

Media Release

The Hon Daniel Andrews MP
Premier



Wednesday, 18 March 2020

MORE RESTRICTIONS PUT IN PLACE IN THE FIGHT AGAINST COVID-19

Indoor public gatherings of more than 100 people will be banned under changes made to the State of Emergency by the Victorian Government and restrictions will be placed on aged care facilities in Victoria, following agreement by the National Cabinet.

The new measures are in addition to the banning of mass outdoor gatherings of more than 500 people and the 14-day isolation of travellers coming to Australia that are already in place to slow the spread of COVID-19.

There are 121 confirmed cases of coronavirus in Victoria and 464 confirmed cases nationally.

The new restrictions for indoor venues come into effect at 5pm today and will mean that any gathering at venues like restaurants, pubs, or cinemas that have more than 100 people can't occur. There are exceptions outlined in the directions, including places like supermarkets and public transport.

From now, across Australia, visits to aged care residents will only be allowed for a short duration and by a maximum of two people per day, except for palliative care. This recognises that elderly people are particularly vulnerable to this virus.

Children under the age of 16 will only be permitted to attend aged care facilities in exceptional circumstances and further guidelines will be provided to aged care staff around hygiene practices. These directions will be enforced by the Commonwealth Government, which administers this sector.

Venues that don't comply with these new directions on mass gatherings face fines of up to \$100,000. People who don't comply face fines of up to \$20,000.

The National Cabinet has agreed to additional cleaning on public transport, which is already being implemented in Victoria, and is urging employers to consider staggered work times and remote working arrangements to reduce overcrowding at peak travel times.

The public is advised to sit in the back of taxis and ride shares, while mass transport should be avoided by people vulnerable to the virus, including the elderly.

It was also agreed to cancel ANZAC Day events, while acknowledging that due to the day's importance there can be formalities but no crowds.

The advice to National Cabinet as it relates to schools, childcare centres, and universities has not changed and they will remain open at this time.

We've always said our actions would continue to change to match the advice of the experts and we're continuing to do all we can to 'flatten the curve' of COVID-19 and give our health system the best chance of managing the virus.

These are strong and unprecedented measures, but as we move to contain coronavirus, we will do what it takes to help keep Victoria safe.

Quotes attributable to Premier Daniel Andrews

"The National Cabinet is united in doing everything we can to slow the spread of this virus and protect the lives of Australians."

"These measures are unprecedented in our lifetimes, but they are necessary to combat this pandemic and flatten the curve so our health system is not overwhelmed."

Quote attributable to Minister for Health Jenny Mikakos

“Our decisions are being guided by the very best medical advice – we know that these decisions are difficult and confronting for people, but they are also necessary to fight the pandemic.”

Direction from Deputy Chief Health Officer (Communicable Disease) in accordance with emergency powers arising from declared state of emergency

Mass gatherings

Public Health and Wellbeing Act 2008 (Vic)

Section 200

I, Dr Annaliese van Diemen, Deputy Chief Health Officer (Communicable Disease), consider it reasonably necessary to protect public health to give the following direction pursuant to ss 200(1)(b) and (d) of the *Public Health and Wellbeing Act 2008 (Vic)*:

Revocation

1. Part 1 of the "Direction from Chief Health Officer in accordance with emergency powers arising from declared state of emergency" made on 16 March 2020 pursuant to ss 200(1)(b) and (d) of the *Public Health and Wellbeing Act 2008 (Vic)* is revoked.

Citation

2. This direction may be referred to as the **Mass Gatherings Direction**.

Direction

3. A person who owns, controls or operates **premises** in the State of Victoria must not allow a **mass gathering** to occur on the premises between 5 pm on 18 March 2020 and midnight on 13 April 2020.
4. A person must not organise a mass gathering on premises in the State of Victoria between 5 pm on 18 March 2020 and midnight on 13 April 2020.
5. A person must not attend a mass gathering on premises in the State of Victoria between 5 pm on 18 March 2020 and midnight on 13 April 2020.

Definition of mass gathering

6. A **mass gathering** means:

- a. a gathering of five hundred (500) or more persons in a single undivided **outdoor space** at the same time; or
- b. a gathering of one hundred (100) persons in a single undivided **indoor space** at the same time;

but does **not** include a gathering:

- c. at an airport that is necessary for the normal business of the airport; or
- d. for the purposes of or related to public transportation, including in vehicles or at public transportation facilities such as stations, platforms and stops; or
- e. at a medical or health service facility that is necessary for the normal business of the facilities; or
- f. for the purposes of emergency services; or
- g. at a disability or aged care facility that is necessary for the normal business of

the facility; or

- h. at a prison, correctional facility, youth justice centre or other place of custody; or
- i. at a court or tribunal; or
- j. at Parliament for the purpose of its normal operations; or
- k. at a food market, supermarket, grocery store, retail store, shopping centre that is necessary for the normal business of those premises; or
- l. at an office building, factory, mining site or construction site that is necessary for the normal operation of those premises; or
- m. at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
- n. at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
- o. at an outdoor place where five hundred (500) or more persons may be present for the purposes of transiting through the place; or

Example: Federation Square or Bourke Street Mall.

