

NSW Mandatory Face Coverings (Mask) Exemption Information

A Public Health Order was issued under section 7 of the *Public Health Act 2010* for Mandatory Face Coverings for the Greater Sydney region (incl. Wollongong, Central Coast and Blue Mountains) in NSW effective 3/01/2021.

Organisations and their employees, maybe unaware of their responsibility to people with ***medical exemptions*** from wearing face coverings and the risks of discriminating against them.

Organisations are in breach of the Chief Health Officer's Covid Directions when they refuse entry or service to a medically exempt person. Such refusal breaches the *Commonwealth Disability Discrimination Act 1992* and they could be exposing themselves to an expensive lawsuit.

IMPORTANT POINTS TO KNOW AND UNDERSTAND

1. People who have a medical condition DO NOT have to wear masks/face coverings.
<https://www.nsw.gov.au/covid-19/what-you-can-and-cant-do-under-rules/greater-sydney#face-masks>
2. People **DO NOT need a medical certificate** stating they are exempt from wearing a mask/face covering.
3. Employees who are medically exempt cannot be forced to wear a mask/face covering.
4. Organisations and their employees are **NOT legally responsible OR legally allowed to** enforce masking mandates on people who cannot wear masks/face coverings.
5. Medically exempt conditions include but are not limited to Asthma, Emphysema, Epilepsy, ADHD, PTSD, Anxiety, Panic Disorders, Vertigo, Hearing Problems, Breathing Difficulties, Allergies, Trauma and many more.
6. **No one, not even Police, are legally allowed to compel you to disclose your personal medical information.** PRIVACY ACT 1988 http://www5.austlii.edu.au/au/legis/cth/consol_act/pa1988108/
7. **The Disability Discrimination Act 1992** - <https://www.legislation.gov.au/Details/C2018C00125>
8. Signs saying 'No Mask No Entry' are in breach of sections 6 & 24 of the Commonwealth Discrimination Act 1992 (and other laws) and should either be removed from premises or state 'EXCEPT THOSE WITH LAWFUL MEDICAL CONDITIONS' or a similar disclaimer.

DISABILITY DISCRIMINATION ACT 1992 - SECT 6
http://www5.austlii.edu.au/au/legis/cth/consol_act/dda1992264/s6.html -
- DISABILITY DISCRIMINATION ACT 1992 - SECT 24
http://www5.austlii.edu.au/au/legis/cth/consol_act/dda1992264/s24.html -
9. Harassment, intimidation, coercion, deceit, aggressiveness or bullying are NOT lawful means of imposing unlawful rules, personal beliefs or opinions about mask/face coverings upon others.
10. If you are still refused entry, please ensure you contact the organisation and any relevant governing body in writing, as well as NSW Govt officials like Gladys Berejiklian, Brad Hazzard and Dr Kerry Chant informing them of your discriminatory experience and reminding them of their obligations under the **LAW**.