

Australian Capital Territory

# Public Health (Lockdown Restrictions) Emergency Direction 2021 (No 7)

Notifiable Instrument NI2021-533

made under the

**Public Health Act 1997, s 120 (Emergency actions and directions)**

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## 1. Name of instrument

This instrument is the *Public Health (Lockdown Restrictions) Emergency Direction 2021 (No 7)*.

## 2. Commencement

This instrument commences at 11:59pm on Thursday 9 September 2021.

## 3. Expiry

This instrument expires at 11:59pm on Friday 17 September 2021.

## 4. Public Health Emergency Direction

I, Dr Vanessa Johnston, Acting Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out in this instrument.

## 5. Revocation

This instrument revokes and replaces the *Public Health (Lockdown Restrictions) Emergency Direction 2021 (No 6)* [NI2021-521].

Dr Vanessa Johnston  
Acting Chief Health Officer  
9 September 2021



# Public Health Emergency Direction

## *Public Health Act 1997*

*Made under the Public Health Act 1997,  
section 120 (Emergency actions and directions)*

I, Dr Vanessa Johnston, Acting Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below. The purpose of these directions is to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

In making this Direction, I have had regard to relevant human rights and I am satisfied that the limitations imposed as a result of this Direction are both demonstrably justifiable in a free and democratic society and necessary to protect the ACT community from the serious public health risk posed by COVID-19.

## PART 1 — STAY AT HOME PERIOD

### A. Directions

1. This part applies to all people in the Australian Capital Territory.
2. Subject to any other restriction or requirement in this Direction, a person must not leave their **residence** other than for one or more of the following permitted purposes:
  - a. to obtain food or other **essential goods or services**;
  - b. to obtain **essential health care**;
  - c. to undertake a COVID-19 test or receive a scheduled COVID-19 vaccination;
  - d. to engage in physical or recreational activity (excluding any organised or for-profit activities) in an **outdoor space**:
    - i. for no more than 2 hours per day; and
    - ii. either:
      - A. on their own, or
      - B. with no more than 5 people who are members of more than one **household**, or
      - C. with any number of people from the same **household**;
  - e. to perform **essential work**;
  - f. to attend a **non-essential business, activity or undertaking** in order to undertake work in accordance with the conditions in column 2 of the Table in Attachment 2.
  - g. to donate biological material at a blood bank or other similar donation facility;
  - h. for essential animal welfare purposes;



*Example – essential animal welfare purposes may include: feeding animals that live away from a person’s **residence**; volunteering for the purposes of tending to injured or orphaned wildlife; ensuring that a paddock where animals are kept remains secure.*

- i. to access care services for people with particular needs because of homelessness, family violence, age, infirmity, disability, illness or a chronic health condition or other essential support services;
- j. to visit another person’s **residence** in accordance with Part 2 of this Direction;
- k. to visit a terminally ill relative;
- l. to attend a funeral or wedding;
- m. to provide assistance, care or support to another person who is not ordinarily a member of the same **household**;
- n. to attend any court or tribunal of Australia or to comply with or give effect to orders of a court or tribunal of Australia;
- o. to attend an early learning centre, childcare, family day care, or school holiday care program, to the extent care cannot reasonably be obtained in the person’s **residence**;
- p. to attend a primary school, secondary schools or college, to the extent instruction or care cannot reasonably be obtained in the person’s **residence**;
- q. to assist with or participate in an investigation or other action by a law enforcement authority, whether voluntarily or not;
- r. for children under 18 years who do not live in the same **household** as their parents or siblings or one of their parents or siblings—to continue existing arrangements for access to, or contact between, parents and children or siblings, other than access to or contact with person who is at high or moderate risk of serious illness from COVID-19;

*Example of a person who is at high or moderate risk of serious illness from COVID 19 – a person over 70 years, or a person with a medical condition that makes them vulnerable to COVID-19.*

- s. to return to their principal place of **residence**, or move to a new principal place of **residence**;
- t. for law enforcement or emergency purposes;

*Example – escaping a risk of harm related to domestic and family violence; or accessing support from a domestic and family violence support service.*

- u. to comply with or give effect to the exercise of a power or function of a government agency or entity under a law;
- v. to obtain goods or services from a business, activity or undertaking permitted to operate under this Direction;
- w. to attend the premises of a business or undertaking owned, controlled or operated by the person, for any of the following reasons:
  - i. for essential maintenance work or other work undertaken for the purpose of ensuring the safety of the premises;
  - ii. as required or authorised by law;
  - iii. for emergency purposes;



**Example:** to operate critical systems such as alarms, monitoring, cold storage, and utilities.

- iv. to accept deliveries that cannot reasonably be delayed or diverted to the person's residential premises;
- v. to provide an urgent and essential service for the administration of the business or undertaking which cannot be undertaken in their residence;

**Example:** Administering a payroll system which cannot be operated from a person's residence. To access information or documents necessary for COVID-19 related support payments.

