

## **Supplementary Explanatory Statement**

### **Public Health Amendment Bill 2021 (No. 2)**

#### **Amendments to government amendments**

##### **Proposed by Elizabeth Lee MLA**

This explanatory statement relates to the Public Health Amendment Bill 2021 (No. 2) as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and to help inform debate on it. It does not form part of the bill and has not been endorsed by the Assembly. The Statement must be read in conjunction with the bill. It is not, and is not meant to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

The intent of proposed amendments is to improve oversight and accountability of the powers to be granted to the Executive by the bill. Proposed amendments address observations of the Justice and Community Safety (JACS) Committee in its scrutiny role, or were recommended by the Health and Community Wellbeing (HCW) Committee following its inquiry into the bill.

Proposed amendment 1 introduces an external review provision in relation to a vaccination exemption decision. This is in line with recommendation five of the HCW Committee's inquiry report on the bill. JACS Scrutiny Report No. 12 identifies that the bill may significantly impact human rights (pp. 7-8); providing recourse to external review of decisions made by government is an additional safeguard of human rights and assurance of proportionate government exercise of power. It is also more accessible for most of the community than the judicial review pathway per the *Administrative Decisions (Judicial Review) Act 1989*.