

Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2020 (No 5)

Notifiable Instrument NI2020-446

made under the

Public Health Act 1997, s 120 (Emergency actions and directions)

1. Name of instrument

This instrument is the *Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2020 (No 5)*.

2. Commencement

This instrument commences at 11.59pm on 20 July 2020.

3. Public Health Emergency Direction

I, Dr Kerry Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out in the schedule.

4. Duration

This Direction is in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

5. Revocation

This instrument revokes the *Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2020 (No 4)* [NI2020-431].

Dr Kerry Coleman
Chief Health Officer
20 July 2020



Public Health Emergency Direction

Public Health Act 1997

*Made under the Public Health Act 1997,
section 120 (Emergency actions and directions)*

I, Dr Kerryn Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below.

The purpose of these directions is to restrict non-essential gatherings and the operation of non-essential businesses and undertakings in order to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

PART 1 — NON-ESSENTIAL GATHERINGS

Directions

A. Outdoor areas

1. From 11:59pm on 20 July 2020, a person must not organise or attend a **gathering** of more than 100 people in an **outdoor space** except where otherwise provided in this Direction.

B. Non-residential premises

2. Except where otherwise provided in this Direction, from 11:59pm on 20 July 2020, a person:
 - a. who owns, controls or operates **non-residential premises** in the Australian Capital Territory must take reasonable steps to not allow or organise a **gathering** of more than 100 people to occur at the **non-residential premises**; or
 - b. must not attend a **gathering** of more than 100 people at **non-residential premises** in the Australian Capital Territory.
3. Any **gathering** of people in an **indoor space** of **non-residential premises** must observe social distancing of 1 person per 4 square metres.

C. Exemption

4. The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from this Direction on compassionate or other grounds that the Chief Health Officer considers reasonable or appropriate.

PART 2 — CLOSURE OF NON-ESSENTIAL BUSINESS OR UNDERTAKING

Directions

A. Non-Essential Business or Undertaking

5. From 11:59pm on 20 July 2020, a person who owns, controls or operates a **non-essential business or undertaking** in the Australian Capital Territory must not operate that business or undertaking except where provided in Part 3 of this Direction.
6. Direction A5 does not prohibit a person who owns, controls or operates a **non-essential business or undertaking** from entering the **premises** of the **non-essential business or undertaking** provided that a **gathering** of no more than 10 people are at the premises and social distancing of 1 person per 4 square metres is observed.
7. Direction A5 does not prohibit the operation of a **non-essential business or undertaking** to the extent that the **non-essential business or undertaking** operates solely on an online or virtual basis (for example, a streaming service), or through delivery, take-away or pickup services (for example, by selling gift vouchers or products).

PART 3 — MATTERS RELEVANT TO THESE DIRECTIONS

A. Enforcement

8. If a person fails to comply with any of the directions in this Direction, an **authorised person** may then direct the person to do such things as are reasonably necessary to comply with this Direction including, upon request, to produce proof of identification to the authorised person.
9. If a person fails to comply with any of the directions in this Direction, then the **authorised person** may take all reasonable steps to enforce compliance with this Direction pursuant to section 121 of *Public Health Act 1997*.

B. Guidance

10. Risk mitigation guidance is provided at **Attachment A** to this Direction. This guidance relates to all situations in which people are gathered together, whether included or excluded from the definition of **gathering**. It also relates to all businesses and undertakings, whether included or excluded from the definition of **non-essential business or undertaking**.



C. Definitions

For the purposes of this Direction:

