
<b>Visiting corrective services and child detention facilities</b>	<p>All family and social visits to adult and youth corrective centres in New South Wales have been suspended. Inmates across NSW are being provided with three (3) free phone calls per week. The use of Audio-visual-links (AVL) for social contact is being trialled across New South Wales corrective centres.</p> <p>At this stage, visits are not suspended for professional visitors (including legal advisors). However, professional visitors are subject to screening before entering correctional centres and, where possible, Corrective Services NSW recommends the use of AVL contact for professional visits to reduce the risk of COVID-19.</p>
<b>8. HEALTH</b>	
<b>Quarantine/ self-isolation</b>	<p>Any person arriving in NSW who has been in a country other than Australia within 14 days of arrival must self-isolate for a period of 14 days. During this period, the affected individual must not allow anyone to enter the premises, excluding those residing at the premises, and may not leave except in an emergency or for the purposes of obtaining medical care, or in circumstances where the person is able to avoid close contact with other persons (leaving their premises for the purpose of exercise or purchasing goods or services is not allowed).</p> <p>All persons diagnosed with COVID-19 must travel directly to a residence suitable for quarantine and self-isolate until they are medically cleared. They may not leave the premises except for the purposes of obtaining medical care or in an emergency (leaving their premises for the purpose of exercise or purchasing goods or services is not allowed). They may not permit any other person to enter the residence except for the purposes of obtaining medical care, in an emergency, or where that person resides there. Entry onto the premises for the delivery of food or essential items is allowed, provided no person enters the residence itself.</p>
<b>Telehealth</b>	<p>To protect healthcare workers and patients from unnecessary exposure to COVID-19 and other infections, telephone health consultations have been made available to all Australians who hold a Medicare card. Health services eligible for telehealth consultations include:</p> <ul style="list-style-type: none"> <li>• GP services, including GP management plans, GP mental health treatment plans, GP pregnancy support; urgent after-hours services in unsociable hours;</li> <li>• eligible clinical psychologist services; and</li> </ul>

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	<ul style="list-style-type: none"> <li>• speech pathology, occupational therapy, audiology, optometry, orthopaedic or physiotherapy health, services which can be rendered by an eligible speech pathologist, occupational therapist, audiologist, or physiotherapist.</li> </ul> <p>Concession card holders and eligible "vulnerable" patients will qualify to have their telehealth appointments bulk-billed. Usual billing practices will apply for all other patients. Patients should discuss their eligibility for bulk-billing direct with your healthcare provider. This service will be available until 30 September 2020.</p>
<b>Home Medicine Services</b>	<p>In NSW, if you are on a Pharmaceutical Benefits Scheme (PBS) or a Repatriation Pharmaceutical Benefits Scheme (RPBS) and are:</p> <ul style="list-style-type: none"> <li>• a person isolating themselves at home on the advice of a medical practitioner, for a confirmed COVID-19 case;</li> <li>• a person who meets the current national triage protocol criteria for suspected COVID-19 infection;</li> <li>• a person aged over 70;</li> <li>• an Aboriginal and Torres Strait Islander person aged over 50;</li> <li>• a person with chronic health conditions or who is immunocompromised; or</li> <li>• a parent with a new baby or live with someone who is pregnant,</li> </ul> <p>once a month, you are eligible to have your medication delivered to your home from any pharmacy approved to dispense and supply such medication free of charge as long as one item in the order is either a PBS medicine or RPBS medicine.</p>
<b>9. TRAVEL</b>	
<b>Border closures</b>	<p>As of 9.00PM AEDT on Friday, 20 March 2020, Australia's borders were closed to all non-citizens and non-residents. The only people allowed to enter Australia are Australian citizens, permanent residents and their immediate family, including spouses, de facto partners, legal guardians and dependants.</p> <p>New Zealand citizens residing in Australia, as well as New Zealand and Pacific Island residents transiting to New Zealand or a Pacific Island through Australia, are exempt from the ban.</p>
<b>Overseas travel ban</b>	<p>Australian citizens and permanent residents are prohibited from leaving Australian territory as passengers on outgoing aircrafts or vessels.</p> <p>Exemptions apply to persons ordinarily resident outside Australia, flight or vessel crew, freight personal, persons whose travel is associated with essential work at an offshore facility, persons travelling on official government business, and persons granted written exemptions by the Australian Border Force.</p> <p>Written exemptions may be granted to persons travelling to provide aid, persons whose travel is essential for the export and import industries, persons travelling to receive urgent medical treatment that is unavailable in Australia, persons travelling on compassionate or humanitarian grounds or persons whose travel is in the national interest. Travellers who believe they meet a travel restriction exemption can apply online to the Commissioner of the Australian Border Force. Any application</p>

