Public Health (Jervis Bay Territory) Emergency Direction (No. 6) 2020

Public Health Act 1997 (ACT) (Jervis Bay Territory)

I, RACHEL BACON, Deputy Secretary, Regional and Territories Group, Department of Infrastructure, Transport, Regional Development and Communications, exercising powers vested in me under the direction, dated 16 April 2020, made by the Governor-General under subsection 4B(2) of the Jervis Bay Territory Acceptance Act 1915 (Cwlth):

CONSIDERING it necessary or desirable to alleviate the emergency declared under the Public Health (Jervis Bay Territory) Emergency Declaration 2020,

MAKE, under section 120 of the Public Health Act 1997 (ACT), as in force in the Jervis Bay Territory under section 4A of the Jervis Bay Territory Acceptance Act 1915 (Cwlth), the DIRECTION set out in this instrument.

Dated 2 July 2020 at 6:45 am/pm

Rachel Bacon
Deputy Secretary
Regional and Territories Group
Department of Infrastructure, Transport, Regional Development and Communications
1. **Name of Instrument**

This instrument is the *Public Health (Jervis Bay Territory) Emergency Direction (No. 6) 2020*.

2. **Commencement**

This instrument takes effect immediately after it is made.

3. **Duration**

This instrument is in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

4. **Revocation**

(1) This instrument revokes the *Public Health (Jervis Bay Territory) Emergency Direction (No. 5) 2020*.

(2) For the avoidance of doubt, any act, matter or thing that, immediately before the revocation of the *Public Health (Jervis Bay Territory) Emergency Direction (No. 5) 2020*, had effect under that instrument continues to have effect under this instrument.

(3) If, immediately before the commencement of this instrument, a person was required to keep a record of a person's name and contact details under the repealed instrument, that requirement continues under this instrument as if the repealed instrument remained in force.

(4) If, immediately before the commencement of this instrument, an exemption granted by an emergency services officer under the repealed instrument was in force, that exemption continues as if it were granted under this instrument.

(5) In this section:

*repealed instrument* means the *Public Health (Jervis Bay Territory) Emergency Direction (No. 5) 2020*.

5. **Booderee National Park**

For the avoidance of doubt, nothing in this instrument authorises the entry of a person into the Booderee National Park (the Park), including an area of the Park, or the engagement of an activity in the Park, including in an area of the Park, that is otherwise in contravention of a prohibition or restriction imposed by the Director of National Parks under subregulations 12.23(3) and 12.23A(3) of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cwlth).

6. **Definitions**

In this instrument (including the Schedules to this instrument):

*ACT liquor legislation* means the *Liquor Act 2010* (ACT), and any regulations made under or for the purposes of this Act, as in force in the Territory under section 4A of the *Jervis Bay Territory Acceptance Act 1915* (Cwlth).

*amusement centre* means a building or place (not being part of a pub or registered club) 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 and the like.

*Australian Defence Force* has the same meaning as in the *Defence Act 1903* (Cwlth).
**authorised person** means an authorised person under section 121 of the *Public Health Act 1997* (ACT), as in force in the Territory under section 4A of the *Jervis Bay Territory Acceptance Act 1915* (Cwlth).

*business premises* means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

*camping ground* means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

*caravan park* means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

*cellar door premises* means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

*community sporting activity* includes a training session for a community sporting activity.

*COVID-19 safety plan* means the safety plan for the type of activity or premises that addresses the matters required by the COVID-19 safety checklist approved by the NSW Chief Health Officer in relation to the type of activity or premises and published on an appropriate NSW Government website at the time this instrument takes effect.

*declared emergency* means the emergency declared under the *Public Health (Jervis Bay Territory) Emergency Declaration 2020* (as extended or further extended).

*designated health practitioner* means any of the following:

- (a) a medical practitioner,
- (b) a registered nurse,
- (c) a nurse practitioner,
- (d) a paramedic.

*diagnosed person* means a person who has been diagnosed with COVID-19.

*Director of National Parks* has the same meaning as in the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth).

*early education and care facility* means a building or place used for the education and care of children, and includes a centre-based child care facility, home-based child care and school-based child care.