- vi. for any other purpose permitted by this Direction;
  - x. to attend waste management and resource recovery services;
  - y. to engage in a transaction with a business, activity or undertaking in accordance with paragraph 17(b)(i)(B) of this Direction.
3. Any person who leaves their **residence** must practise **social distancing** while outside their **residence**, to the extent that is reasonably practicable to do so.
4. A person who leaves their **residence** for the purposes of paragraph 2(a) must minimise the time spent at the premises of an **essential business, activity or undertaking** to the extent that is reasonably practicable to do so.
5. A person who leaves their **residence** for a permitted purpose under paragraph 2 (excluding paragraphs 2(d) and 2(w)) may be accompanied by:
- a. no more than 2 members of their **household**; or
  - b. no more than 1 person who is not a member of their **household**.
6. However, a person who is a parent or guardian of more than one child in the same **household** may be accompanied by each child for a permitted purpose if:
- a. the child would otherwise be left unattended; and
  - b. it would be unsafe for the child to be left unattended.
7. Also, a person may be accompanied by more than 1 other person who is not a member of their **household** when leaving their **residence** for a permitted purpose if:
- a. the person requires physical assistance to leave their **residence**, or it is reasonably necessary for the safety of the person or the public; and
  - b. the other person is a carer or support worker for the person; and
  - c. there is no other reasonable way for a purpose under paragraph 2 to be achieved.

**Example** – a person with a disability may be accompanied by more than 1 carer or support worker.

**Note:** A person who is required to quarantine or isolate under another direction or a direction of an **authorised person**, must comply with the terms of the direction to quarantine or isolate and may not leave the premises in which they are quarantining or isolating unless permitted under the terms of those directions (see paragraph 66).

8. A person who leaves their **residence** for a permitted purpose under paragraph 2(w) must not be accompanied by more than 1 person unless there is no other reasonable way for the purpose under paragraph 2(w) to be achieved.



## PART 2 — VISITORS AT RESIDENCES

### A. Directions

9. A person must not permit another person who is not ordinarily a member of the same **household** to enter and remain at the first person's **residence** other than for the permitted purposes under Part 1 of this Direction.
10. A person must not permit more than 2 people who are not ordinarily members of the same **household** to enter and remain at the first person's **residence** per day.
11. Paragraph 10 does not apply if:
  - a. children under 18 years are entering a residence to continue existing arrangements for access to, or contact between, parents and children or siblings, other than access to or contact with person who is at high or moderate risk of serious illness from COVID-19;
  - b. a person is entering a residence to perform essential work;
  - c. a person is entering a residence to provide services to a person with disability to meet their support needs;
  - d. a person is entering a residence to provide assistance, care or support to another person;
  - e. a person is entering a residence to visit a terminally ill relative;
  - f. a person is entering a residence to assist another person in moving residence, where the move cannot reasonably be delayed;
  - g. a person is entering a residence for law enforcement or emergency purpose;
  - h. a person is entering a residence to comply with or give effect to the exercise of a power or function of a government agency or entity under a law;
  - i. a person is entering a residence to attend a wedding ceremony.

**Note:** see conditions on weddings in Attachment 1, Item 6, Column 2.

## PART 3 — FACE MASKS REQUIRED

### A. Directions

12. When outside their residence a person must at all times:
  - a. carry a **face mask**; and
  - b. wear a **face mask**.
13. The requirement to carry and wear a **face mask** under paragraph 12 does not apply to:
  - a. infants and children under 12 years; or

**Note:** only children in Years 7 to 12 are required to wear a **face mask** at school.

  - b. a person who has a physical or mental health illness or condition, or disability, which makes wearing a face mask unsuitable.



14. Despite paragraph 12, a person who is required to wear a **face mask** may remove the **face mask**:
- a. if the person is consuming food, drink or medicine; or
  - b. if the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
  - c. if the person is at work and the nature of the person's work or training means that wearing a **face mask** creates a risk to their health and safety; or
  - d. if it is necessary for the proper provision of the goods or service; or
  - e. if the person is asked to remove the **face mask** to ascertain identity; or
- Examples:** a person may be asked by police to remove a face mask to ascertain identity, or when purchasing alcohol or cigarettes.
- f. if the person is undertaking vigorous exercise outdoors; or
  - g. if the person is performing **essential work** where no other people are present in an **outdoor space**; or
  - h. if the person is performing **essential work** in an **indoor space**:
    - i. in an office where no other people are present; or
    - ii. in a seated position or standing position at a workstation in an office; and
    - iii. at least 1.5 metres from any other person;
- Note:** As soon as a person is no longer alone or seated or stationary that person must wear a **face mask**.
- i. if the person is alone or only with members of the same **household** in an **outdoor space** where no other people are present; or
  - j. if the person is in the process of getting married;
  - k. if the person is in a vehicle alone or with other members of the same **household** only;
  - l. if it is required or authorised by law; or
  - m. if it is not safe in all the circumstances; or
  - n. because of an emergency.
15. A person who removes their **face mask** in a circumstance under paragraph 14 must resume wearing the **face mask** as soon as practicable after the circumstance ends.
- Examples:** a person must resume wearing a face mask as soon as they finish eating, or receiving medical care.

