



# TASMANIAN GOVERNMENT GAZETTE

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## Public Health

### PUBLIC HEALTH ACT 1997

#### DIRECTION UNDER SECTION 16

I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997*, in order to manage the threat to public health posed by the disease known as COVID-19 (“the disease”), direct that -

- (a) if a person is diagnosed with the disease in Tasmania while the person is at a place other than the primary residence of the person, the person-
- (i) must -
    - (A) travel directly from that place to premises that are suitable for the person to reside in; and
    - (B) remain in, or on, those premises in accordance with paragraph (c) until the person is given a release from isolation; or
  - (ii) must -
    - (A) travel directly from that place to a hospital for medical treatment; and
    - (B) after being discharged, or released, from the hospital, travel directly to premises that are suitable for the person to reside in; and
    - (C) remain in, or on, those premises in accordance with paragraph (c) until the person is given a release from isolation; and
- (b) if a person is diagnosed with the disease in Tasmania while the person is at the person’s primary residence, the person -
- (i) must -
    - (A) remain in, or on, those premises in accordance with paragraph (c) until the person is given a release from isolation; or
    - (B) travel directly to premises that are suitable for the person to reside in and remain in, or on, those premises in accordance with paragraph (c) until the person is given a release from isolation; or
  - (ii) must -
    - (A) travel directly from that place to a hospital for medical treatment; and
    - (B) after being discharged, or released, from the hospital, travel directly to premises that are suitable for the person to reside in; and
    - (C) remain in, or on, those premises in accordance
- with paragraph (c) until the person is given a release from isolation; and
- (c) if a person is diagnosed with the disease in Tasmania, the person must remain in, or on, the relevant premises in relation to the person until the person is given a release from isolation, except -
- (i) for the purpose of attending premises to obtain medical care and the person -
    - (A) travels directly to those premises; and
    - (B) returns directly to the relevant premises in relation to the person after obtaining that care; or
  - (ii) in an emergency situation that requires the person to leave those premises to protect his or her personal safety, or the safety of another, and the person -
    - (A) immediately returns to the premises once the emergency situation has passed; or
    - (B) once the emergency situation has passed, travels directly to other premises that are suitable for the person to reside in until the person is given a release from isolation; and
- (d) if a person is diagnosed with the disease in Tasmania, the person must not permit any other person to enter the relevant premises in relation to the person, unless -
- (i) the other person -
    - (A) is residing at those premises; and
    - (B) usually resides at those premises; and
    - (C) remains in, or on, those premises in accordance with paragraph (e); or
  - (ii) the other person is residing at those premises for the purposes of self-isolation, or quarantine, in respect of the disease; or
  - (iii) the other person is entering those premises to respond to an emergency situation, whether that emergency is medical or otherwise.
- (e) if another person resides with a person diagnosed with the disease in accordance with paragraph (d)(i), the other person must not leave the premises until 14 days after the person diagnosed is given a release from isolation or 14 days after the other person’s last close contact with the person diagnosed, whichever is earlier, except -
- (i) for the purpose of attending premises to obtain medical care and the other person -

