

Northern Territory of Australia
Public and Environmental Health Act 2011

COVID-19 Directions (No. 23) 2020
Directions for Gatherings

I, Hugh Crosbie Heggie, Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011*, consider it necessary, appropriate or desirable to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020 (the **public health emergency declaration**), by making the following directions:

- 1 These Directions take effect at 11.59 pm on 20 April 2020 and remain in force while the public health emergency declaration is in force.

Note for direction 1

The period the public health emergency declaration is in force has been extended under section 50(2) of the Act. These Directions remain in force during the periods of extension.

- 2 My COVID-19 Directions (No. 14) 2020 are revoked.

- 3 In these Directions:

indoor means an area, room, vehicle or place that is or are substantially enclosed by a roof and walls, regardless of whether the roof or walls or any part of them are permanent or temporary or open or closed.

NT commercial primary production means:

- (a) commercial primary production of:
 - (i) food; or
 - (ii) products that, with further processing, will become (at least in part) food; or
- (b) commercial processing of primary products to make food from them; or
- (c) aquaculture; or
- (d) agribusiness.

outdoor means an area or premises that is not indoors.

- 4 An occupier of an outdoor place must not allow a gathering of more than 10 people to occur on, in or at a single undivided area of the place.
- 5 An occupier of an indoor place must not allow a gathering to occur on, in or at a single undivided area of the place if:
 - (a) the gathering has more than 10 people; or
 - (b) the density of people present is more than one person per 4 m² of the area.
- 6 An occupier of a place that is a private residence:
 - (a) must not allow a gathering of more than 10 people to occur on, in or at the place, including the people who live at the place; and
 - (b) must not allow the density of people present to be more than one person per 4 m² of the indoor area of the place.

Note for direction 6

A gathering of more than 10 people who all live in the same private residence is exempt from this direction and directions 4, 5 and 8.

- 7 The operator of a vessel:
 - (a) must not allow a gathering of more than 10 people on the vessel, including the operator; and
 - (b) must not allow the density of people present to be more than one person per 4 m² of the deck area.
- 8 A person must not attend a gathering referred to in direction 4, 5, 6 or 7.
- 9 The following gatherings are exempt from directions 4, 5, 6 and 8:
 - (a) a gathering of people who all live in the same private residence;
 - (b) a gathering for the purpose of conducting emergency services.

- 10 Gatherings at the following places are exempt from directions 4, 5 and 8:
- (a) an airport for its normal business or operation;
 - (b) a medical or health service facility;
 - (c) a residential facility, as defined in section 2 of the *Disability Services Act 1993*, for its normal business or operation;
 - (d) a prison, correctional centre, Youth Detention Centre or other place of custody or detention for its normal business or operation;
 - (e) a court or tribunal for its normal business or operation;
 - (f) the Legislative Assembly precinct as defined in section 14 of the *Legislative Assembly (Powers and Privileges) Act 1992* for its normal business or operation;
 - (g) a food market, supermarket, grocery store, retail store or shopping centre for its normal business or operation;
 - (h) a school, university or other educational institution for its normal business or operation;
 - (i) a child care facility for its normal business or operation;
 - (j) an office building, factory, mine or construction site for its normal business or operation;
 - (k) a hotel, motel, mining accommodation, worker camp or other place of accommodation for its normal accommodation business or operation;
 - (l) a gathering in a private motor vehicle or in a commercial passenger vehicle as defined in the *Commercial Passenger (Road) Transport Act 1991*;
 - (m) a place where people may be transiting through the place or for the purpose of, or related to, transport, including travelling in vehicles or gathering at a garage or public transport facility such as a station, platform or stop;

- (n) a place where NT commercial primary production is carried out on the condition that the occupier of the place is governed by a COVID-19 management plan, approved by me in writing, for managing the transmission of COVID-19 among persons at the place and preventing its transmission to the public.

Example for direction 10(m)

Smith Street Mall in Darwin.

- 11 For direction 10(h), a gathering that involves members of the community in addition to staff and students is taken to be not necessary for the normal business or operation of the institution.
- 12 A place, person or class of persons is exempt from direction 4, 5, 6, 7 or 8 if I have granted that place, person or class a specific exemption in writing.

Notes for COVID-19 Directions

- 1 *Section 56 of the Act provides for an offence for failing to comply with a direction given by me under section 52(3) of the Act.*
- 2 *The maximum penalty for this offence is 400 penalty units.*
- 3 *A person is not guilty of this offence if the person has a reasonable excuse.*

Dated

Chief Health Officer