



TASMANIAN GOVERNMENT GAZETTE

PUBLISHED BY
AUTHORITY
ISSN 0039-9795

MONDAY 23 MARCH 2020

No. 21 954

Public Health

PUBLIC HEALTH ACT 1997

DIRECTION UNDER SECTION 16

I, SCOTT McKEOWN, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997*, in order to manage a threat to public health or a likely threat to public health posed by the disease known as COVID-19 ("the disease"), direct that -

- (a) each person who owns, controls or operates the following premises in Tasmania must not open or operate the premises, including each outdoor space associated with the premises, from midday on 23 March 2020 to midday on 22 April 2020:
- (i) all premises where alcohol is sold for consumption at those premises (including pubs, registered and licensed clubs and hotels) other than such part of those premises lawfully operated -
 - (A) to provide alcohol for consumption at another location than the premises; or
 - (B) to provide accommodation;
 - (ii) all gymnasiums, indoor venues used for sports or fitness, indoor play grounds and centres, and other similar premises or venues;
 - (iii) all cinemas, theatres, entertainment venues, casinos, dance venues, night clubs and other similar premises;
 - (iv) all restaurants and cafes, other than such part of those restaurants and cafes lawfully operated to provide food or drinks to be consumed at another location than the premises;
 - (v) all religious gatherings, places of worship and religious ceremonies, other than funerals on premises where the gathering -
 - (A) is less than 12 people; and
 - (B) complies with paragraph (b)(iii)(A); and
- (b) subject to paragraph (a) and (f) each person who owns, controls or operates premises in Tasmania must not allow the following mass gatherings to occur on the premises between midday on 23 March 2020 and midday on 22 April 2020:
- (i) a gathering of five hundred (500) or more persons in a single undivided outdoor space at the same time;
 - (ii) a gathering of one hundred (100) or more persons in a single undivided indoor space at the same time;
 - (iii) a gathering of less than one hundred (100) persons in a single undivided indoor space unless -
 - (A) the total number of persons present in the indoor space, at the same time, does not exceed the number calculated by dividing the total area of the indoor space, as measured in square metres, by 4; or
- (B) the gathering is at a person's private residence and the total number of persons present at the premises, at the same time, does not exceed the number calculated by dividing the total area of the indoor space, as measured in square metres, by 4; or
- (C) the gathering is in -
- (I) a private vehicle; or
 - (II) a large passenger vehicle operated as a passenger service within the meaning of the *Passenger Transport Services Act 2011*; or
- (D) the gathering is in a ferry service or vessel service, operated between Australia, Tasmania or one or more islands, and each of the following is complied with in respect of the ferry or vessel:
- (I) the ferry or vessel, and each premises on the ferry or vessel, complies with paragraph (a);
 - (II) each person on the ferry or vessel complies with paragraph (b)(iii)(A) and paragraph (g) while the person is on the ferry or vessel, other than in accommodation in a fully enclosed space, such as a cabin, where the person has paid to sleep while on the ferry or vessel;
- (c) subject to paragraph (f), a person must not organise a mass gathering, as specified in paragraph (b), on premises in Tasmania between midday on 23 March 2020 and midday on 22 April 2020; and
- (d) subject to paragraph (f), a person must not attend a mass gathering, as specified in paragraph (b), on premises in Tasmania between midday on 23 March 2020 and midday on 22 April 2020; and
- (e) subject to paragraph (f), paragraphs (c) and (d) apply to all mass gatherings not specified in paragraph (f), whether the mass gathering -
- (i) formally, or informally, occurs; or
 - (ii) occurs in public, or private, premises; and
- (f) a reference to a mass gathering in paragraph (b), (c), (d) or (e) does not include the following gatherings:

- (i) at an airport that is necessary for the normal business of the airport;
 - (ii) for the purposes of, or related to, public transportation, including in vehicles or at public transportation facilities such as stations, platforms and stops;
 - (iii) at a medical or health service facility, including such part of the facility used to provide physical rehabilitation services, that is necessary for the normal business of the facilities;
 - (iv) for the purposes of emergency services;
 - (v) at a disability or aged care facility that is necessary for the normal business of the facility;
 - (vi) at a prison, correctional facility, youth justice centre or other place of custody;
 - (vii) at a court or tribunal;
 - (viii) at Parliament for the purpose of its normal operations;
 - (ix) at a food market, supermarket, grocery store, retail store or shopping centre that is necessary for the normal business of those premises;
 - (x) at an office building, factory, mining site or construction site that is necessary for the normal operation of those premises;
 - (xi) at a school, university, educational institution or childcare facility that-
 - (A) is necessary for the normal business of the facility; and
 - (B) in relation to a school, university or educational institution, does not involve members of the community other than the staff and students of the school, university or educational institution;
 - (xii) at an accommodation facility that is necessary for the normal operation of accommodation services;
 - (xiii) at an outdoor place where five hundred (500) or more persons may be present for the purposes of transiting through the place;
 - (xiv) a gathering specified as exempt from these directions by the Director of Public Health, or the Deputy Director of Public Health, in writing;
 - (xv) a gathering delivered by an operator who has a social distancing policy approved by the Director of Public Health, or the Deputy Director of Public Health, in writing; and
- (g) where practicable, each person must maintain a distance of no less than 1.5 metres between the person and any other person; and
- (h) in this direction -
- (i) **gathering**, in relation to a person's private premises, does not include a gathering of persons if each member of that gathering ordinarily resides at the private premises;
 - (ii) **indoor space** means an area, room or premises that is, or are, substantially enclosed by a roof and walls, regardless of whether the roof or walls or any part of them are permanent or temporary, or open or closed; and
 - (iii) **outdoor space** means a space that is not an indoor space; and
 - (iv) **premises** has the same meaning as in the *Public Health Act 1997*.