## PART 4 — BUSINESSES, ACTIVITIES AND UNDERTAKINGS

### B. Directions

16. This part applies to a person who owns, controls or operates a business, activity or undertaking in the Australian Capital Territory.
17. A person may operate a business, activity or undertaking in the Australian Capital Territory only if:



- a. the business, activity or undertaking:
  - i. is an **essential business, activity or undertaking**; and
  - ii. complies with the conditions for conducting the business, activity or undertaking as specified in column 2 of Attachment 1; or
- b. for any other business, activity or undertaking:
  - i. it can be operated from the person's **residence**:
    - A. without involving a **gathering** that is not otherwise permitted under this Direction; and
    - B. any transaction is undertaken by contactless means.  
*Example* – a business that is not an essential business, activity or undertaking may continue to sell goods or services online or by other contactless means. For example, a personal trainer may offer personal training sessions online.
  - ii. it is a **non-essential business, activity or undertaking**, and complies with the conditions specified in column 2 of Attachment 2.

18. A person who owns, controls, or operates an **essential business, activity or undertaking** in the Australian Capital Territory must take reasonable steps to:
- a. ensure **social distancing** of people can be accommodated, implemented and monitored by employees or contractors of the business, activity or undertaking; and
  - b. ensure a **gathering** does not exceed 1 person per 4 square metres per **usable indoor space** and **usable outdoor space**, other than where the **essential business, activity or undertaking** is a **public passenger services**; and
  - c. ensure workers are wearing masks in accordance with Part 3 of this Direction; and
  - d. operate only to the extent they are not promoting or facilitating people **gathering** on or adjacent to their premises.  
*Example* – tables and chairs in venues should be removed and all reasonable steps taken to direct people away from gathering to consume takeaway food or drink on or adjacent to, the relevant premise.

## PART 5 — ENTRY AND EXIT OF RESIDENTS OF THE AUSTRALIAN CAPITAL TERRITORY

### A. Directions

- 19. This part applies to a person who is a **resident** of the Australian Capital Territory.
- 20. A **resident** who is not in the Australian Capital Territory at the commencement of this Direction may enter the Australian Capital Territory.
- 21. A **resident** who enters the Australian Capital Territory under paragraph 20 must comply with this Direction.
- 22. A **resident** may leave the Australian Capital Territory:
  - a. for a permitted purpose under paragraph 2, except for paragraph 2(d); or





**Note:** a person must not leave the Australian Capital Territory to exercise or visit friends.

- b. to return home to their principal place of residence, or move to a new principal place of **residence**, in another state or territory; or

**Note:** a person must comply with any public health directions in place in the other state or territory when in that state or territory.

- c. to comply with the conditions of an exemption granted under paragraph 31.

23. A **resident** who leaves the Australian Capital Territory after the commencement of this Direction must continue to abide by the requirements of this Direction when outside the Australian Capital Territory.

**Note:** a person who leaves the Australian Capital Territory will be subject to any public health directions in force in any state or territory they enter.

## PART 6 — PEOPLE WHO ARE NOT A RESIDENT OF THE AUSTRALIAN CAPITAL TERRITORY

### A. Directions

24. This part applies to a person who is not a **resident** of the Australian Capital Territory.

25. A person must comply with this Direction while in the Australian Capital Territory.

26. A person who is staying at accommodation at the commencement of this Direction may continue staying at the accommodation while this Direction is in force if the accommodation service remains open.

27. If the booking period of a person staying at accommodation expires while this Direction in force, the person must:

- a. leave the Australian Capital Territory; or
- b. extend the booking period at the accommodation;
- c. find alternative accommodation.

28. A person must not enter the Australian Capital Territory unless the person is entering the Australian Capital Territory:

- a. for a permitted purpose under paragraph 2, except for paragraph 2(d); or

**Note:** a person must not enter the Australian Capital Territory to exercise or visit friends.

- b. by road for transport or freight purposes (including furniture removalists); or
- c. by air for the purpose of transiting to another destination, and does not leave the Canberra Airport; or
- d. by road or air for the purpose of transiting to New South Wales by road and immediately does so; or
- e. to go directly to stay at a **residence** in the Australian Capital Territory; or
- f. to fulfil an obligation relating to shared parenting or child contact; or





- g. to perform **essential work** in the Australian Capital Territory that cannot reasonably be performed from a location outside of the Australian Capital Territory.
  - h. as a passenger of an ambulance, aeromedical service or other emergency medical transport; or
  - i. in accordance with the conditions of an exemption granted under paragraph 31.
29. Any person who enters the Australian Capital Territory under paragraph 28 may leave the Australian Capital Territory for a permitted purpose under paragraph 2, except for paragraph 2(d).
- Note:** a person must not leave the Australian Capital Territory to exercise or visit friends.
30. Any person who enters the Australian Capital Territory under paragraph 28 must leave the Australian Capital Territory:
- a. if directed to leave by an **authorised person**; or
  - b. if it is necessary to do so in order to comply with the conditions of an exemption granted under paragraph 31.

## PART 7 — EXEMPTIONS

- 31. The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from this Direction, or a stated requirement under this Direction, on compassionate or other grounds that the Chief Health Officer considers reasonable and appropriate.
- 32. If the Chief Health Officer exempts a person from this Direction, or a stated requirement under this Direction that person must comply with the conditions of the exemption.