*emergency services officer* has the same meaning as in the *Jervis Bay Territory Emergency Management Ordinance 2015* (Cwlth).
**entertainment facility** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

**event** includes a function.

**food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes a restaurant or cafe, take away food and drink premises, a pub or a small bar.

**function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

**health profession** means the following professions, and includes a recognised specialty in any of the following professions:
(a) Aboriginal and Torres Strait Islander health practice;
(b) Chinese medicine;
(c) chiropractic;
(d) dental (including the profession of a dentist, dental therapist, dental hygienist, dental prosthetist and oral health therapist);
(e) medical;
(f) medical radiation practice;
(g) midwifery;
(h) nursing;
(i) occupational therapy;
(j) optometry;
(k) osteopathy;
(l) paramedicine;
(m) pharmacy;
(n) physiotherapy;
(o) podiatry;
(p) psychology.

**health worker** means:
(a) a person employed in the NSW Health Service within the meaning of the Health Services Act 1997 (NSW), or
(b) a person engaged by the Health Administration Corporation, within the meaning of the Health Administration Act 1982 (NSW), to enable the Corporation to exercise its functions, or
(c) a person engaged by a public health organisation, within the meaning of the Health Services Act 1997 (NSW), to enable the organisation to exercise its functions, or
(d) a member of staff of a licensed private health facility within the meaning of the Private Health Facilities Act 2007 (NSW), or
(e) a registered health practitioner, or
(f) a person who works in a pharmacy or on other premises at which a health practitioner routinely practises the practitioner’s profession, or
(g) a member of staff of St John Ambulance Australia (NSW), or
(h) a member of staff of the Royal Flying Doctor Service of Australia (NSW Section), or
(i) a person engaged or employed by the South Coast Medical Service Aboriginal Corporation.

**household** means persons living together in the same place of residence.

**indoor space** means an area, room or other premises that is or are substantially enclosed by a roof and walls, regardless of whether the roof or walls or any part of the roof or walls are:
(a) permanent or temporary, or
(b) open or closed.

*information and education facility* means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

*market* means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

*medically cleared, in relation to a person, means the person has been assessed by a medical practitioner as not infectious for COVID-19.*

*music festival* means an event, other than a concert, that:

(a) is music-focused or dance-focused, and
(b) has performances by a series of persons or groups that are engaged to play or perform to live or pre-recorded music, or to provide another form of musical or live entertainment, and
(c) is held within a defined area, and
(d) is a ticketed event.

*National Law* has the same meaning as in the *My Health Records Act 2012* (Cwlth).

*NSW Chief Health Officer* means the Chief Health Officer as defined under the *Public Health Act 2010* (NSW).

*NSW Health Self-Isolation Guidelines for Persons with COVID-19* means the *NSW Health Self-Isolation Guidelines for Persons with COVID-19* issued by the NSW Chief Health Officer and published on the website of NSW Health at the time this instrument takes effect.

Note: www.health.nsw.gov.au

*occupier of premises or a part of premises (including premises that are vacant) means:*

(e) the owner of the premises or part, or
(f) if any other person is entitled to occupy the premises or part to the exclusion of the owner, the person so entitled, and includes the operator of a vessel.

*organiser means:*

(a) for an activity conducted by or on behalf of an entity that is registered under the *Associations Incorporation Act 1991* (ACT), as in force in the Territory under section 4A of the *Jervis Bay Territory Acceptance Act 1915* (Cwlth), the public officer of the entity, or
(b) for an activity conducted by or on behalf of an entity other than an entity referred to in paragraph (a), the chief executive officer of the entity, however described, or
(c) in all other cases, the person who made the arrangements for the activity.

*outdoor space* means a space that is not an indoor space.

*parent, in relation to a child, includes a person who has parental responsibility for, or care of, the child.*

*participant includes:*

(a) a person engaged in the sporting activity, and
(b) an official involved in the conduct or organisation of the sporting activity, and
(c) a spectator of the sporting activity.

**place of public worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

**place of residence** includes the premises where a person lives and a garden, yard, passage, stairs, garage, outhouse or other area or thing attached to, or used in connection with, the premises.