Dated this 23rd day of March 2020.

SCOTT MCKEOWN
Director of Public Health

PUBLIC HEALTH ACT 1997

DIRECTION UNDER SECTION 16

I, SCOTT MCKEOWN, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997*, in order to manage a threat to public health or a likely threat to public health posed by the disease known as COVID-19 ("the disease"), direct that -

- (a) subject to paragraph (b), a person must not enter, or remain on, the premises of a residential aged care facility in Tasmania between midday on 23 March 2020 and midnight on 15 April 2020 unless -
 - (i) the person is an employee or contractor of the residential aged care facility; or
 - (ii) the person's presence at the premises is for the purposes of providing goods or services that are necessary for the effective operation of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
 - (iii) the person's presence at the premises is for the purposes of providing health, medical or pharmaceutical goods or services to a resident of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
 - (iv) the person's presence at the premises is for the purposes of a **care and support visit** to a resident of the residential aged care facility; or
 - (v) the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility; or
 - (vi) the person's presence at the premises is required for the purposes of emergency management or law enforcement; or
 - (vii) the person's presence at the premises is in the person's capacity as a prospective resident of the residential aged care facility; and
- (b) despite paragraph (a), a person referred to in paragraph (a)(i), (ii), (iii), (iv), (v), (vi) or (vii) must not enter, or remain on, the premises of a residential aged care facility in Tasmania between midday 23 March 2020 and midnight 15 April 2020 if -
 - (i) during the 14-day period immediately preceding the entry, the person arrived in Tasmania from a place outside Tasmania; or
 - (ii) during the 14-day period immediately preceding the entry, the person had known contact with a person who has been diagnosed with the disease; or
 - (iii) the person has -
 - (A) a temperature higher than 37.5 degrees; or
 - (B) one or more symptoms of acute respiratory infection; or
 - (iv) the person does not have an up-to-date vaccination against influenza, if such a vaccination is available and there is no medical recommendation against the administration of the vaccine to the person; or
 - (v) the person has not attained the age of 16 years unless his or her presence is required on the premises for end of life support; and
- (c) the operator of a residential aged care facility in Tasmania must take all reasonable steps to ensure that a person does not enter, or remain on, the premises of the residential aged care facility if the person is prohibited from doing so under paragraph (a) or (b); and
- (d) paragraphs (a), (b) or (c) do not prevent a person who is resident of a residential aged care facility from entering,

or remaining on, the premises of the residential aged care facility; and

(e) in this direction -

- (i) **care and support visit**, in relation to a resident of a residential aged care facility, means a visit of no longer than 2 hours made to the resident -
 - (A) by a single person or no more than 2 persons together; and
 - (B) in the resident's room, outdoors or in a specific noncommunal area, as designated by the residential aged care facility; and
 - (C) for the purposes of providing care and support to the resident; and
- (ii) **flexible care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and
- (iii) **operator**, of a residential aged care facility, means a person who owns, controls or operates the residential aged care facility; and
- (iv) **residential aged care facility** means a facility at which accommodation, and personal care or nursing care or both, are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the *Aged Care Act 1997* of the Commonwealth; and
- (v) **residential care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and
- (vi) **symptoms of acute respiratory infection** includes fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness.

Dated this 23rd day of March 2020.

SCOTT MCKEOWN
Director of Public Health

Emergency Management

EMERGENCY MANAGEMENT ACT 2006

AUTHORISATION OF EMERGENCY POWERS

I, DARREN LEIGH HINE, am satisfied that an emergency is occurring in Tasmania (namely the presence in this State of the coronavirus disease COVID-19) and, due to the occurrence of that emergency, there are reasonable grounds for the exercise of emergency powers for the purpose of protecting persons from distress, injury or death.

Pursuant to Section 40 of the *Emergency Management Act 2006*, I hereby authorise the exercise, State wide, of all of the emergency powers specified in Schedule 1 of the said Act by all members of the Police Service established under the *Police Service Act 2003*.

These powers are only to be exercised to ensure compliance with:

- (i) Any directions of the Director of Public Health under Section 16 of the *Public Health Act 1997*, or
- (ii) Any directions or requirements made by me pursuant to the exercise of emergency powers or special emergency powers.

This authorisation takes effect immediately and has effect for the period of 7 days.

Dated this 21st day of March 2020 at 5:40 pm.

D L HINE
State Controller

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