



Northern Territory of Australia

*Public and Environmental Health Act 2011*

## **COVID-19 Directions (No. 56) 2020: Safety Measures for Places, Businesses, Activities, Services and Premises**

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:

### **Part 1 Preliminary matters**

- 1 These Directions take effect at 00:01 on 30 November 2020 and remain in force while the public health emergency declaration is in force.

*Note for direction 1*

*The period the declaration of public health emergency 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. 36) 2020 are revoked:

- 3 In these Directions:

***COVID-19 safety plan*** means the plan prepared under direction 6.

***COVID-19 safety supervisor*** means the person designated under direction 14.

***person in authority***, in relation to a place, business, activity, service or premises, means any of the following:

- (a) the occupier of the place or premises;

- (b) the proprietor of the business;
- (c) the person conducting the activity or service;
- (d) if the person referred to in paragraphs (a) to (c) cannot be identified – the person who appears to be in charge of the place, business, activity, service or premises.

*Note for direction 3*

*The term **proprietor** is defined in the Act.*

**the public**, in relation to a place, business, activity, service or premises, includes a customer or member of the place, business, activity, service or premises.

- 4 These Directions do not apply in relation to any major public event within the meaning of my *COVID-19 Directions (No. 57) 2020*.

*Note for direction 4*

*My CHO Directions No. 57 provides special measures for major public events that are expected to have more than 500 people in attendance.*

## **Part 2 COVID-19 safety plan**

- 5 This Part applies to all places, businesses, activities, services and premises listed in the Schedule.
- 6 The person in authority for the place, business, activity, service or premises must prepare a COVID-19 safety plan, in a form approved by me.
- 7 The COVID-19 safety plan must be submitted to the Agency.
- 8 Any COVID-19 safety plan checklist submitted to the Agency under my CHO Directions (No. 33) 2020, COVID-19 Directions (No. 35) 2020 or COVID-19 Directions (No. 36) 2020 is taken to be a COVID-19 safety plan prepared and submitted under this Part.
- 9 A copy of the COVID-19 safety plan must be provided to an authorised officer on request by the officer.

- 10 The person in authority must review the COVID-19 safety plan regularly at least once every 6 months and make any changes necessary to ensure it remains suitable for the risks to the public from COVID-19.
- 11 Any COVID-19 safety plan that is changed after being submitted to the Agency must be resubmitted to the Agency without delay.
- 12 The person in authority must ensure that the place, business, activity, service or premises complies with the COVID-19 safety plan.

### **Part 3 COVID-19 safety supervisor**

- 13 This Part applies to all places, businesses, activities, services and premises listed in the Schedule.
- 14 The person in authority for the place, business, activity, service or premises must designate a person to implement, on behalf of the person in authority:
  - (a) the COVID-19 safety plan submitted to the Agency for the place, business, activity, service or premises; and
  - (b) any of my COVID-19 Directions under section 52 of the Act that apply to the place, business, activity, service or premises.
- 15 A person must not be designated as a COVID-19 safety supervisor unless the person has the skills and knowledge to implement the COVID-19 safety plan and the Directions referred to in direction 14(b).
- 16 Evidence of the skills and knowledge of the COVID-19 safety supervisor must be given to an authorised officer on request by the officer.

*Note for direction 16*

*The evidence can be given to the authorised officer either orally or in writing.*

## Part 4 Contact information

17 This Part applies to all places, businesses, activities, services and premises listed in Division 1 of the Schedule.

*Note for direction 17*

*The places, businesses, activities, services and premises listed in Division 2 do not have to collect contact information.*

18 The person in authority must ensure that the place, business, activity, service or premises collects the contact information specified in direction 22 from each member of the public if:

- (a) the member enters the place, business or premises and remains there longer than 15 minutes; or
- (b) the member participates in the activity or uses the service for more than 15 minutes; or
- (c) in the case of a business that sells food or beverages to the public for consumption in an area adjacent to its premises – the member remains in the adjacent area longer than 15 minutes.

*Examples for direction 18(c)*

*A food truck with seating nearby or a pop-up restaurant with adjacent seating.*

19 To avoid doubt, the person in authority is not required to collect contact information from staff or other persons who:

- (a) are known to the person in authority; and
- (b) work at the place, business, activity, service or premises.

*Examples for direction 19*

*Other persons would include regular volunteers and students on placement.*

20 In the case of a family, one adult member of the family may provide the contact information on behalf of immediate family members.

*Examples for direction 20*

*Immediate family members include: a spouse, de facto spouse, child, grandchild, parent, grandparent or sibling.*

- 21 In the case of a group of children, one adult accompanying and responsible for the children may provide the adult's contact information on behalf of the group, instead of the contact information for each child.

*Example for direction 21*

*A teacher taking a group of school children on a trip can provide the teacher's contact information on behalf of the whole group.*

- 22 The following contact information only must be collected:
- (a) the member of the public's first and last name;
  - (b) a telephone number, address, email address or other means to contact the member of the public;
  - (c) the date and time the member of the public enters the place, business or premises or begins the activity or service.

