

**SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011  
APPLICATION OF EMERGENCY MANAGEMENT ACT 2004**

**DIRECTIONS OF THE CHIEF EXECUTIVE OF  
THE DEPARTMENT FOR HEALTH AND WELLBEING**

**MASS GATHERINGS DIRECTIONS (No 2)**

The World Health Organization (WHO) declared the COVID-19 a pandemic on 11 March 2020. On 15 March 2020 a public health emergency in relation to the transmission of COVID-19 was declared pursuant to section 87 of the *South Australian Public Health Act 2011*.

Now I, Dr Christopher McGowan, Chief Executive of the Department for Health and Wellbeing, pursuant to sections 89(1) and 90(1) of the *South Australian Public Health Act 2011* and sections 25(2)(f), 25(2)(fb) and 25(i) of the *Emergency Management Act 2004*, make the following direction:

**Preamble**

1. These directions replace the **Mass Gatherings Directions** made by me on 18 March 2020 at 16:45 hours.
2. The purpose of these directions is to prohibit non-essential mass gatherings in order to limit the spread of COVID-19.

**Revocation**

3. The Mass Gatherings Directions given by me on 18 March 2020 at 16:45 hours pursuant to sections 89(1) and 90(1) of the *South Australian Public Health Act 2011* and sections 25(2)(f), 25(2)(fb) and 25(i) of the *Emergency Management Act 2004* are revoked.

**Citation**

4. These directions may be referred to as the **Mass Gatherings Directions (No 2)**.

**Directions**

5. A person who owns, controls or operates **premises** in the State of South Australia must not allow a **mass gathering** to occur on the premises.
6. A person must not organise a mass gathering on premises in the State of South Australia.
7. A person must not attend a mass gathering on premises in the State of South Australia.

**Definition of mass gathering**

8. Subject to paragraph 9 below, 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) or more persons in a single undivided **indoor space** at the same time; or
  - c. a gathering of fewer than 100 persons in a single undivided indoor space, unless:

- i. the total number of persons present in the indoor space at the same time does not exceed one person per 4 square metres.

9. A **mass gathering** does **not** include a gathering:

- a. at an airport that is necessary for the normal business of the airport; or
- b. for the purposes of or related to public transportation, including in vehicles or at public transportation facilities such as stations, platforms and stops; or
- c. at a medical or health service facility that is necessary for the normal business of the facilities; or
- d. for the purposes of emergency services; or
- e. at a disability or aged care facility that is necessary for the normal business of the facility; or
- f. at a prison, correctional facility, youth justice centre or other place of custody; or
- g. at a court or tribunal; or
- h. at Parliament for the purpose of its normal operations; or
- i. at a food market, supermarket, grocery store, retail store or shopping centre that is necessary for the normal business of those premises; or
- j. at an office building, factory, mining site or construction site that is necessary for the normal operation of those premises; or
- k. at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
- l. at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
- m. at an outdoor place where five hundred (500) or more persons may be present for the purposes of transiting through the place; or  
*Example: Rundle Mall*
- n. specified as exempt from these directions by the Chief Public Health Officer (or delegate) in writing; or
- o. delivered by an operator who has a social distancing policy approved in writing by the Chief Public Health Officer (or delegate).

10. For the purposes of paragraph 9(k), 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 this paragraph 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, a gathering of one hundred (100) or more persons in a single undivided indoor space at the same time, or a gathering of fewer than 100 persons that does not meet the density requirement in paragraph 8(c). School events include assemblies, sporting events or parent-teacher events.

**Note: the exclusions identified in paragraph 9 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**

- 11. **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.
- 12. **Outdoor space** means a space that is not an indoor space.
- 13. **Premises** has the same meaning as in section 3 of the *South Australian Public Health Act 2011*.

**Prior exemptions and approvals cease to have effect**

- 14. An exemption under paragraph 4(p) of the Mass Gatherings Directions made on 18 March 2020 ceases to have effect when those directions are revoked.
- 15. An approval of a social distancing policy given under paragraph 4(p) of the Mass Gatherings Directions made on 18 March 2020 does not have effect as an approval for the purposes of paragraph 9(o) of these directions.

**PENALTIES**

Section 90 of the *South Australian Public Health Act 2011* and section 28 of the *Emergency Management Act 2004* provides:

**Failure to comply with directions**

- (1) A person must not, without reasonable excuse, refuse or fail to comply with a requirement or direction of the Chief Executive, or of an emergency officer given in accordance with this Act during a public health emergency.  
Maximum penalty:
  - (a) If the offender is a body corporate - \$75 000
  - (b) If the offender is a natural person - \$20 000

These directions operate from .....22nd.....day of.....MARCH.....2020 at  
 .....13.30.....hours

SIGNED at .....Adelaide..... on this .....22nd.....day of  
 .....March..... 2020 at .....11.30.....hours.



**DR CHRISTOPHER MCGOWAN**  
 CHIEF EXECUTIVE  
 DEPARTMENT FOR HEALTH AND WELLBEING