

**EMERGENCY MANAGEMENT ACT 2004**

**DIRECTION OF THE STATE CO-ORDINATOR: NON-ESSENTIAL BUSINESS (AND OTHER GATHERINGS) CLOSURE DIRECTION**

On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being 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.

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. Citation**

This direction may be cited as the *Non-Essential Business (and Other Gatherings) Closure Direction 2020*.

**2. Definitions**

In this direction, ***defined premises*** means any of the following:

- a. licensed hotels, bars and clubs (including nightclubs), including any premises operated under the following categories under the *Liquor Licensing Act 1997*:
  - (i) general and hotel licences;
  - (ii) on premises licences;
  - (iii) club licences;
  - (iv) production and sales licences;
- b. buildings used by social and sporting clubs;
- c. gymnasiums;
- d. indoor sporting venues;
- e. public swimming pools;
- f. a cinema, function centre or entertainment venue of any kind;
- g. theatres and other places where live performances occur;
- h. casinos;
- i. restaurants and cafés;
- j. places of worship;
- k. any venue to the extent that it hosts weddings or conducts funerals; and,
- l. outdoor spaces associated with the above venues.

In this direction, ***member of the public*** includes the members of any club or association that owns, controls or operates defined premises.

### 3. Direction

Subject to the exceptions set out in clause 4 below, I direct:

- a. any person who owns, controls or operates a defined premises to close those premises in so far as it is necessary to prohibit access to the members of the public; and,
- b. any member of the public not to enter into defined premises.

### 4. Exceptions

- (1) This clause sets out the exceptions to the direction contained in clause 3 above.
- (2) Clause 3 does not apply to or in relation to:
  - a. the provision of take away food and beverage services to be consumed away from the defined premises;
  - b. the provision of accommodation services to house guests on defined premises;
  - c. the provision of room service to house guests being accommodated on defined premises;
  - d. funerals conducted where the total number of persons present in any indoor space at the same time does not exceed 1 person per 4 square metres;
  - e. outdoor sporting and recreational venues, such as golf courses, tennis courts and playing fields; and,
  - f. public swimming pools used for non-recreational purposes.

### 5. Penalties

Section 28(1) of the *Emergency Management Act 2004* provides:

#### **Failure to comply with directions**

A person must not, without reasonable excuse, refuse or fail to comply with a requirement or direction of the State Co-ordinator or of an authorised officer given in accordance with this Act during a major 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 the 23<sup>rd</sup> day of March 2020 at 1340 hours.

SIGNED at ADELAIDE on this 23<sup>rd</sup> day of  
March 2020 at 1340 hours.



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**GRANTLEY STEVENS**  
STATE CO-ORDINATOR