**pub** means licensed premises under the ACT liquor legislation the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

**public gathering** means a meeting or assembly of persons for a common purpose, including an organised or planned event, in a public place (whether ticketed or not).

**public official** means:
(a) an emergency service officer, or
(b) a health worker, or
(c) a police officer, or
(d) another person exercising public functions under a law in force in the Territory, or
(e) an Immigration and Border Protection worker within the meaning of the Australian Border Force Act 2015 (Cwlth), or
(f) a person employed or otherwise engaged by the Commonwealth Department of Health or the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications.

**public place** means:
(a) a place (whether or not covered by water), or
(b) a part of premises,
that is open to the public, or is used by the public whether or not on payment of money or other consideration, whether or not the place or part is ordinarily so open or used and whether or not the public to whom it is open consists only of a limited class of persons, but does not include a school.

**recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

**registered health practitioner** means a person registered under a National Law to practise a health profession (other than as a student).

**registered club** means a club that holds a club licence under the ACT liquor legislation.

**sex services premises** means a brothel, but does not include home occupation (sex services).

**short-term rental** means premises to which a short-term rental accommodation arrangement applies.

**short-term rental accommodation arrangement** means a commercial arrangement for giving a person the right to occupy residential premises for a period of not more than 3 months at any one time.
small bar means a licensed premises under the ACT liquor legislation the principal purpose of which is the retail sale of liquor for consumption on the premises and which is licensed for no more than 120 patrons on the premises.

Territory has the same meaning as in the Jervis Bay Territory Acceptance Act 1915 (Cwlth).

truck driver means the driver of a vehicle being used to transport goods in connection with the driver’s work.

truck stop means a place at which driver rooms, driver lounges or similar facilities are located for the use of truck drivers, and includes roadhouses, roadside rest areas and service stations used by truck drivers in connection with their work.

work includes work done as a volunteer or for a charitable organisation.

7. Interpretation generally

(1) In calculating both the space available for each person on any premises and the number of persons on the premises, the following persons are not to be included in any calculations:
(a) any person engaged in work on the premises,
(b) if the premises are food and drink premises, any person ordering or collecting food or drink to consume off the premises.

(2) In calculating the space available for each person on any premises the following areas are to be included in the calculations:
(a) if the size of the premises is not more than 200 square metres of floor space, the entire premises,
(b) if the size of the premises is more than 200 square metres of floor space, only those areas that are open to the public.

8. Direction about place of work

An employer must allow an employee to work at the person’s place of residence if it is reasonably practicable to do so.


(1) The occupiers of premises listed in Schedule 1 must:
(a) develop and comply with a COVID-19 safety plan,
   (i) in relation to the type of premises, or
   (ii) if no checklist is published for the type of premises, the general checklist applying to all other industries, and
(b) keep a copy of the COVID-19 safety plan on the premises and make it available for inspection by an emergency services officer as requested.

10. Direction about the number of persons allowed on non-residential premises

(1) The occupier of premises must not allow persons on the premises if the size of the premises is insufficient to ensure there is at least 4 square metres of space for each person on the premises.

(2) This section does not apply to:
(a) a place of residence, or
(b) a recreation facility (major), or
(c) a vessel referred to in item 27 of Schedule 1, but only if there are 50 or fewer persons on
the vessel, or
(d) caravan parks and camping grounds, or
(e) holiday homes and short-term rentals, or
(f) a gathering referred to in Schedule 2, or
(g) a gathering for a funeral or memorial service held at a place of public worship, a funeral
home or a crematorium.

11. Direction about funerals and memorial services on non-residential premises
(1) This section applies to premises that are:
(a) a place of public worship, or
(b) a funeral home, or
(c) a crematorium.

(2) The occupier of premises to which this section applies must not allow more than 50 persons
to be on the premises for a funeral or memorial service, or a gathering immediately after a
funeral or memorial service, if the size of the premises is insufficient to ensure there is at least 4
square metres of space for each person on the premises.