## PART 8 — MISCELLANEOUS

### A. Directions

- 33. An **authorised person** may ask a person arriving at or in the Australian Capital Territory for any information necessary to determine whether the person is subject to this Direction.
- 34. Any person arriving at or in the Australian Capital Territory must comply with any request made under paragraph 33 by an **authorised person**.
- 35. An **authorised person** may direct a person who is subject to this Direction to do such things as are reasonably necessary to comply with this Direction.
- 36. Any person subject to this Direction must comply with any request under paragraph 35 by an **authorised person**.
- 37. If a person fails to comply with this Direction, an **authorised person** may direct the person to do such things as are reasonably necessary to comply with this Direction including to produce proof of identification to the **authorised person**.



38. If a person fails to comply with any direction given under paragraph 37, the **authorised person** may take all reasonable steps to enforce compliance with the direction.

*Example – Closing a premises from which a business, activity or undertaking operates until such time as the business can demonstrate compliance with this Direction.*

39. A person must, if requested by an **authorised person**, state if they have been in a **COVID-19 affected area**.

## B. Definitions

For the purposes of this Direction:

40. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997* and includes an authorised medical officer under the *Public Health Act 1997*.

41. **Click and collect** means an arrangement where goods are purchased online or by phone, and collected using contactless means from the premises of a business, activity or undertaking, or delivered using contactless means to the purchaser.

42. **COVID-19 affected area** means an area or place identified as an affected area in a notice made under paragraph 1 of the *Public Health (COVID-19 Affected Areas) Emergency Direction 2021 (No 10)* [NI2021-424].

43. **COVID-19 safety plan** means a plan in writing that addresses how a business or undertaking will manage its operations to minimise the risks posed to any person by COVID-19 because of the operation of the business or undertaking.

44. **Essential goods or services** means goods or services obtained from an **essential business, activity or undertaking**.

45. **Essential business, activity or undertaking** means a business, activity or undertaking specified in column 1 of Attachment 1.

46. **Essential health care** means:

- a. any health services provided by a private or public hospital, community health facility or residential care facility, including by students;
- b. any health service provided by a private or public specialist;
- c. emergency and licensed non-emergency patient transport;
- d. an appointment at an Aboriginal or Torres Strait Islander health service, confirmed in writing by the service;
- e. an appointment with a **prescribed health practitioner**, confirmed in writing by the practitioner or provider;

**Note:** An appointment with a **prescribed health practitioner** may include services provided by a registered NDIS provider under an agreed NDIS Plan. An appointment at an ancillary clinic or service may include an appointment at a rehabilitation service.

- f. a dental service provided by a dentist, dental therapist, dental hygienist, dental prosthetist and oral health therapist to:
  - i. a patient with urgent needs; or



- ii. where failure to provide care in a clinically appropriate timeframe will lead to adverse outcomes; or
- g. procedures related to:
  - i. any cycle of IVF treatment for a patient; or
  - ii. any procedure required for the preservation of eggs or sperm for future IVF where required health treatment will adversely affect a person's fertility; or
- h. termination of pregnancy;
- i. drug and alcohol services; or
- j. human medical research trials.

**Note:** essential health care service is an **essential business, activity or undertaking** (see Attachment 1).

47. **Essential work** means work (including volunteering activities) for an **essential business, activity or undertaking** that cannot reasonably be performed from the person's **residence**.
48. **Face mask** means a mask or other covering that fits securely around the face and is designed or made to be worn over the nose and mouth to provide the wearer with protection against infection (but does not include a face shield).
- Note** – a scarf or bandana is not a face mask.
49. **Gathering**, except where otherwise provided in this Direction, means a group of 2 or more people occupying a single **usable indoor space** or **usable outdoor space** at the same time other than for the purposes of conducting an **essential business, activity or undertaking**.
50. A **household** means people who ordinarily reside at the same **residence**, including people staying at the **residence** temporarily from another state or territory.
51. **Indoor space** means an area, room or premises that is, or are, substantially enclosed by a roof and walls (of permanent solid construction and stretching from floor to ceiling), regardless of whether the roof or walls or any part of them are open or closed.
52. **Non-essential business, activity or undertaking** means a business, activity or undertaking specified in column 1 of Attachment 2.
53. **Non-residential premises** has the same meaning as premises in the *Public Health Act 1997* but does not include residential premises.
54. **Outdoor space** means a space that is not an indoor space or a part of a **residence**.
55. **Place of 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.
56. **Prescribed health practitioner** means a person registered to provide any of the following services:
- a. medical; or
  - b. medical radiation practice; or
  - c. midwifery; or