11. An **indoor space** means an area, room or premises that is, or are, substantially enclosed by a roof and walls (of solid construction and stretching from floor to ceiling), regardless of whether the roof or walls or any part of them are:
 - a. permanent or temporary; or
 - b. open or closed.
12. An **outdoor space** means a space that is not an **indoor space** or a part of residential premises.
13. **Non-residential premises** has the same meaning as **premises** in the *Public Health Act 1997* but does not include residential premises.
14. Except where otherwise provided in this Direction, a **gathering** means a group of people occupying a single **indoor space** or **outdoor space** at the same time, but does not include a **gathering**:
 - a. at an airport that is necessary for the normal business of the airport; or
 - b. in relation to public transportation, including in public transport vehicles or at public transportation facilities such as stations, platforms and stops; or
 - c. for the purposes of or related to private transportation; or
 - d. at a medical or health service facility that is necessary for the normal business of the facility; or
 - e. in relation to providing support or care to a person with a disability; or
 - f. for emergency services purposes; or
 - g. for law enforcement purposes; or
 - h. at a disability or aged care facility that is necessary for the normal business of the facility; or
 - i. at a correctional centre, place of detention under the *Children and Young People Act 2008* or other place of custody; or
 - j. at a court or tribunal; or
 - k. at the Australian Capital Territory Legislative Assembly or Commonwealth Parliament for the purpose of its normal operations; or
 - l. at a food market, supermarket, grocery store, retail store, or shopping centre that is necessary for the normal business of those premises; or
 - m. to attend at a restaurant or café to collect or deliver takeaway meals and beverages and where social distancing of 1 person per 4 square metres is observed; or

- n. at an office building, workplace factory or construction site (or any other workplace that is not excluded from operation by Part 3 of this Direction), that is necessary for the normal operation of those premises; or
 - o. at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
 - p. at a hotel or motel that is necessary for the normal operation of accommodation services.
15. For paragraph 14(o), a school event that involves members of the community in addition to staff and students is not necessary for the normal business of the facility.
16. A **non-essential business or undertaking** means any of the following, whether operated on a for-profit or not-for-profit basis or purely as a private social activity:
- a. a business that supplies liquor for consumption **ON** the premises, but not to the extent that:
 - i. each **gathering** does not exceed 100 customers seated in any **indoor space** and 100 customers seated in any **outdoor space** and where social distancing of 1 customer per 4 square metres is observed; and
 - ii. it involves service to customers consuming alcohol without a meal and each group does not exceed 10 customers seated together; and
 - iii. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iv. it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**; and
 - v. it erects at the entrance to the business a **sign** specifying the maximum occupancy under this Direction of that business;
 - b. a hotel, whether licensed or unlicensed, but not:
 - i. any part of the hotel constituted by a bottleshop; or
 - ii. to the extent that it provides accommodation, function facilities, takeaway meals or a meal delivery service; and
 - iii. where an organised function or event does not exceed 100 people (excluding staff working at the function) in any **indoor** space and 100 people (excluding staff working at the function) in any **outdoor** space and where social distancing of 1 customer per 4 square metres is observed; and
 - iv. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended;
 - v. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**; and
 - vi. it erects at the entrance to the business a **sign** specifying the maximum occupancy under this Direction of that business;



- c. a restaurant, café or canteen, other than to the extent that it provides takeaway meals or a meal delivery service, but not:
- i. a café or canteen at a hospital; or
 - ii. a café or canteen at a residential aged care facility; or
 - iii. a café or canteen at a school; or
 - iv. a café or canteen at a correctional centre; or
 - v. a café or canteen at a community sporting facility; or
 - vi. a military café or canteen; or
 - vii. a café or canteen that provides food or drink to those experiencing homelessness; or
 - viii. to the extent that:
 - A. each **gathering** does not exceed 100 customers seated in any **indoor space** and 100 customers seated in any **outdoor space** and where social distancing of 1 customer per 4 square metres of is observed; and
 - B. it involves service to customers consuming alcohol without a meal and each group does not exceed 10 customers seated together; and
 - C. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended;
 - D. it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**; and
 - E. it erects at the entrance to the business a **sign** specifying the maximum occupancy under this Direction of that business;
- d. a food court, but not:
- i. to the extent that it provides takeaway meals or a meal delivery service;
- e. a gym, health club, fitness centre, wellness centre, or a centre providing yoga barre or spin facilities, but not:
- i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel), and where social distancing of 1 person per 4 square metres is observed; and
 - ii. where at least one staff member is on the premises at all times when those premises are open; and
 - iii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iv. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;

