

## Explanatory Statement

# Public Health (Novel Coronavirus – Temporary Notifiable Condition) Determination 2020

### Disallowable Instrument DI2020-14

made under the

**Public Health Act 1997, s 101 (a) and (b) (Notifiable Conditions – temporary status)**

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Part 6 of the *Public Health Act 1997* (the Act) provides for the monitoring and investigation of notifiable conditions so that public health action may be carried out in order to minimise the adverse public health effects of such conditions.

Under subsection 101 (1) of the Act the Chief Health Officer may declare in writing -

- (a) a disease or medical condition to be a notifiable condition; and
- (b) a disease referred to in paragraph (a) to be a transmissible notifiable condition.

This instrument declares novel coronavirus (2019-nCoV) to be a transmissible notifiable condition. Accordingly, confirmed and suspected cases of novel coronavirus (2019-nCoV) must be notified by persons to whom Division 6.2 of the Act applies.

Based on information and advice provided by both the World Health Organization (WHO) and the Commonwealth Department of Health, the Chief Health Officer has formed the belief that declaration of novel coronavirus (2019-nCoV) as a transmissible notifiable condition is necessary to protect public health.

There is an outbreak of 2019-nCoV centred around Hubei Province in China. The WHO declared the 2019-nCoV outbreak a Public Health Emergency of International Concern (PHEIC) on 30 January 2020.

Novel coronavirus (2019-nCoV) is a new strain of coronavirus that has not been previously identified in humans. It was first identified by Chinese authorities on 7 January 2020 as the cause of a cluster of cases of pneumonia in Wuhan City, Hubei Province, China. Since then, cases of 2019-nCoV have continued to be reported in Wuhan City and throughout Hubei Province, and also in other parts of China and a number of other countries.

The epidemiology and full clinical picture of 2019-nCoV is still emerging. Current information suggests the infection presents with a fever and respiratory symptoms, including cough, shortness of breath, and sore throat. Some cases have developed more severe disease (such as pneumonia and severe acute respiratory distress syndrome) requiring hospitalisation, and a number of cases (predominantly in Hubei Province in China) have died. Some cases have also reported a milder clinical illness with no fever.

The original source of the virus has not yet been definitively identified, but it is thought that it came from an animal source at a seafood and live animal market in Wuhan City. Person-to-person transmission via respiratory droplets is now occurring.

There is currently no vaccine and no treatment for 2019-nCoV. Standard disease control measures for respiratory viruses, such as hand washing, covering mouth and nose when coughing and sneezing, and staying home when unwell are general recommendations for preventing the spread of the disease.

Notification of 2019-nCoV will allow identification and implementation of disease control measure to contain the spread of the disease in the absence of effective vaccine or treatment.

DI 2017-211 on the ACT Legislation Register is the Public Health (Reporting of Notifiable Conditions) Code of Practice 2017 (the Code of Practice). That Code of Practice sets out by when, to whom, and how notifications of notifiable conditions are to occur. The Code of Practice sorts notifiable conditions into two groups, with those in ‘Group A’ needing to be notified immediately by telephone and then followed in written within five days.

Clause 4 of this instrument confirms that notifications of novel coronavirus (2019-nCoV) will, for the period that this declaration is in operation, be subject to the same notification obligations and arrangements as ‘Group A’ notifiable conditions in the Code of Practice.

The determination is a disallowable instrument for the purposes of the *Legislation Act 2001*. A decision was made not to set an expiration period or period of operation in the instrument. Instead the instrument relies upon section 101(3)(b)(ii) of the Act, which means that this instrument will remain in force for 6 months beginning on its notification date.