

CUSTOMER SERVICE LEGISLATION AMENDMENT BILL 2021

Schedule of the amendments referred to in the Legislative Council's message of 12 November 2021.

No. 1 **GOVT No. 1 [c2021-187A]**

Page 4, Schedule 1.4[2], lines 23 and 24. Omit all words on those lines. Insert instead—

the use of the information for the secondary purpose meets the following conditions—

- (i) the secondary purpose is to assist in a stage of an emergency,
- (ii) the use of the information is reasonably necessary to assist in the stage of the emergency,
- (iii) it is impracticable or unreasonable for the organisation to seek the consent of the individual to whom the information relates to the use of the information for the secondary purpose, or

No. 2 **GOVT No. 2 [c2021-187A]**

Page 4, Schedule 1.4[3], lines 28 and 29. Omit all words on those lines. Insert instead—

the disclosure of the information for the secondary purpose meets the following conditions—

- (i) the secondary purpose is to assist in a stage of an emergency,
- (ii) the disclosure of the information is reasonably necessary to assist in the stage of the emergency,
- (iii) it is impracticable or unreasonable for the organisation to seek the consent of the individual to whom the information relates to the disclosure of the information for the secondary purpose, or

No. 3 **GOVT No. 3 [c2021-187A]**

Page 4, Schedule 1.4. Insert after line 29—

[4] Schedule 1, clause 16

Insert after clause 15—

16 Use and disclosure of health information in emergencies

If health information is used or disclosed under clause 10(1)(b1) or 11(1)(b1)—

- (a) the organisation must not hold the information for longer than 18 months, unless extenuating circumstances apply or consent has been obtained, and
- (b) if the organisation is a law enforcement agency—the agency must not use the information for the purpose of prosecuting an offence.

No. 4 **OPP No. 1 [c2021-146E]**

Page 6, Schedule 1.8. Insert after line 39—

[1A] Section 12A Extended hours for dedicated live music and performance venues

Omit section 12A(1). Insert instead—

- (1) This section applies to a dedicated live music and performance venue.

[1B] Section 12A(2)

Omit “30”. Insert instead “60”.

No. 5 **GOVT No. 1 [c2021-185]**

Page 11, Schedule 1.12. Insert after line 3—

[1AA] Long title

Omit “high-risk”. Insert instead “subject”.

No. 6 **GOVT No. 2 [c2021-185]**

Page 11, Schedule 1.12. Insert after line 3—

[1AB] Section 3 Definitions

Omit section 3, definition of *ambulance forward commander*.

Insert instead—

ambulance forward commander means the NSW Ambulance commander at an incident or emergency site or an event who is responsible for the command of all NSW Ambulance personnel at the site or event.

No. 7 **GOVT No. 3 [c2021-185]**

Page 11, Schedule 1.12. Insert after line 7—

[1A] Section 3, definition of “high-risk festival”

Omit the definition.

[1B] Section 3

Insert in alphabetical order—

subject festival means a music festival that, under section 5, ILGA decides would be more appropriately delivered with an approved safety management plan.

[1C] Sections 5, heading, (1), (2) and (2)(e), 6(1), (2) and (4)(a), 7, 8(1) and (1)(a), 9(1), 10(1), (2)(a) and (5), definition of prescribed entity, paragraph (f) and 11(1) and (2)

Omit “high-risk”, wherever occurring.

Insert instead “subject”, respectively.

No. 8 **GOVT No. 4 [c2021-185]**

Page 11, Schedule 1.12. Insert after line 7—

[1D] Section 6 Contents of safety management plans

Omit section 6(2)(b). Insert instead—

(b) if the organiser has given ILGA notice, in the approved form and submitted using an approved electronic system, at least 90 days before the festival is to be held of the intention to hold the festival—at least 60 days before the festival is to be held, or

(c) within the shorter period decided by ILGA.

[1E] Section 6(5)

Insert after section 6(4)—

(5) In this section—

approved means approved by ILGA.

No. 9 **GOVT No. 5 [c2021-185]**

Page 11, Schedule 1.12. Insert after line 7—

[1F] Section 10(5)(g)

Insert after section 10(5)(f)—

(g) Ambulance Service of NSW.

No. 10 **OPP No. 13 [c2021-146E]**

Page 11. Insert after line 29—

[3] **Section 20A**

Insert after section 20—

20A Requirements relating to implementing outcomes of review of objectives of Act

- (1) The Minister must ensure all reasonable steps are taken, by 30 June 2022, to implement the following recommendations under the Review of the operation of the Music Festivals Act 2019—
 - (a) recommendation 5,
 - (b) recommendation 10,
 - (c) recommendation 12.
- (2) If a recommendation mentioned in subsection (1) has not been implemented by 30 June 2022, the Minister must, by 1 September 2022, prepare, and table in each House of Parliament, a report detailing the progress that has been made in implementing the recommendation.
- (3) In this section—

Review of the operation of the Music Festivals Act 2019 means the document of that title published by the NSW Government dated June 2020.

No. 11 **GOVT No. 4 [c2021-187A]**

Page 12, Schedule 1.14, lines 12 and 13. Omit all words on those lines. Insert instead—

information if—

- (a) the collection, use or disclosure of the information is reasonably necessary to assist in a stage of an emergency, and
- (b) the collection, use or disclosure is only for the purpose of assisting in the stage of the emergency, and
- (c) it is impracticable or unreasonable to seek the consent of the individual to whom the information relates to the collection, use or disclosure for the purpose of assisting in the stage of the emergency.

No. 12 **GOVT No. 5 [c2021-187A]**

Page 12, Schedule 1.14. Insert after line 18—

- (3) If personal information is collected, used or disclosed under this section—
 - (a) the public sector agency must not hold the information for longer than 18 months, unless extenuating circumstances apply or consent has been obtained, and
 - (b) if the public sector agency is a law enforcement agency—the agency must not use the information for the purpose of a prosecuting an offence.

No. 13 **OPP No. 1 [c2021-186]**

Page 13. Insert after line 41—

1.16A Road Rules 2014

Rule 179 Stopping in a loading zone

Insert after rule 179(1)(c)(iii)—

Note— For example, a driver may stop in a loading zone to deliver music equipment at a venue.