- p. specified as exempt from this direction by the Chief Health Officer in writing or delivered by an operator who has a social distancing policy approved in writing by the Chief Health Officer.

7. For the purposes of paragraph 6(m), a school event that involves members of the community in addition to staff and students is deemed not necessary for the normal business of the facility.

Note: The intended effect of paragraph 7 is that a school event that involves members of the community in addition to staff and students will be a mass gathering if it involves a gathering of five hundred (500) or more persons in a single undivided outdoor space at the same time, or a gathering of one hundred (100) persons in a single undivided indoor space at the same time. School events include assemblies, sporting events or parent-teacher events.

Note: the exclusions identified in paragraph 6 will be reviewed on a day to day basis and further directions are expected to be issued to remove some of the current exclusions

Other definitions

8. **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—
- a. permanent or temporary; or
 - b. open or closed.
9. **Outdoor space** means a space that is not an indoor space.
10. **Premises** has the same meaning as in s 3 of the *Public Health and Wellbeing Act 2008* (Vic).

PENALTIES

Section 203 of the *Public Health and Wellbeing Act 2008* (Vic) provides:

Compliance with direction or other requirement

- (1) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.

Penalty: In the case of a natural person, 120 penalty units.

In the case of a body corporate, 600 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

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Dr Annaliese van Diemen

Deputy Chief Health Officer (Communicable Disease), as authorised to exercise emergency powers by the Chief Health Officer under section 199(2)(a) of the *Public Health and Wellbeing Act 2008* (Vic).

18 March 2020

Direction from Deputy Chief Health Officer (Communicable Disease) in accordance with emergency powers arising from declared state of emergency

Airport arrivals

Public Health and Wellbeing Act 2008 (Vic)

Section 200

I, Dr Annaliese van Diemen, Deputy Chief Health Officer (Communicable Disease), consider it reasonably necessary to protect public health to give the following directions pursuant to ss 200(1)(b) and (d) of the *Public Health and Wellbeing Act 2008* (Vic):

Revocation

11. Part 2 of the "Direction from Chief Health Officer in accordance with emergency powers arising from declared state of emergency" made on 16 March 2020 pursuant to ss 200(1)(b) and (d) of the *Public Health and Wellbeing Act 2008* (Vic) is revoked.

Citation

12. This direction may be referred to as the **Airport Arrivals Direction**.

Direction

13. Subject to paragraph 4, a person who arrives between 5pm on 18 March 2020 and midnight on 13 April 2020 at an airport in Victoria on a flight that originated from a place outside Australia, or on a connecting flight from a flight that originated from a place outside Australia:
- a. must travel from the airport to a premises that is suitable for the person to reside in for a period of 14 days;
 - b. except in exceptional circumstances, must reside in that premises for the period beginning on the day of arrival and ending at midnight on the fourteenth (14th) day after arrival;
 - c. must not leave the premises, except:
 - i. for the purposes of obtaining medical care or medical supplies;
 - ii. in any other emergency situation;
 - iii. in circumstances where it is possible to avoid close contact with other persons; and

- d. must not permit any other person to enter the premises unless that other person usually lives at the premises, or the other person is also complying with this direction for the same 14 day period, or for medical or emergency purposes.

14. A person is not required to comply with the direction in paragraph 3 if the person is:

- a. a member of the flight crew;
- b. a citizen or permanent resident of a Pacific Island, or a person intending to live indefinitely on a Pacific Island, who is travelling through an airport in Victoria in transit to the Pacific Island.

PENALTIES

Section 203 of the *Public Health and Wellbeing Act 2008* (Vic) provides:

Compliance with direction or other requirement

- (3) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.

Penalty: In the case of a natural person, 120 penalty units.

In the case of a body corporate, 600 penalty units.

- (4) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

.....
Dr Annaliese van Diemen,
Deputy Chief Health Officer (Communicable Disease), as authorised to exercise emergency powers by the Chief Health Officer under section 199(2)(a) of the *Public Health and Wellbeing Act 2008* (Vic).

18 March 2020