*Examples for direction 22(b)*

1 *A person with no phone could give the number of a friend or relative.*

2 *A person experiencing homelessness could give the place where they can be found.*

- 23 The contact information collected under this Part must:
- (a) be kept for 28 days from the time of its collection; and
  - (b) be secured against access by any person for any purpose other than contact tracing under this Part; and
  - (c) not be disclosed except to an authorised officer when requested for contact tracing purposes.
- 24 During the 28-day period, access to the information must be provided to an authorised officer on request by the officer.
- 25 At the end of the 28-day period, the information must be destroyed in a manner that prevents any recovery.
- 26 If the person in authority already collects the information specified in direction 22 from customers, clients, members, patrons or regular attendees of the place, business, activity, service or premises:
- (a) the person in authority may use that information for the purposes of this Part; and

- (b) the provisions of directions 23 and 25 do not apply to that information.

*Examples for direction 26*

*Students at a school, members of a social club, patients at a clinic, customers with regular appointments.*

## **Part 5 Other COVID-19 safety measures**

27 This Part applies to all places, businesses, activities, services and premises listed in the Schedule.

28 The person in authority for the place, business, activity, service or premises must:

- (a) provide hand sanitiser to the public at or using its place, business, activity, service or premises, unless handwashing facilities are available; and
- (b) display signage to the public stating that a person should consider COVID-19 safety principles and practices.

29 For the purposes of the signage, the COVID-19 safety principles and practices mean the following:

- (a) practising physical distancing by:
  - (i) if possible in the circumstances – keeping 1.5m away from any person who is not a member of the person's family or a friend or an acquaintance of the person;
  - (ii) otherwise – keeping close contact to less than 15 minutes;
- (b) practising hand hygiene by washing hands or using hand sanitiser;
- (c) staying home if feeling unwell;
- (d) downloading the application known as COVIDSafe.

30 The signage must be conspicuously displayed at the place, business, activity, service or premises as follows:

- (a) in an area that is open to the public; and

(b) in any other area that is accessible to only staff.

*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 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.*
- 4 *An infringement notice may be given for failing to comply these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*

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Chief Health Officer

Dated

**Schedule**            **List of places, businesses, activities, services or premises**

directions 5, 13, 17 and 27

**Division 1**            **COVID-19 safety plan, COVID-19 safety supervisor, COVID-19 safety measures and contact information required**

- 1        An Agency of the Northern Territory Government.
- 2        A school, university or other educational institution.
- 3        A child care facility or indoor play centre.
- 4        A hospital.
- 5        The premises of a health profession as defined in section 5 of the Health Practitioner Regulation National Law.  
  
*Examples for item 5*  
*A medical clinic, pharmacy, dentist, optometrist or physiotherapy clinic.*
- 6        A residential facility, as defined in section 2 of the *Disability Services Act 1993*.
- 7        A prison, correctional centre, Youth Detention Centre or other place of custody or detention.
- 8        A hotel, motel, hostel or shelter.
- 9        A business that sells food or beverages to the public for consumption on its premises or in an area adjacent to its premises.
- 10       Premises licensed under the *Liquor Act 2019* where liquor is consumed on the premises.
- 11       A business that provides tours to the public, whether by vehicle, boat or other conveyance.
- 12       A cinema, theatre, concert hall, music hall, dance hall, nightclub or any other similar entertainment venue.
- 13       An amusement venue used principally for playing:  
  
          (a)    billiards, pool or other like games; or



(b) electronic or mechanical amusement devices, such as pinball machines, computer or video games or similar.

- 14 An amusement park.
- 15 The premises of a barber or hairdresser.
- 16 A place that provides beauty therapy, including tanning, waxing, nail care, eyebrow care or any other activity intended to maintain, alter or enhance a person's appearance.

*Examples for item 16*

*Facial, body wrap, exfoliation, the application of cosmetics, epilation, the application of semi-permanent makeup.*

- 17 A place that provides tattooing or body art, including any activity intended to permanently decorate, pierce, brand, scar or adorn a person's skin or permanently alter a person's appearance.
- 18 A place that provides yoga, Pilates, barre, massage or other wellness services.
- 19 A bathhouse, public swimming pool, wave pool or waterpark.
- 20 An indoor gymnasium.
- 21 An indoor community centre.
- 22 An art gallery or a museum.
- 23 A public library or a toy library.
- 24 A place used for religious worship.
- 25 A casino within the meaning of the *Gaming Control Act 1993*.
- 26 A business that holds a gaming machine licence within the meaning of the *Gaming Machine Act 1995*.
- 27 A venue that operates a totalisator or conducts totalisator wagering in accordance with a totalisator licence granted under the *Totalisator Licensing and Regulation Act 2000*.
- 28 A strip club.

- 29 Any place that:
- (a) sells admission to the place for customers to participate in sexual activity with each other; or
  - (b) provides services that involve a person participating in sexual activity with another person in return for payment or reward.

*Examples for item 29*

*A sex on premises venue or a brothel.*

**Division 2      COVID-19 safety plan, COVID-19 safety supervisor  
and COVID-19 safety measures required (no  
contact information)**

- 30 An airport.
- 31 A shopping centre.
- 32 A court or tribunal.
- 33 The Legislative Assembly.
- 34 A business that sells retail goods or services to the public.
- 35 Premises licensed under the *Liquor Act 2019* where no liquor is consumed on the premises.
- 36 An indoor market or outdoor market.

*Note for item 36*

*A large market would be subject to my CHO Directions No. 57, which provides special measures for major public events that are expected to have more than 500 people in attendance.*

- 37 An arena, stadium or sporting or recreation facility.

*Note for item 37*

*A arena, stadium or sporting or recreation facility holding a major public event would be governed by my Directions applicable to major public events.*

- 38 A place or business that provides sporting or physical training activities.