- d. nursing; or
  - e. occupational therapy; or
  - f. optometry; or
  - g. paramedicine; or
  - h. pharmacy; or
  - i. physiotherapy; or
  - j. podiatry; or
  - k. psychology; or
  - l. allied health services practitioner;
  - m. services as a registered NDIS provider under an agreed NDIS plan.
57. **Public passenger vehicle** means a public bus, light rail vehicle, taxi, rideshare vehicle, hire car or demand responsive service vehicle as defined in the *Road Transport (Public Passenger Services) Act 2001*.
58. **Residence:**
- a. means:
    - i. residential premises in the Australian Capital Territory that are used, or intended to be used as a principal place of residence, or home that a person primarily occupies on an ongoing and permanent basis; or
    - ii. the premises at which the person is staying on an ongoing basis; but
  - b. does not include a **residential aged care facility** or correctional centre, detention place or other place of custody.
59. **Resident** means a person whose principal place of **residence**, or home that the person primarily occupies on an ongoing and permanent basis, is in the Australian Capital Territory.
60. **Residential aged care facility** means a facility at which accommodation, and personal care or nursing care or both, are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the *Aged Care Act 1997 (Cwlth)*.
61. **Retail food services:**
- a. means a retail business which provides food and/or drink, whether pre-prepared or prepared on site, and includes cafés, canteens, restaurants and fast-food outlets;
  - b. does not include:
    - i. a café or canteen at a hospital, residential aged care facility, correctional centre or school;
    - ii. a service that provides food or drink to those experiencing homelessness.



62. **Small business** means a business, undertaking or activity which:
- a. sells goods or supplies services; and
  - b. employs 20 or fewer employees as at 12 August 2021, calculated in the following way:
    - i. Regular casual employees are taken into account as a fraction of a full-time equivalent;
    - ii. Part-time employees are taken into account as a fraction of a full-time equivalent; and
    - iii. the person who owns, operates or controls the business, undertaking or activity is counted.
63. **Social distancing** means remaining at least 1.5 metres from other people.
64. **Usable** for an **indoor space** or **outdoor space** means the space that people can freely move around in, but not including the following areas:
- a. stages and similar areas;
  - b. restrooms, changerooms and similar areas;
  - c. areas occupied by fixtures, fittings, and displays; and
  - d. staff only areas and areas that are closed off or not being used.
- C. Inconsistency with other directions**
65. If there is any inconsistency between this Direction and any of the directions specified below, this Direction is to prevail to the extent of any inconsistency:
- a. the *Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2021 (No 4)* [NI2021-405]; and
  - b. the *Public Health (Residential Aged Care Facilities) Emergency Direction 2021 (No 4)* [NI2021-344].
66. If there is any inconsistency between this Direction and any of the directions specified below, this Direction is inoperative to the extent of any inconsistency:
- a. the *Public Health (Diagnosed People and Close Contacts) Emergency Direction 2021 (No 1)* [NI2021-421]; and
  - b. the *Public Health (Returned Travellers) Emergency Direction 2021* [NI2021-339].

**Dr Vanessa Johnston**

Acting Chief Health Officer

9 September 2021



## **Penalties**

Section 120 (4) of the *Public Health Act 1997* 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).



## Attachment 1 – Essential business, activity or undertaking

Note: This Direction imposes requirements for all **essential businesses, activities or undertakings**.

	<b>Column 1</b> <b>Essential business, activity, or undertaking</b>	<b>Column 2</b> <b>Any additional conditions (other than those outlined in the Direction)</b>
1.	Correctional centres, detention places or other places of custody	
2.	Early childhood education and care and out of school hours care	<ul style="list-style-type: none"><li>Children are permitted to attend where it is unreasonable for the child to receive care from home.</li></ul> <p><i>Example:</i> A parent who is required to undertake work from home and cannot reasonably provide care whilst working.</p>
3.	Primary schools, secondary schools and colleges	<ul style="list-style-type: none"><li>Remote learning only, except where instruction or learning activities cannot reasonably be obtained remotely.</li><li>For essential activities that must be undertaken under supervision (eg Year 12 critical examinations).</li></ul> <p><i>Example:</i> children can attend school where it is unreasonable for the child to undertake remote learning from home.</p>
4.	Higher education and training	<ul style="list-style-type: none"><li>Remote learning only, except where instruction or learning activities cannot be adequately conducted remotely.</li></ul>
5.	<b>Places of worship</b>	<ul style="list-style-type: none"><li>Live streaming or broadcast of a service may be conducted with the person conducting the service, a camera operator, and an Auslan interpreter.</li><li>Time critical religious ceremonies may occur with no more than 10 attendees excluding those conducting the ceremonies.</li></ul>
6.	Wedding ceremonies	<ul style="list-style-type: none"><li>Maximum of 10 attendees, including the couple and witnesses, but excluding the celebrant and one photographer.</li><li>A wedding ceremony may occur at a residence, but only if—</li></ul>





