

FACT SHEET

Public Health Amendment (Emergency Powers) Bill 2026

The Public Health Amendment (Emergency Powers) Bill 2026 implements the Department of Health's learnings from the COVID-19 emergency response to improve administrative processes, accountability and transparency in the exercise of public health emergency powers in Tasmania.

The Bill amends the *Public Health Act 1997* to modernise emergency powers while retaining the ability of public health authorities to respond quickly and effectively to future public health emergencies.

Key reforms in the Bill include:

- establishing statutory principles of accountability, transparency, systematic decision-making and appropriateness to guide the exercise of emergency powers
- transferring responsibility for declaring, extending and revoking a public health emergency from the Director of Public Health to the responsible Minister
- requiring consultation with the Director of Public Health, the Secretary responsible for the Tasmanian Health Service and, where relevant, the State Controller before key emergency decisions are made
- extending the maximum duration of a public health emergency declaration from 7 days to 12 weeks, with the ability to revoke a declaration sooner where appropriate
- requiring public notification of the making, extension or revocation of a public health emergency declaration
- requiring the Director of Public Health to consult relevant health and emergency management authorities before making or revoking emergency directions where those directions may affect health service delivery or emergency management arrangements
- requiring the publication of public health directions and statements of reasons for those directions, subject to existing legal restrictions on the disclosure of protected information
- introducing enhanced reporting requirements to strengthen parliamentary oversight of emergency declarations and the exercise of emergency powers
- establishing a new class of authorised officer, known as a compliance officer, who may be appointed by the Director of Public Health from suitably qualified State Service employees
- clarifying the powers that may be exercised by classes of authorised officers through a simpler certificate of authority framework.

The Bill also removes provisions that were specifically directed to the COVID-19 disease. Instead, the emergency powers framework will apply consistently to future public health emergencies regardless of the nature of the disease or threat involved.

The Act will commence on Royal Assent and will be automatically repealed on the first anniversary of its commencement.