- f. a bootcamp or personal trainer, but not:
- i. to the extent that it involves a **gathering** of no more than 100 people (including trainers) and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- g. an **organised sporting activity** but not:
- i. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**; and
 - ii. to the extent that it involves a **gathering** of no more than 100 people and where social distancing of 1 person per 4 square metres is observed;
- h. a swimming pool, but not:
- i. to the extent that it is used as a **hydrotherapy pool**; or
 - ii. to the extent that it is used by **gatherings** of no more than 100 people and where social distancing of 1 person per 4 square metres is observed; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- i. a community centre or facility or a youth centre or facility, but not:
- i. to the extent that the centre or facility hosts essential voluntary or public services, such as food banks or services for those experiencing homelessness; or
 - ii. to the extent that the centre or facility hosts essential services for vulnerable children and families, or for young people at risk of homelessness or engagement with the youth justice system; or
 - iii. to the extent that it allows **gatherings** of no more than 100 people and where social distancing of 1 person per 4 square metres is observed;
- Note: If the facility is being used for an activity such as dance or martial arts or another activity addressed separately in this Direction, the provisions relevant to those activities also need to be complied with.*
- Example: A person holding a dance class in a community hall will need to comply with the rules regarding organised sporting activities.*
- j. a **place of worship**, other than for the purposes of a **wedding, funeral or religious ceremony**, but not:
- i. if it provides a visitor book in which attendees can enter their first name, contact phone number, and date and time of visit if they choose; and
 - ii. where social distancing of 1 person per 4 square metres is observed; and

- iii. if it involves a gathering of no more than 100 people and it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**; but
- iv. if the gathering does not exceed 20 people, the development of a **COVID-19 Safety Plan** is not required;
- k. a library, but not:
 - i. where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- l. a gallery, museum, national institution or historic site, but not:
 - i. where social distancing of 1 person per 4 square metres is observed; and
 - ii. where a group of people attending a tour at the premises does not exceed more than 20 people (excluding necessary personnel to facilitate the activity) and the tour is limited to a duration of no more than 2 hours; and
 - iii. where an organised function or event:
 - A. does not exceed 100 people (excluding staff working at the function) in any **indoor** space and 100 people (excluding staff working at the function) in any **outdoor** space; and
 - B. where social distancing of 1 person per 4 square metres is observed; and
 - C. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iv. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- m. an outdoor amusement park or attraction, but not:
 - i. where social distancing of 1 person per 4 square metres is observed; and
 - ii. where a group of people attending a tour at the premises does not exceed more than 20 people (excluding necessary personnel to facilitate the activity) and the tour is limited to a duration of not more than 2 hours; and
 - iii. where an organised function or event:
 - A. does not exceed 100 people (excluding staff working at the function) in any indoor space and 100 people (excluding staff working at the function) in any outdoor space; and
 - B. where social distancing of 1 person per 4 square metres is observed; and
 - C. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and

- iv. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- n. a cinema or movie theatre, but not:
- i. to the extent that it involves a **gathering** of no more than 100 people attending a session (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and
 - ii. where individual and group bookings are seated at least 1.5 metres apart from each other; and
- Example: If a person books a ticket to attend on their own, they should be seated at least 1.5 metres from a person who has made a separate booking. If a group of 10 books together, they can sit together, but need to be at least 1.5 metres away from other groups/individuals.*
- iii. to the extent that it involves a **gathering** of no more than 100 people in a lobby or foyer area (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and
 - iv. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - v. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- o. an open-air drive-in cinema, but not:
- i. to the extent that it involves no more than 100 vehicles attending a session and where the vehicles are parked at least 1.5 metres apart; and
 - ii. to the extent that it involves a **gathering** of no more than 100 people in an outdoor space and where social distancing of 1 person per 4 square metres is observed; and
- Example: If the event organiser plans external activities at the same venue as the drive-in cinema (for example activities for children before or after the cinema session) then gatherings of no more than 100 people should be enforced by the event organiser.*
- Example: If there is ability to exit a vehicle to purchase refreshments, then gatherings of no more than 100 people should be enforced by the event organiser.*
- iii. if it asks for a first name and contact phone number (for contact tracing purposes) of each driver of each vehicle and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iv. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- p. an indoor or outdoor play centre, or an indoor arcade or amusement centre, but not:
- i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and

- ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each individual person, or one person in a group, who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- q. a gaming or gambling venue or a **casino**;
- r. a **betting agency**, but not:
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel) for the purposes of allowing betting to take place, and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if the betting agency is located within a licenced venue, the occupier of the venue must take reasonable steps to prevent customers from accessing other parts of the premises which are closed; and
 - iii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iv. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
- s. performances in all locations, including in a concert venue, theatre, arena or auditorium, but not:
 - i. to the extent that it facilitates a rehearsal or a live or live-streamed performance in the premises with a **gathering** of no more than 100 people (including staff, any other personnel, and those necessary to facilitate the rehearsal or performance); and
 - ii. where social distancing of 1 person per 4 square metres is observed; and
 - iii. where attendees remain seated; and
 - iv. where individual and group bookings are seated at least 1.5 metres apart from each other; and

Example: If a person books a ticket to attend on their own, they should be seated at least 1.5 metres from a person who has made a separate booking. If a group of 10 books together, they can sit together, but need to be at least 1.5 metres away from other groups/individuals.

 - v. the extent that it involves a **gathering** of no more than 100 people (including staff, any other personnel, performers and those necessary to facilitate the rehearsal or performance) in a lobby or foyer area and where social distancing of 1 person per 4 square metres is observed; and
 - vi. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - vii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;



- t. a hairdresser or barber, but not:
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel), and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;

- u. a nail salon, but not:
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel), and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;

- v. a tattoo or body modification studio, but not:
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel), and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;

- w. a place that provides beauty therapy, tanning or waxing services, but not:
 - i. cosmetic services provided by a health practitioner registered by the Australian Health Practitioner Regulation Agency; or
 - ii. to the extent that:
 - A. it involves a **gathering** of no more than 100 people (including staff and any other personnel), and where social distancing of 1 person per 4 square metres is observed; and
 - B. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - C. it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;

- x. a day spa or a place that provides massage services, but not:
 - i. massage services provided by or for allied health services, such as remedial, sports, and lymphatic massage; or
 - ii. to the extent that:
 - A. it involves a **gathering** of no more than 100 people (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and
 - B. it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - C. it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
 - y. steam based services (including saunas, steam rooms, steam cabinets and bathhouses);
 - z. an auction house, but not;
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
 - aa. a real estate auction, display home or an open house inspection, but not:
 - i. to the extent that it involves a **gathering** of no more than 100 people (including staff and any other personnel) and where social distancing of 1 person per 4 square metres is observed; and
 - ii. if it asks for a first name and contact phone number (for contact tracing purposes) of each person who attends and, if provided, keeps a record of those details and the date and time at which the person attended; and
 - iii. if it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**;
 - bb. a strip club, brothel or an escort agency;
 - cc. a nightclub.
17. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
18. **Betting agency** means a TAB or KENO agency either in a stand-alone venue or within a licensed venue.