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	should be made as early as possible (preferably not less than 12 hours before intended departure time). If granted an exemption, evidence of the exemption MUST be produced at the airport.
<b>International arrivals</b>	After 11.59PM on 28 March 2020, all travellers arriving in Australia will be required to undertake a mandatory 14 day self-isolation at designated facilities such as a hotel, in their city of arrival. Following appropriate immigration checks, travellers will be transported by police directly to their designated facility. The cost will be met by state/territory governments.
<b>Interstate travel</b>	Queensland, Tasmania, the Northern Territory and Western Australia have closed their borders, significantly restricting people who are allowed to enter. Any person intending to travel from New South Wales to these states/territories should confirm whether they fall within an exception before travelling or risk being turned around at the border.
<b>Travelling to remote and regional areas</b>	<p>The NSW Government has specifically advised that taking a holiday in a regional area is <b>not</b> a reasonable excuse for a person to leave their house.</p> <p>To prevent the spread of COVID-19 to remote Indigenous communities, a person must not enter a defined remote community. At this stage, no specific restrictions have been placed on travel to remote Indigenous communities in New South Wales. However, the New South Wales Government recommends cancelling all non-essential travel to regional and remote Indigenous communities in New South Wales.</p> <p>Restrictions are in place for identified remote communities in Queensland, Western Australia, South Australia and the Northern Territory. Exceptions apply, such as to escape an immediate threat to life, defence personnel on active duty, to provide essential services, or where present for the purpose of transiting through. Even where an exception applies, individuals must minimise the extent to which persons in the remote area are exposed to them.</p>
<b>10. EDUCATION</b>	
<b>Schools</b>	<p>Parents and carers are <b>encouraged</b> to keep their children home where possible. Children staying at home are expected to participate in online learning. Where parents cannot provide a suitable learning environment for children at home (i.e. there is a lack of appropriate supervision because parents are essential workers who cannot work from home), all NSW Public Schools remain open for children to attend. From week 3 of Term 2, every student will be scheduled to attend school for one day a week, with the NSW Government hoping to having all children back at school full-time by Term 3.</p> <p>Community preschools and council childcare centres also remain open and are free for up to 6 months.</p>
<b>Subsidised tertiary education</b>	The Federal Government is subsidising the cost of university short-course degree and diplomas in national priority areas for 6-months from May 2020 to assist those who are out of work because of COVID-19. TAFE NSW is also offering 21 fee-free short courses across a range of industries to assist job seekers and workers looking to diversify their skills.

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**11. OTHER**

<b>Execution of documents</b>	Amendments have been made to witnessing requirements to the effect that if the signature of a document is required to be witnessed, the signature may be witnessed by audio visual link. Regulations prescribe the procedure that must be followed when witnessing documents via AVL.
<b>Prohibition on exports</b>	A prohibition has been introduced on the exportation of medical personal protective equipment (PPE), alcohol wipes, hand sanitiser, or goods otherwise determined by law.
<b>Driving tests</b>	Roads and Maritime Services NSW have temporarily suspended all practical driving tests for at least 2 months. If a person believes they have an <b>urgent need</b> for a driving test, they can apply for a priority request. Requests will be assessed on a case by case basis. To succeed, a person will need to demonstrate that: <ol style="list-style-type: none"> <li>1. they need, or need to retain, a heavy vehicle licence to support the freight network and supply chain (a letter from the person’s employer confirming this would be required); OR</li> <li>2. they have a learner licence that is due to expire on or before 30 June 2020 and they have passed the Hazard Perception Test; OR</li> <li>3. not having a licence would significantly impact the person’s ability to access essential services such as a doctor where there is a pre-existing condition (to be supported by a letter from the person’s medical practitioner) or existing employment/offer of employment would be affected (to be supported by a letter from the person’s current or prospective employer).</li> </ol>

*This document was produced by Western NSW Community Legal Centre Inc. If you would like to provide feedback on this document or subscribe to email updates please contact Hannah Robinson at [LegalHelp@wnswclc.org.au](mailto:LegalHelp@wnswclc.org.au).*

*If you are in the Western NSW region (including Bourke, Brewarrina, Cobar, Coonabarabran, Coonamble, Dubbo, Gilgandra, Lightning Ridge, Mudgee, Narromine, Nyngan, Warren, Walgett or Wellington) and require **FREE** legal advice, please contact:*

- *Western NSW Community Legal Centre Inc on 6884 9422 for general civil or family law advice; OR*
- *Western Women’s Legal Support on 6885 4531 for holistic domestic violence support.*

*If you are elsewhere in NSW and require **FREE** legal advice please contact Law Access NSW on 1300 888 529 between 9am to 5pm, Monday to Friday (excluding public holidays), or contact your local Community Legal Centre. You can find contact details for your local Community Legal Centre at: <https://www.clcsw.org.au/>.*

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