- (A) travels directly to those premises; and
- (B) returns directly to the premises, where he or she is residing with the person diagnosed with, the disease, after obtaining that care; or
- (ii) for the purpose of residing in other premises, with the approval of the Director of Public Health or his or her delegate -
- (A) that are suitable for the other person to reside in; and
- (B) until the relevant 14-day period in this paragraph has passed; or
- (iii) in an emergency situation that requires the other person to leave those premises to protect his or her personal safety, or the safety of another, and the other person -
- (A) immediately returns to the premises once the emergency situation has passed; or
- (B) once the emergency situation has passed, travels directly to other premises that are suitable for the other person to reside in until 14 days after the person diagnosed, as referred to in this paragraph, is given a release from isolation; and
- (f) in this direction -
- (i) **release from isolation**, in relation to a person, means that the person has been given certification, in writing, by a relevant officer as meeting the criteria for discharge from isolation under the relevant guidelines of the Department of Health; and
- (ii) **relevant officer** means a person of the class of persons identified, in the manner approved by the Director of Public Health, as being able to give a person a release from isolation for the purposes of this direction; and
- (iii) **relevant premises**, in relation to a person, means a reference to premises referred to in paragraph (a)(i) (A), (a)(ii)(B), (b)(i), (b)(ii)(B), (c)(ii)(B) or (e)(ii) (B), whichever is relevant to the person.
- Dated this 26th day of March 2020.
- MARK VEITCH  
Director of Public Health
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- PUBLIC HEALTH ACT 1997  
DIRECTION UNDER SECTION 16
- I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997*, in order to manage the threat to public health posed by the disease known as COVID-19 (“the disease”), direct that -
- (a) each person who owns, controls or operates a premises specified in Schedule 1 in Tasmania must not open or operate the premises, including each outdoor space associated with the premises, commencing from 26 March 2020; and
- (b) each person who provides a service specified in Schedule 2 in Tasmania must not provide the service commencing from 26 March 2020; and
- (c) subject to paragraphs (a) and (g), each person who owns, controls or operates premises in Tasmania must not allow the following mass gatherings to occur on the premises commencing from 26 March 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 space, at the same time, does not exceed the number calculated by dividing the total area of the space used, 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 on 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 each ferry or vessel operated by the service:
- (I) the ferry or vessel, and each premises on the ferry or vessel, complies with paragraphs (a) and (b);
- (II) each person on the ferry or vessel complies with paragraph (c)(iii)(A) and paragraph (h) 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; and
- (d) subject to paragraph (g), a person must not organise a mass gathering, as specified in paragraph (c), on premises in Tasmania; and
- (e) subject to paragraph (g), a person must not attend a mass gathering, as specified in paragraph (c), on premises in Tasmania; and
- (f) paragraphs (d) and (e) apply to all mass gatherings not specified in paragraph (g), whether the mass gathering -
- (i) occurs with formal or informal arrangements; or
- (ii) occurs on public or private premises; and
- (g) a reference to a mass gathering in paragraph (c), (d), (e) or (f) 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 facility;
- (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 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 outdoor place where five hundred (500) or more persons may be present for the purposes of transiting through the place;
- (xiii) a gathering specified as exempt from these directions by the Director of Public Health, or the Deputy Director of Public Health, in writing;
- (xiv) 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
- (h) where practicable, each person must maintain a distance of no less than 1.5 metres between the person and any other person; and
- (i) 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; and
- (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 the roof or walls, 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 Act; and
- (j) if there is a dispute as to whether a service is essential for the purposes of this direction, the Director of Public Health may determine that dispute as the Director considers appropriate; and
- (k) on 26 March 2020, the direction given by, the Director of Public Health, given under section 16 of the Act on 23 March 2020 in respect of gatherings and premises, is revoked.

Dated this 26th day of March 2020.

MARK VEITCH  
Director of Public Health

#### Schedule 1

1. All restaurants, cafes, food courts and workplace canteens, unless -
  - (a) the premises are being used to provide food or drink, or both, to be consumed at a location other than the premises; or
  - (a) the premises are being used to provide food or drink, or both, to employees, or contractors, within the premises and the food or drink is to be consumed at another location-within the premises and each person at that location complies with paragraph (c)(iii)(A) and paragraph (h); or
  - (a) the premises are within a hospital, residential care home, homeless accommodation, school, prison,
2. 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 to provide alcohol for consumption at a location other than the premises.
3. All hotels, motels, hostels, bed and breakfasts, boarding houses, caravan parks, campsites, camping areas, homeless accommodation and other similar premises, except in relation to -
  - (a) workers, or contractors, employed or engaged in the operation of such premises; and
  - (b) current residents of such premises who predominantly reside at the premises on a permanent basis; and
  - (c) current residents of such premises who predominantly reside at the premises while their principal residence is unavailable, whether it is unavailable on a permanent or temporary basis, including where the residence is unavailable due to a border closure, or travel restriction, preventing the resident from returning to the principal residence; and
  - (d) other current residents of such premises, up until 11.59 pm, on 1 April 2020, unless the resident proves that the resident has booked travel on the first available flight or sailing after 11:59 pm on 1 April 2020; and
  - (e) residents of such premises, who are residents -
    - (i) for the purposes of self-isolation or quarantine; or
    - (ii) while another person is using the resident's principal residence for self-isolation or quarantine; and
  - (f) residents of such premises who are residing at the premises due to the person performing duties that make the person a specified person under -
    - (i) the direction given in respect of the disease by the Director of Public Health on 20 March 2020 under section 16 of the Act; or
    - (ii) such other direction, given by the Director of Public Health under section 16 of the Act in respect of the disease, that may replace the direction specified in subparagraph (i); and
  - (g) residents of such premises who -
    - (i) are residing at the premises for the purpose of employment or for compassionate reasons, including where the person requires emergency accommodation due to an emergency, family violence or vulnerability; and
    - (ii) have only travelled within Tasmania to get to the premises.
4. All residential rehabilitation premises that are providing treatment for addiction or mental health, except in relation to -
  - (a) operators, or workers or contractors, employed or engaged in the operation of such premises; and
  - (b) residents of such premises.
5. All places of worship, religious gatherings, religious premises, and other similar premises, unless those premises are being operated -
  - (a) to perform a wedding, where -
    - (i) the total number of people present at the wedding does not exceed 5 persons; and

defence barracks or detention centre and the food or drink is to be consumed by the residents of those organisations.

