

South Australia

## Emergency Management (Gatherings No 2) (COVID-19) Direction 2020

under section 25 of the *Emergency Management Act 2004*

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### Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being the State Co-ordinator for the State of South Australia pursuant to section 14 of the Emergency Management Act 2004 (the Act), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
- 2 Now I, Grantley Stevens, being of the opinion that this is necessary to achieve the purposes of the Act, give the following directions pursuant to section 25 of the Act.

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### 1—Short title

This direction may be cited as the *Emergency Management (Gatherings No 2) (COVID-19) Direction 2020*.

### 2—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Gatherings) (COVID-19) Direction 2020*.
- (2) The *Emergency Management (Gatherings) (COVID-19) Direction 2020* is revoked.

### 3—Definitions

- (1) In this direction—

*density requirement* is the requirement that the total number of persons present in a gathering must not exceed one person per 4 square metres;

*prohibited gathering* means—

- (a) a gathering of more than 10 persons; or
- (b) a gathering of 10 or less persons that does not comply with the density requirement,

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, aged care or residential care facility (including a supported residential facility or a child protection facility) that is necessary for the normal business of the facility; or
  - (h) at a prison, correctional facility, training 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 or shopping centre that is necessary for the normal business of those premises; or
  - (l) at an office building, factory, laboratory or testing facility, repair or maintenance premises (such as a vehicle mechanic workshop), mining or construction site or waste disposal or processing facility that is necessary for the normal operation of those premises; or
  - (m) on land or a vessel used in the production or treatment of primary produce (within the meaning of the *Primary Produce (Food Safety Schemes) Act 2004*) that is necessary for normal operations on the land or vessel; or
  - (n) at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
  - (o) at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
  - (p) at a place where persons are present for the purposes of transiting through the place; or
- Example—**
- Rundle Mall
- (q) specified as exempt from this direction by the State Co-ordinator (or authorised officer) in writing; or
  - (r) delivered by an operator who has a social distancing policy approved in writing by the State Co-ordinator (or authorised officer);

**place** includes any land, building, vehicle or other place including (to avoid doubt)—

- (a) indoor or outdoor places;
- (b) residential or non-residential places;
- (c) public places;
- (d) movable places;

**social distancing principles**—see subclause (3).

- (2) For the purposes of paragraph (n) of the definition of *prohibited gathering* in subclause (1), 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 is that a school event that involves members of the community in addition to staff and students will be a prohibited gathering if it involves a gathering of more than 10 persons, or a gathering of 10 or less persons that does not comply with the density requirement. School events include assemblies, sporting events or parent-teacher events.

- (3) The *social distancing principles* require a person to attempt to maintain a space of at least 1.5 metres between themselves and each other person present in the same place.

#### 4—Direction

- (1) A person who owns, controls or operates a place in the State of South Australia must not allow a prohibited gathering to occur at the place.
- (2) A person must not organise a prohibited gathering at a place in the State of South Australia.
- (3) A person must not attend a prohibited gathering at a place in the State of South Australia.
- (4) A person who is present at a gathering (whether or not a prohibited gathering) must use their best endeavours to comply with the social distancing principles (having regard to the all the circumstances).
- (5) Despite paragraph (i) of the definition of *prohibited gathering*, a person who is present in a court or tribunal building must comply with a reasonable direction of a sheriff's officer given for the purposes of implementing the density requirement and the social distancing principles.
- (6) Nothing in this clause is to be taken to prevent more than 10 persons who ordinarily reside in premises from residing together in those premises.

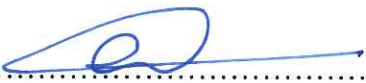
**5—Powers of Authorised Officers**

Nothing in this direction derogates from the powers of authorised officers to exercise powers pursuant to the Act.

**IMPORTANT— IT IS AN OFFENCE TO BREACH THIS DIRECTION**

This direction operates from the 16<sup>th</sup> day of April 2020 at 1010 hours

SIGNED at ADELAIDE on this 16<sup>th</sup> day of April 2020  
at 1010 hours

  
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**GRANTLEY STEVENS**  
STATE CO-ORDINATOR