		<ul style="list-style-type: none"><li>the ceremony is held outside; and</li><li>attendees remain outside other than as reasonably necessary.</li></ul> <p><i>Example:</i> to use the facilities.</p> <ul style="list-style-type: none"><li>Any formal legal requirements that are required to be completed prior to the wedding ceremony are permitted to take place.</li><li>Wedding receptions are not permitted.</li></ul> <p><i>Example:</i> If documentation is required by law to be witnessed in person prior to a wedding ceremony taking place, then witnessing the document in person is authorised under this Direction.</p> <p><i>Note:</i> requirements in this Direction, must ensure a <b>gathering</b> does not exceed 1 person per 4 square metres.</p>
7.	Funerals	<ul style="list-style-type: none"><li>Maximum of 20 attendees, excluding person or people necessary for conducting the service.</li></ul> <p><i>Note:</i> requirements in this Direction, must ensure a <b>gathering</b> does not exceed 1 person per 4 square metres.</p>
8.	Funeral homes	
9.	Mortuary services	
10.	Any of the following: <ul style="list-style-type: none"><li>a. businesses whose predominant purpose is a supermarket, grocery store, bakery, butcher, fruit and vegetable store or fishmonger;</li><li>b. an indoor or outdoor market, but only to the extent that its predominant purpose is to sell or supply groceries or fresh food; or</li><li>c. a bottleshop; or</li><li>d. a bank or financial institution; or</li><li>e. a post office; or</li><li>f. a news agent; or</li><li>g. a pharmacy; or</li></ul>	<ul style="list-style-type: none"><li>Businesses should aim to provide a <b>click and collect</b> service wherever practicable to do so.</li><li>Businesses must take all reasonable steps to ensure that persons entering their premises are entering for essential purposes.</li><li>Businesses must take all reasonable steps to ensure that persons entering their premises minimise the time the person spends at the premises.</li><li>Businesses that undertake repairs of electronic devices must only operate for repair or replacement functions and normal retail operations are not permitted. Repairs should be arranged by appointment wherever possible.</li></ul>



	<p>h. a petrol station (including a petrol station that sells groceries); or</p> <p>i. vehicle and mechanical repair services; or</p> <p>j. laundry and dry cleaners; or</p> <p>k. a locksmith; or</p> <p>l. shops that undertake repairs of electronic devices, including mobile phones and computers; or</p> <p>m. shopping precincts, but only for essential retail purposes as outlined in this Direction.</p>	
<p><b>11.</b> Any of the following:</p> <p>a. hardware and building supplies; or</p> <p>b. agricultural and rural supplies; or</p> <p>c. a pet store; or</p> <p>d. businesses that predominantly sell essential office supplies.</p>	<ul style="list-style-type: none"><li>• Trades customers are permitted to enter businesses which sell hardware and building supplies.</li><li>• For all other customers, businesses must only operate through a <b>click and collect</b> service.</li><li>• Businesses must only permit the minimum number of employees necessary to be present on site to fulfil these services.</li><li>• No later than one week after the commencement of this Direction, a <b>COVID-19 Safety Plan</b> must be implemented by the business, including controls to minimise or remove any physical interaction between the business operator and any delivery or collection person.</li></ul>	
<p><b>12.</b> Veterinary clinic</p>		
<p><b>13.</b> Provision of consular and diplomatic services</p>	<ul style="list-style-type: none"><li>• Only essential and time critical services to be offered.</li></ul>	
<p><b>14.</b> Provision of court or tribunal services</p>	<ul style="list-style-type: none"><li>• Must take reasonable steps to provide services remotely</li></ul>	
<p><b>15.</b> <b>Essential health care</b></p>	<ul style="list-style-type: none"><li>• Must take reasonable steps to provide services via telehealth or other virtual care option where possible and clinically appropriate to do so.</li></ul>	



16.	Provision of urgent services necessary for the health and safety of any person, animal or premises, including child protection activities	
17.	<b>Retail food services</b> , whether licensed or unlicensed	<ul style="list-style-type: none"><li>• May only provide takeaway meals or drinks, or a meal delivery service.</li><li>• Must take reasonable steps to ensure people leave the premises as soon as possible after collecting takeaway meals or drinks, or meal delivery services.</li></ul>
18.	Licensed venues, but not including a strip club, brothel or escort agency	<ul style="list-style-type: none"><li>• May only provide takeaway.</li><li>• Nightclubs may only trade as an off licence venue.</li><li>• Must take reasonable steps to ensure people are leaving the premises as soon as possible after collecting takeaway meals or drinks, or meal delivery services.</li></ul>
19.	Hotel, motel or other accommodation facility to the extent that they provide accommodation services	<ul style="list-style-type: none"><li>• Not permitted to take new bookings, unless the booking is for:<ol style="list-style-type: none"><li>a. a person avoiding or escaping an emergency; or</li><li>b. a person who is performing <b>essential work</b>; or</li><li>c. a person whose <b>residence</b> is undergoing renovations, maintenance or repair in accordance with the requirements of this Direction; or</li><li>d. a person who requires any other form of emergency accommodation.</li></ol></li></ul>
20.	<b>Residential aged care facility</b>	<ul style="list-style-type: none"><li>• No visitors permitted, except were approved by the <b>residential aged care facility</b> for compassionate reasons, end-of-life reasons, or for the purposes of performing <b>essential work</b> on or at the premises.</li><li>• Workers undertaking work that is not <b>essential work</b> are not permitted to enter or remain at the premises.</li></ul>



