

Pandemic Declaration Accountability and Oversight Committee

Chief Health Officer Briefing

31 January 2022

Pandemic Declaration

S165AB(2) of the Act requires the Premier to consult with, and consider the advice of, the Minister for Health and the Chief Health Officer (CHO) before **making** a pandemic declaration.

s165AE(4) requires the Premier to consult with, and consider the advice of, the Minister and CHO before **varying, extending or revoking** a pandemic declaration.

Letters from Premier requesting advice from the Minister and CHO under 165AE(4) for **the making/extension of pandemic declaration**

Final advice from the Minister and CHO under 165AE(4) for the making/extension of **pandemic declaration** provided to DPC and Premier

Premier considers advice to inform decision about whether to extend/make a pandemic declaration

Pandemic declaration/extension comes into force

Broadcast from a broadcasting station in Victoria

Tabling of report to Parliament

Publication in Government Gazette

Pandemic Orders

- s165AL(1) requires the Minister to request advice from the CHO before **making** a pandemic order
- s165AL(1)(a) requires the CHO to advise on the serious risk to public health posed; s165AL(1)(b) requires CHO advice on the public health measures considered necessary or appropriate to address this risk
- s165AL(2)(a) requires the Minister to consider the CHO's advice
- Under s165AL(2)(b) the Minister may consider any other matter the Minister considers relevant, including social and economic factors; under s165AL(3) the Minister may consult any other person before making a pandemic order
- s165AO requires the Minister to request advice from the CHO before **varying, extending or revoking** a pandemic order