12. Direction about major recreation facilities
(1) A person who is the occupier of a recreation facility (major) must not allow persons, other
than persons engaged in work, to be on the premises unless:
(a) admission to the premises is by way of a ticket and each person has been assigned to
a seating area, and
(b) the total number of persons is the lesser of 25% of the capacity of the premises or 10,000
persons.

(2) Subsection (1) does not apply in circumstances where:
(a) admission to the premises is limited to a maximum of 500 persons, and
(b) the size of the premises is sufficient to ensure there is at least 4 square metres of space for
each person on the premises.

(3) The occupier of premises of a type listed in Schedule 1 (for example, food and drink premises)
that are within a recreation facility (major) must not allow persons to be on the premises unless
the size of the premises is sufficient to ensure there is at least 4 square metres of space for each
person on the premises.

13. Direction about persons allowed on residential premises
(1) Each adult member of a household must not allow more than 20 visitors to be at the place of
residence of the household at any one time.

(2) This section does not apply to a wedding, a funeral or a memorial service or a gathering
immediately after a wedding, a funeral or a memorial service.

14. Direction for weddings on residential premises
The occupier of a place of residence must not allow more than 20 visitors to be at the place of
residence for a wedding, or a gathering immediately after a wedding, unless the size of the
premises is sufficient to ensure there is at least 4 square metres of space for each person on the
premises.

15. Direction for funerals and memorial services on residential premises
The occupier of a place of residence must not allow more than 50 visitors to be at the place
of residence for a funeral or memorial service, or a gathering immediately after a funeral or memorial service, unless the size of the premises is sufficient to ensure there is at least 4 square metres of space for each person on the premises.

16. Visitors

For the purposes of sections 13, 14 and 15, a person is not a visitor to a place of residence if:
   (a) the person is a member of the household of the place of residence, or
   (b) the person is at the place of residence for any of the following purposes:
      (i) to engage in work,
      (ii) for childcare,
      (iii) to fulfil carers’ responsibilities,
      (iv) to provide care or assistance, including personal care, to a vulnerable person,
      (v) to give effect to new or existing arrangements for spending time with, and providing contact between, parents and children under the age of 18 or between siblings,
      (vi) to assist a person moving to or from the place of residence,
      (vii) to avoid an injury or illness or to escape a risk of harm,
      (viii) because of an emergency or for compassionate reasons.

17. Direction for community sporting activities requiring COVID-19 Safety Plans

The organiser of a community sporting activity that involves a gathering of more than 20 participants must:
   (a) develop and comply with the COVID-19 Safety Plan for community sporting competitions, and
   (b) keep a copy of the COVID-19 Safety Plan and make it available for inspection by an emergency services officer as requested.

18. Direction concerning maximum number of participants for community sporting activities

The organiser of a community sporting activity must ensure that a gathering for the activity involves no more than 500 participants.

19. Direction concerning outdoor public gatherings

(1) A person must not participate in an outdoor public gathering of more than 20 persons.

(2) This section does not apply to a person who is:
   (a) engaged in work, or
   (b) providing care or assistance to vulnerable persons.

(3) This section does not apply to the following:
   (a) a gathering on premises for which a person is required by section 9 to develop and keep a COVID-19 Safety Plan,
   (b) a community sporting activity for which a person is required by section 17 to develop and keep a COVID-19 Safety Plan,
   (c) a gathering listed in Schedule 2,
   (d) a gathering of persons who are all from the same household,
   (e) a gathering for a wedding, a funeral, a memorial service or a religious service or a gathering immediately after a wedding, a funeral, a memorial service or a religious
(f) a gathering to move to a new place of residence or a business moving to new premises,
(g) a gathering to provide emergency assistance to a person or persons,
(h) a gathering necessary for the person to fulfil a legal obligation
(i) a gathering of persons on real property to enable persons to view or inspect the real
property for the purposes of the sale or lease of the real property,
(j) a gathering of persons at a display home or other display premises to enable persons to
view or inspect the display home or display premises for the purposes of the sale or lease
of real property.

20. Direction concerning holiday homes and short-term rentals

The occupier of premises may not allow the premises to be used for the purpose of a holiday
home or a short-term rental for more than 20 persons unless all of those persons are from the
same household.

