**COMMONWEALTH OF AUSTRALIA**

***Jervis Bay Territory Acceptance Act 1915* (Cth)**

**Direction that Commonwealth officers may exercise public health emergency powers for the Territory**

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 4B(2) of the *Jervis Bay Territory Acceptance Act 1915*(Cth), make the following direction.

Dated 16 April 2020

 David Hurley

 Governor-General

By His Excellency’s Command

Nola Marino

Assistant Minister for Regional Development and Territories

Parliamentary Secretary to the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development

**1 Commencement**

This instrument commences when it is signed.

**2 Definitions**

In this instrument:

***Classification Rules*** means the rules issued under section 23 of the *Public Service Act 1999*.

***Commonwealth Act*** means the *Jervis Bay Territory Acceptance Act 1915*.

***Deputy Secretary, Territories*** means a Deputy Secretary who has responsibility for the Territory in the Department.

***power*** includes function or duty, and, in that context, ***exercise*** means performed.

***Public Health Act*** means the *Public Health Act 1997* (ACT) as in force in the Territory under section 4A of the Commonwealth Act.

***SES 1, Territories*** means an SES employee who is classified as a Senior Executive Band 1 employee under the Classification Rules, and who has responsibility for the Territory in the Department.

***SES 2, Territories*** means an SES employee who is classified as a Senior Executive Band 2 employee under the Classification Rules, and who has responsibility for the Territory in the Department.

***Territory*** has the same meaning as in the Commonwealth Act, that is, the Jervis Bay Territory.

**3 Vesting of powers**

 I direct, under subsection 4B(2) of the Commonwealth Act, that the power or powers that are specified in Column 1 of an item in the Schedule are vested in, and may be exercised or performed, in relation to the Territory, by:

(a) a person for the time being holding, occupying or performing the duties of the office or position; or

(b) a person acting in an office or position;

specified in Column 2 of that item.

**Schedule Vesting**

(section 3)

1. **Public Health Act**

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| --- | --- | --- |
|  | **Column 1** | **Column 2** |
| **Item** | **Power(s) vested** | **Authority or person vested** |
| 1.01 | All powers expressed to be powers of the Minister under Part 7 of the Public Health Act, besides sections 122 and 123 | Deputy Secretary, TerritoriesSES 2, TerritoriesSES 1, Territories |
| 1.02 | All powers expressed to be powers of the chief health officer under Part 7 of the Public Health Act, besides sections 122 and 123 | Deputy Secretary, TerritoriesSES 2, TerritoriesSES 1, Territories |