- (ii) each person on the premises at the time the wedding is performed complies with paragraph (c)(iii)(A) and paragraph (h); or
- (b) to perform a funeral, where-
  - (i) the total number of people present at the funeral does not exceed 10 persons; and
  - (ii) each person on the premises at the time the funeral is performed complies with paragraph (c)(iii)(A) and paragraph (h).
- 6. All cinemas, entertainment venues, casinos, gaming or other gambling venues, dance venues, night clubs, strip clubs; brothels and other similar premises.
- 7. All galleries, museums, national institutions, historic sites and other similar premises.
- 8. All concert venues, theatres, arenas, auditoriums, stadiums and other similar premises, unless used by performers for the purpose of live streaming and the persons in; or on, those premises during the live stream -
  - (a) do not exceed 5 persons; and
  - (b) comply with the requirements of paragraph (c)(iii)(A) and paragraph (h) while in, or on, the premises.
- 9. All amusement parks, arcades, play centres and other similar premises, regardless of whether the premises are an indoor space or an outdoor space.
- 10. All auction houses, other than premises used for the sale of livestock, food or other agricultural purposes.
- 11. All spas and massage parlours and other similar premises.
- 12. All indoor and outdoor swimming pools, gymnasiums, health clubs, fitness centres, wellness centres (including yoga and barre premises), indoor venues used for sport or fitness, saunas, bath houses and other similar premises or venues, other than such part of the premises or venue used to provide physical rehabilitation services if -
  - (a) the rehabilitation services are provided by, or under the direction of, a registered health professional within the meaning of the *Health Practitioner Regulation National Law (Tasmania)*; and
  - (b) each person in that part of the premises complies with the requirements of paragraph (c)(iii)(A) and paragraph (h).
- 13. All community centres, neighborhood houses, recreation centres, youth centres, community facilities, libraries and other similar premises, unless the premises are being used to provide essential voluntary, or public, services such as food banks or homelessness services.
- 14. All premises, and all parts of premises, owned or operated by a council of a municipal area if those premises, or parts of premises, do not provide essential voluntary, or public, services.
- 15. All zoos, wildlife centres, animal parks, petting zoos, aquariums, marine parks, animal of similar: premises, except -
  - (a) in relation to operators, or workers or contractors, employed or engaged in the care or treatment of animals at the facility, performing an animal rescue function, or the general operation of such premises; and
  - (b) for the purposes of producing food or stock.

## Schedule 2

1. Subject to item 2 in this Schedule, the provision of religious gatherings, religious ceremonies, religious instruction, non-denominational ceremonies and other similar services and ceremonies, unless the services are lawfully provided remotely by electronic means.
2. The provision of wedding and funeral ceremonies and services -
  - (a) unless -
    - (i) in the case of a wedding, the total number of persons present does not exceed 5 persons; and
    - (ii) in the case of a funeral, the total number of persons present does not exceed 10 persons; and
    - (iii) in all cases, each person present complies with paragraph (c)(iii)(A) and paragraph (h); or
  - (b) unless the services are lawfully provided remotely by electronic means.
3. The provision of beauty therapy, tanning, waxing, manicure or other nail treatments, tattoos, ear and body piercing, body modification and other similar services.
4. The provision of hair-and barber services, other than the provision of hair and barber services if the requirements of paragraph (c)(iii)(A) while the service is being provided.
5. The provision of real estate auctions and open home inspections, or other similar services, other than private home inspections of no more than 3 persons per inspection, unless the services are lawfully provided remotely by electronic means.
6. The provision of markets, whether held in an indoor space or an outdoor space, unless -
  - (a) that market is predominately for the provision of food; and
  - (b) the requirements of paragraph (c)(iii)(A) and paragraph (h) are complied with while the market is being provided.
7. The provision of boot camps, personal training and other exercise services, whether provided in an indoor space or an outdoor space -
  - (a) unless-
    - (i) the services are being provided in an outdoor space; and
    - (ii) no more than 10 persons are in the space at the time the service is being provided; and
    - (iii) the requirements of paragraph (c)(iii)(A) and paragraph (h) are complied with while the service is being provided; or
  - (b) unless the services are lawfully provided remotely by electronic means.
8. The provision of social sports activities, or other activity-based gatherings, whether provided in an indoor space or an outdoor space, unless the services are lawfully provided remotely by electronic means.

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