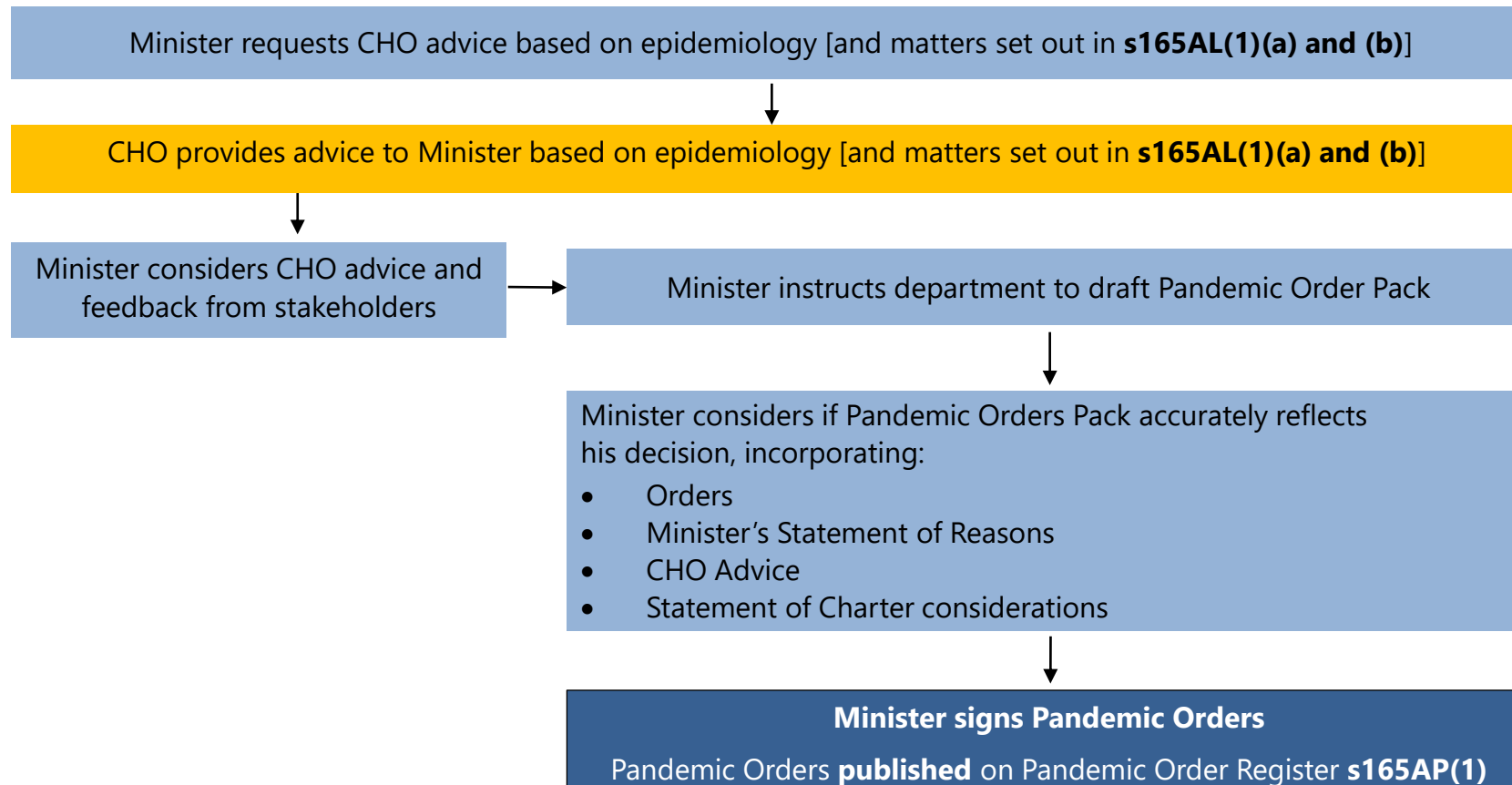
Key dates – CHO advice

Date	Advice provided or key outcome
8 December 2021	CHO written advice to Premier re Pandemic Declaration
10 December 2021	Pandemic Declaration made CHO written advice to Minister
14 December 2021	CHO verbal advice to Minister
15 December 2021	Pandemic Declaration came into effect at 11:59pm (ended 12 Jan) First set of Pandemic Orders came into effect at 11:59pm (ended 12 Jan)
16 December 2021	A/CHO written advice to Minister
23 December 2021	CHO written advice to Minister
30 December 2021	A/CHO verbal advice to Minister
4 January 2022	A/CHO verbal advice to Minister
7 January 2022	A/CHO written advice to Premier re Pandemic Declaration extension
9 January 2022	Pandemic Declaration Extension made
10 January 2022	A/CHO written advice to Minister
12 January 2022	Pandemic Declaration Extension and renewed Pandemic Orders came into effect (ends 12 April)
19 January 2022	CHO verbal advice to Minister (not yet published)
21 January 2022	CHO written advice to Minister (not yet published)
24 January 2022	CHO verbal advice to Minister (not yet published)

Key dates – Pandemic Orders

Date	Order	Summary of changes
15 December First Pandemic Orders	Movement and Gathering Open Premises Workplace Additional Industry Obligations Hospitals and Care Facilities Quarantine, Isolation & Testing Victorian Border Crossing Mandatory Vaccination	<ul style="list-style-type: none"> • First Pandemic Orders made under pandemic declaration made • Orders reflected similar settings to those that were made under the CHO Directions with some relaxation of requirements to account for changing epidemiology and new legislative framework
20 December	Victorian Border Crossing	<ul style="list-style-type: none"> • Changes to requirements for international aircrew.
23 December	Movement and Gathering	<ul style="list-style-type: none"> • Introduction of face covering requirements in indoor spaces.
30 December	Quarantine, Isolation and Testing Detention	<ul style="list-style-type: none"> • Changes to isolation periods and close contact definitions
6 January	Open Premises Workplace Additional Industry Obligations Quarantine, Isolation & Testing	<ul style="list-style-type: none"> • Changes to social settings to reduce density quotients and other settings • Reduced capacity for elective surgeries • Changes to testing and isolation requirements, including use of RATs
12 January	Movement and Gathering Open Premises Workplace Additional Industry Obligations Hospitals and Care Facilities Quarantine, Isolation & Testing Victorian Border Crossing Mandatory Vaccination	<ul style="list-style-type: none"> • All Pandemic Orders made under the extended pandemic declaration • Minor changes to settings in multiple Orders to account for changing epidemiology
25 January	Additional Industry Obligations Mandatory Vaccination	<ul style="list-style-type: none"> • Requirements for education workers to have a third dose vaccination by specified dates

CHO role in making Pandemic Orders



Tabling of Pandemic Order(s) before each House of Parliament

within 4 sitting days of Pandemic Order(s) coming into force s165AQ

Pandemic Orders pack finalised for publishing **within 7 days**

- A copy of, or a written record of, CHO advice as per **s165AL(2)(a) and s165AP(2)(a)**
- Minister's Statement of Reasons **s165AP(2)(b)**
- Statement of Charter considerations **s165AP(2)(c)**

Publication in Government Gazette

Following making of order publication in full in the next general edition of Government Gazette; or in a special edition **within 10 working days s165AR**

Outline of CHO advice

Introduction and summary of advice

How the Act informs this advice

This advice is based on the information that is available

Overview of necessary or appropriate public health measures

Continued public health and social measures in the context of Omicron

Protecting our most vulnerable groups

Protecting our workforces and maintaining service continuity in high-risk industries

Alignment of policy for a consistent approach

Conclusion

References

Acting Chief Health Officer Advice to Minister for Health

Advice relating to the making of Pandemic Orders as required by section 165AL of the *Public Health and Wellbeing Act 2008*

Date of advice: 10 January 2022

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Evidence/references from recent CHO advice

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