<p><b>21.</b></p>	<p>Hospitals</p>	<ul style="list-style-type: none"><li>• May continue to provide <b>essential health care</b> services.</li><li>• No visitors are permitted into the health care setting, except where approved by the hospital for the following reasons:<ul style="list-style-type: none"><li>• volunteer or paid carers to support the delivery of a health service to another person,</li><li>• for end of life reasons,</li><li>• as a support partner for birth,</li><li>• a parent to accompany a child,</li><li>• other compassionate reasons,</li><li>• for the purposes of performing <b>essential work</b> on or at the premises.</li></ul></li></ul>
<p><b>22.</b></p>	<p>Emergency services, including:</p> <ul style="list-style-type: none"><li>a. the State Emergency Service;</li><li>b. fire fighting services;</li><li>c. paramedical services;</li><li>d. ambulance services;</li><li>e. air ambulance and medical retrieval services (including Snowy Hydro SouthCare);</li><li>f. police services or Protective Services Officer stationed on border duties or otherwise engaged in policing duties;</li><li>g. military and defence services deployed for activities in the Australian Capital Territory; and</li><li>h. state security or national security</li></ul>	
<p><b>23.</b></p>	<p>Essential infrastructure and essential services without which the safety, health or welfare of the community or a section of the community would be endangered or seriously prejudiced (whether provided by a public or private undertaking), including:</p> <ul style="list-style-type: none"><li>a. road repair works undertaken by the Australian Capital Territory or a contractor</li></ul>	<ul style="list-style-type: none"><li>• Suppliers of equipment and materials required to facilitate road repair works may provide those services.</li><li>• Services supporting ongoing provision and regulation of electricity, gas, water and sewerage. <i>Example: meter reading.</i></li></ul>



	engaged to undertake the works on behalf of the Australian Capital Territory	
24.	Journalism and media services for news and other critical public communications purposes	<ul style="list-style-type: none"><li>• Must take reasonable steps to provide services remotely.</li></ul>
25.	Building and construction activities (large scale)	<ul style="list-style-type: none"><li>• The following construction activities are permitted, subject to strict adherence to the 'ACT Building and Construction Industry COVID-19 Requirements':<ul style="list-style-type: none"><li>• All ACT Government and Commonwealth Government construction projects;</li><li>• Large Scale construction projects if they are:<ul style="list-style-type: none"><li>○ permitted (as per DA Approval) to be at completion four or more storeys high (excluding the basement); or</li><li>○ larger than 1,500m<sup>2</sup> Gross Floor Area (inclusive of all floors).</li></ul></li><li>• Civil construction activities for the construction of public roads and the subdivision of new suburbs;</li><li>• Activities to keep construction sites safe and secure during the lockdown;</li><li>• Manufacturing, fabrication, testing, assembly, professional regulatory, off – site administrative and equipment supply activities necessary to facilitate permitted construction activities.</li></ul></li></ul>
26.	Residential construction (including renovation), repair or maintenance activities on an individual Class 1 Building as defined under the National Construction Code.	<ul style="list-style-type: none"><li>• The following construction activities are permitted, subject to strict adherence to the 'ACT Building and Construction Industry COVID-19 Requirements':<ul style="list-style-type: none"><li>• For a residence that is occupied and if works commenced on or before 12 August 2021, the works may resume provided that:<ul style="list-style-type: none"><li>○ occupants remain in a separate area of the <b>residence</b> to the</li></ul></li></ul></li></ul>



		<p>workers at all times and there is no contact between the workers and occupants;</p> <ul style="list-style-type: none"><li>○ there are no more than 2 workers inside the <b>residence</b> at any one time; and</li><li>○ there are no more than 5 workers and 1 supervisor on a site at any one time.</li></ul> <ul style="list-style-type: none"><li>● For a residence that is occupied and if works had not commenced on or before 12 August 2021, the works may commence provided:<ul style="list-style-type: none"><li>○ the works are for renovations to existing dwellings and structures; and</li><li>○ any person who is residing at the <b>residence</b> moves out prior to the commencement of the works.</li></ul></li><li>● Any outdoor works at an occupied <b>residence</b>, meaning works in a space that is not fully enclosed and which is entirely separated from the occupied part of the <b>residence</b> with separate access, provided that:<ul style="list-style-type: none"><li>○ there is no contact between the workers and occupants;</li><li>○ there are no more than 5 workers and 1 supervisor on a site at any one time;</li></ul></li><li>● For unoccupied residences, works may be undertaken provided that the works are undertaken with the lesser of:<ul style="list-style-type: none"><li>○ 1 person per 4 square metres across the site; or</li><li>○ no more than 5 persons and 1 supervisor on the site at any one time.</li></ul></li></ul>
<p><b>27.</b></p>	<p>Organisations that provide urgent services necessary for the health and safety of any person, animal or premises.</p> <p><i>Example: social services and foodbanks</i></p>	



<b>28.</b>	Urgent repair and maintenance services <i>Example: plumbing, electrical and heating repair</i>	
<b>29.</b>	Any activities related to the COVID-19 response (including in hotel quarantine)	
<b>30.</b>	Roadside assistance services	
<b>31.</b>	Government services of the Australian Capital Territory (whether provided by government or outsourced) determined to be essential by the relevant head of the government agency	<ul style="list-style-type: none"><li>• Only workers who are determined essential by the relevant head of the government agency and cannot reasonably undertake their work remotely.</li></ul>
<b>32.</b>	Any Commonwealth agency that is based in the Australian Capital Territory (whether provided by government or outsourced) determined to be essential by the relevant head of the government agency	<ul style="list-style-type: none"><li>• Only workers who are determined essential by the relevant head of the government agency and cannot reasonably undertake their work remotely.</li></ul>
<b>33.</b>	Commonwealth Parliament and the Legislative Assembly	
<b>34.</b>	Waste management and resource recovery services	<ul style="list-style-type: none"><li>• Includes:<ul style="list-style-type: none"><li>• domestic and commercial waste and resource recovery services (including collection, treatment and disposal services and transfer stations); and</li><li>• commercial operators that provide waste management services (including trash pack operation), where services can be operated in a contactless manner.</li></ul></li></ul>





