

South Australia

## Emergency Management (Gatherings No 3) (COVID-19) Direction 2020

under section 25 of the *Emergency Management Act 2004*

---

### 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.

---

### 1—Short title

This direction may be cited as the *Emergency Management (Gatherings No 3) (COVID-19) Direction 2020*.

### 2—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Gatherings No 2) (COVID-19) Direction 2020*.
- (2) The *Emergency Management (Gatherings No 2) (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) of members or office bearers of a council, council committee, or subsidiary of a council (all within the meaning of the *Local Government Act 1999*), and other persons working or otherwise engaged in official duties, at an ordinary or special meeting of the council, council committee or subsidiary; or

**Note—**

Members of the public attending such a meeting would still be subject to the limitations imposed under paragraphs (a) and (b)

- (l) at a food market, supermarket, grocery store, retail store or shopping centre that is necessary for the normal business of those premises; or
- (m) 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
- (n) 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
- (o) at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
- (p) at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
- (q) at a place where persons are present for the purposes of transiting through the place; or

**Example—**

Rundle Mall

- (r) specified as exempt from this direction by the State Co-ordinator (or authorised officer) in writing; or
- (s) 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 (o) 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—**

FAILURE TO COMPLY WITH THIS DIRECTION IS AN OFFENCE.

This direction operates from the 22<sup>nd</sup> day of May 2020 at 0001 hours

SIGNED at ADELAIDE on this 21<sup>st</sup> day of May 2020 at 1420 hours



**GRANTLEY STEVENS**  
STATE CO-ORDINATOR