19. **Casino** has the same meaning as in the *Casino Control Act 2006*.
20. A **COVID-19 Safety Plan** means a plan:
- in writing that addresses how the business or undertaking will manage its operations to minimise the risks posed to any person by **COVID-19** because of the operation of the business or undertaking; and
 - developed with regard to published guidance material endorsed by the Chief Health Officer.
21. **Hydrotherapy pool** means a heated swimming pool (heated to 33 to 36 degrees Celsius) for use by people receiving hydrotherapy, who use the pool to undergo that therapy either on their own or with assistance from another person.
22. **Organised sporting activity** means sporting activities arranged through peak sporting organisations, community clubs, commercial providers or individual activities, and includes dance activities, but does not include professional sport.
23. **On the premises** includes a business which supplies liquor under an *on licence* subclass, *general licence*, *club licence*, or *special licence* which have the same meaning as in the *Liquor Act 2010*.
24. **Place of worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.
25. **Funeral** means a funeral attended by a **gathering** no more than 100 mourners, where social distancing of 1 person per 4 square metres is observed and:
- at which attendees are asked for a first name and contact phone number (for contact tracing purposes) and, if provided, the organiser keeps a record of those details and the date and time at which the person attended; and
 - it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**.
26. **Religious ceremony** means a religious ceremony attended by a **gathering** of no more than 100 people (including the person conducting the ceremony and any person necessary to support the conduct of the ceremony) and where social distancing of 1 person per 4 square metres is observed and where it provides a visitor book in which attendees can enter their first name, contact phone number, and date and time of visit if they choose.
27. **Sign** means information displayed adjacent to or in close proximity to an entrance that is clearly visible to a member of the public.
28. **Wedding** means a wedding attended by a **gathering** of no more than 100 people (including the celebrant and the professional wedding photographer), where social distancing of 1 person per 4 square metres is observed and:
- at which attendees are asked for a first name and contact phone number (for contact tracing purposes) and, if provided, the organiser keeps a record of those details and the date and time at which the person attended; and
 - it develops a **COVID-19 Safety Plan** to which it must adhere, and which it must produce when requested by an **authorised person**.



D. Note

29. All businesses or undertakings not subject to Part 2 must comply with Part 1 of this Direction.
30. Any requirement in this Direction to keep a record or where a record is provided pursuant to these directions, of name, contact phone number, and date and time of visit, requires the record to be kept for 28 days.
31. If there is any inconsistency between this Direction and any of the directions specified below, this Direction is inoperative to the extent of any inconsistency:
 - a. the *Public Health (Self-Isolation) Emergency Direction 2020 (No 2)* (NI2020-406);
 - b. the *Public Health (COVID-19 Interstate Hotspots) Emergency Direction 2020 (No 5)* (NI2020-440);
 - c. the *Public Health (COVID-19 Interstate Travellers) Emergency Direction 2020* (NI2020-399); and
 - d. the *Public Health (Returned Travellers) Emergency Direction 2020 (No 6)* (NI2020-374).
32. Pursuant to section 119(4B) of the *Public Health Act 1997* the Chief Health Officer is to advise the Minister every 30 days about the status of the emergency and whether the Chief Health Officer considers the declared emergency is still justified.

Penalties

Section 120 (4) of the *Public Health Act 1997* provides:

A person must not, without reasonable excuse, fail to comply with a direction under this section.

Maximum Penalty:

In the case of a natural person, \$8,000 (50 penalty units).

In the case of a body corporate, \$40,500 (50 penalty units).

In the case of a utility that is a body corporate, \$1,620,000 (2000 penalty units).

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Dr Kerryn Coleman

Chief Health Officer

20 July 2020

ATTACHMENT A - Risk Mitigation Guidance

This Direction should be read in conjunction with the guidance material prepared by the Chief Health Officer, including guidance material about how to prepare a **COVID-19 Safety Plan**, which is available at www.covid19.act.gov.au.

It is suggested that, as far as reasonably practicable, the following risk mitigation measures be applied to gatherings of 2 people or more:

- In a given occupied space, there be a density of no more than one person per 4 square metres of floor space (taking into account objects and items that may impact the total free space);

Example: if an indoor space is 8.5 metres long and 4.5 metres wide, its total area is 38.25 square metres. Its density quotient is 9.56, so no more than 9 people would be permitted to be in the indoor space at the same time.

- Hand hygiene products and suitable waste receptacles should be available, to allow for frequent cleaning and waste disposal;
- Promote physical distancing of at least 1.5 metres between people wherever possible;
- The recommendations for unwell individuals to isolate at home and not attend published by the Commonwealth Department of Health should be promoted and displayed prominently so that they can be seen and read easily by a person at or near an entrance to the **indoor space**;
- For settings where there is ongoing movement and an increased number of interactions between people (for example food markets) and an individual's attendance is not in the course of their employment at the place, an individual's attendance should be less than 2 hours duration;
- Wherever possible, physical contact should be avoided; and
- Where activities involve the use of equipment, that equipment should be regularly cleaned and, where practicable, not be shared by people other than members of the same household.

Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



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