21. Direction concerning nightclubs

Premises may not be used for the purpose of a nightclub.

22. Direction concerning music festivals

Premises may not be used for the purpose of a music festival.

23. Direction concerning persons providing contact details

(1) The following persons must, if required to do so by the occupier of relevant premises,
provide the person’s contact details to the occupier:
(a) a person entering premises to attend a service,
(b) a person consuming food or drink on premises that are food and drink
premises, micro-breweries, small distilleries holding a drink on-premises
authorisation under the ACT liquor legislation, or cellar door premises,
(c) a person entering the premises of a casino,
(d) a person entering the premises of a pub, a small bar or a registered club
(including premises occupied by a racing club), but not if the person enters
the premises solely for the purpose of collecting food or drink to consume off the
premises.

(2) The occupier of the premises must:
(a) require the person to provide the person’s contact details unless:
   (i) the person is a member of a discrete group of people who are attending the
   premises together, and
   (ii) the occupier obtains contact details from one adult member of the group (for
   example a person who makes a booking or reservation), and
(b) keep, for at least 4 weeks, a record of all contact details provided under this
section, and
(c) on request, provide the record to an emergency services officer.

(3) A person who provides contact details in accordance with subparagraph (2)(a)(ii) must,
at the request of an emergency services officer, provide the emergency services officer
with the name and contact details of all other persons in the group.
(4) If a service is conducted in an outdoor public place the person conducting or otherwise officiating at the service is taken to be the occupier of the premises.

(5) In this section:

- **contact details** of a person means the person’s name and their telephone number or email address.
- **service** means a wedding, funeral, memorial or a religious service, or a gathering immediately after a wedding, funeral, memorial or religious service.

24. Direction—spitting or coughing on public official or other worker

(1) A person must not intentionally spit at or cough on any of the following persons in a way that would reasonably be likely to cause fear about the spread of COVID-19:

- (a) a public official,
- (b) another worker while the worker is:
  - (i) at the worker’s place of work, or
  - (ii) travelling to or from that place of work.

(2) If the worker’s place of work is the worker’s residential premises, the place of work does not, for the purposes of this section, include any part of the premises used solely for residential purposes.

(3) Without limiting paragraph (1)(b), a worker includes the following:

- (a) a retail worker,
- (b) a person who works at an airport,
- (c) a person who works for an electricity, gas, water or other utility company,
- (d) a person who works in the transport industry or a transport-related industry,
- (e) a member of the Australian Defence Force.

Note. Examples of public officials and workers include hospital staff, bus drivers, train drivers, ferry deckhands, taxi drivers, ride share drivers, food delivery workers, security guards, electricity, gas and water meter readers and postal delivery staff (including persons working for an entity under a contract, directly or indirectly, on behalf of a government).

25. Direction—persons diagnosed with COVID-19 must self-isolate

(1) A diagnosed person must, immediately after receiving the diagnosis of COVID-19, travel directly to:

- (a) a residence or place that has been determined by a designated health practitioner to be suitable for the person to reside in, or
- (b) if determined by a designated health practitioner that it is necessary: a hospital for assessment by a medical practitioner.

(2) A diagnosed person referred to in paragraph (1)(b) must, immediately after leaving or being discharged from the hospital, travel directly to a residence or place that has been determined by a designated health practitioner to be suitable for the person to reside in.

(3) A diagnosed person referred to in paragraph (1)(a) and subsection (2) must reside at the residence or place until medically cleared.

(4) While residing at the residence or place under a direction under this instrument, the diagnosed person must do the following:

- (a) not leave the residence or place except:
  - (i) for the purposes of obtaining medical care or medical supplies, or
  - (ii) in any other emergency situation,
- (b) not permit any other person to enter the residence or place unless:
  - (i) that other person usually lives at the residence or place or the other person is also complying with a direction under this instrument, or
(ii) the entry is for medical or emergency purposes, or
(iii) the entry is to a place (other than a residence) for the purpose of delivering food or essential items,
(c) otherwise comply with the *NSW Health Self-Isolation Guidelines for Persons with COVID-19.*

26. Exemptions

(1) Subject to subsection (2), an emergency services officer may, in writing and subject to the conditions that the officer considers appropriate, grant an exemption to a direction or specified provisions of a direction.

(2) An emergency services officer may, in writing and subject to the conditions that the officer considers appropriate, exempt a person from the operation of section 15 if satisfied it is necessary to protect the health and wellbeing of any member of the public.

(3) Subsection (1) does not apply to section 14.

27. Enforcement

(1) If a person fails to comply with a direction in this instrument, an authorised person may then direct the person to do such things as are reasonably necessary to comply with the direction including, upon request, to produce proof of identification to the authorised person.

(2) If a person fails to comply with any direction given under subsection (1), then the authorised person may take all reasonable steps to enforce compliance with this direction or any other direction in this instrument.
Schedule 1—Premises requiring COVID-19 Safety Plan

1 Amusement centres
2 Aquariums
3 Business premises that are used for auction houses, other than clearing houses
4 Business premises that are used for betting agencies
5 Business premises that are used for nail salons, beauty salons, waxing salons, tanning salons, spas, tattoo parlours and massage parlours
6 Caravan parks and camping grounds
7 Casinos
8 Community centres
9 Drive-in cinemas
10 Entertainment facilities
11 Food and drink premises
12 Food courts
13 Function centres
14 Information and education facilities
15 Markets
16 Micro-breweries, small distilleries holding a drink on-premises authorisation under the ACT liquor legislation, or cellar door premises
17 Places of public worship
18 Properties operated by the National Trust or the Historic Houses Trust
19 Public indoor swimming pools
20 Public outdoor swimming pools
21 Pubs, small bars and registered clubs
22 Recreation facilities (indoor)
23 Recreation facilities (major)
24 Sex on premises venues, being restricted premises where sex between patrons is permitted on the premises
25 Sex services premises
26 Strip clubs
27 Vessels used for commercial scuba diving and snorkelling tours or for commercial whale, dolphin or marine animal watching tours
28 Vessels used for hosting functions or for commercial tours (other than tours specified in item 27)
29 Zoological parks and reptile parks
Schedule 2 — Essential gatherings

1. a gathering at an airport that is necessary for the normal business of the airport
2. a gathering for the purposes of or related to transportation, including in vehicles or at truck stops, stations, platforms or stops or other public transportation facilities
3. a gathering at a hospital or other medical or health service facility that is necessary for the normal business of the facility
4. a gathering for the purposes of emergency services, including the provision of training by an emergency service
5. a gathering at a prison, correctional facility, youth justice centre or other place of custody
6. a gathering at a disability or aged care facility that is necessary for the normal business of the facility
7. a gathering at a court or tribunal
8. a gathering at a supermarket, market that predominately sells food, grocery store or shopping centre (but not a retail store in a shopping centre other than a supermarket, market that predominately sells food or grocery store) that is necessary for the normal business of the supermarket, market, store or centre
9. a gathering at an office building, farm, factory, warehouse, commercial fishing operation or mining or construction site or on a commercial vessel (excluding vessels providing tours or hosting functions) that is necessary for the normal operation of the tenants within the building, farm, factory, warehouse, commercial fishing operation or site or of the commercial vessel
10. a gathering at a school, university or other educational institution or child care facility that is necessary for the normal business of the school, university, institution or facility but does not include a school event that involves members of the community in addition to staff and students
11. a gathering at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services at that hotel, motel or other facility
12. a gathering at an outdoor space for the purposes of transiting through the place
13. a gathering to provide a service to assist vulnerable members of the public, including, for example, a food bank or a service providing for the needs of homeless persons
14. a gathering at premises that is necessary to provide the services of an early education and care facility

Note: Subsection 120(4) of the Public Health Act 1997 (ACT) provides:
A person must not, without reasonable excuse, fail to comply with a direction under this section.
Maximum Penalty:
In the case of a natural person, $8,000 (50 penalty units).
In the case of a body corporate, $40,500 (50 penalty units).
In the case of a utility that is a body corporate, $1,620,000 (2000 penalty units).