<b>35.</b>	Services related to the administration of justice	<ul style="list-style-type: none"><li>• Must take reasonable steps to provide services remotely; but</li><li>• May operate in person:<ul style="list-style-type: none"><li>• where the services are time-critical and essential; and</li><li>• where the services cannot be reasonably undertaken remotely.</li></ul></li></ul> <p><i>Example:</i> Legal services pertaining to a person's safety, detention or custody or child protection such as bail proceedings or emergency care proceedings. Justices of the Peace, Notary Public.</p>
<b>36.</b>	Factory or facility	<ul style="list-style-type: none"><li>• May only operate to the extent that is necessary to prevent damage or loss to plant, but only those operations that are necessary to prevent that damage or loss.</li></ul>
<b>37.</b>	Work at an office building that is necessary for the normal operation of an <b>essential business, activity or undertaking</b>	<ul style="list-style-type: none"><li>• Other than permitted by this direction, a person is not allowed to work outside their residence unless providing an urgent and essential service which cannot be undertaken in their residence.</li><li>• Routine, non-urgent legal services do not meet the definition of an essential service.</li></ul> <p><i>Example:</i> Administrative services provided by an employer to enable its employees to work from home.</p>
<b>38.</b>	<b>Public passenger services</b>	
<b>39.</b>	Air transport (including the operation of airports)	
<b>40.</b>	Freight services (including postal and courier services), including transport, freight or logistics driver	
<b>41.</b>	National Heavy Vehicle Regulator compliance activities	
<b>42.</b>	Blood bank or other similar donation facility	



<p><b>43.</b></p>	<p>Care services for people with particular needs because of homelessness, age, infirmity, disability, illness or a chronic health condition</p> <p>Disability support services</p> <p>Essential services to support children and young people at risk</p> <p>Crisis support services to individuals, children or families, including:</p> <ul style="list-style-type: none"><li>• victims of crime services;</li><li>• domestic violence services;</li><li>• mental health services.</li></ul>	
<p><b>44.</b></p>	<p>Truck stops and roadhouses, but not the provision of seated dining or shower facilities to persons who are not transport, freight or logistics drivers.</p>	
<p><b>45.</b></p>	<p>Production and distribution of:</p> <ol style="list-style-type: none"><li>food and groceries for sale by a supermarket, butcher, fruit and vegetable store, market or fishmonger (including for sale by operators of such premises at an indoor or outdoor market); or</li><li>liquor for sale at a bottleshop; or</li><li>medical and pharmaceutical products</li></ol>	
<p><b>46.</b></p>	<p>Commercial operations that supply goods or services necessary:</p> <ol style="list-style-type: none"><li>for the implementation of measures to limit the spread of COVID-19; or</li><li>to support any business activity that may be carried out in accordance with these directions; or</li><li>to support the export of goods and services from the Australian Capital Territory.</li></ol>	<p><i>Example: manufacturing of personal protective equipment or hand sanitiser, or dry cleaning services.</i></p>



47.	Primary industries only to the extent necessary to ensure adequate supply of food to, and care of, animals and maintenance of crops.	
48.	Manufacturing, fabrication or assembly of goods and materials necessary for or related to supporting defence or security industries.	
49.	A person who is: a. a member of the Legislative Assembly or the Commonwealth Parliament, or a person on the staff of such a member of parliament; b. critical to, and involved in, the COVID-19 response (including in hotel quarantine); c. a fly in fly out worker or a drive in drive out worker who is required for industry or business continuity and maintenance of a competitive operation where the service is time-critical, who is responsible for critical maintenance or repair of infrastructure critical to a region of, or to, the Australian Capital Territory.	
50.	Removalists for essential removals which cannot be reasonably delayed	
51.	Transport, freight or logistics driver	
52.	Professional sport	<ul style="list-style-type: none"><li>• No spectators permitted.</li><li>• Only professional athletes and individuals required to attend a venue to ensure the safe running of a professional sporting event.</li></ul>
53.	Libraries	<ul style="list-style-type: none"><li>• Home Library and Mystery Box Services may resume.</li></ul>
54.	Community centre, community facility or youth centre	<ul style="list-style-type: none"><li>• May only host an <b>essential business, activity or undertaking</b> otherwise referred to in Attachment 1.</li></ul>



55.	Forestry industry and timber fabricators	
56.	Real estate services	<ul style="list-style-type: none"><li>• May only operate:<ul style="list-style-type: none"><li>• to the extent already permitted under other provisions within this Direction; or</li><li>• to permit one person at any one time to conduct any property inspections required by law for the sale of a property to proceed; or</li><li>• to allow one person at any one time to photograph or film a property, where there are no other persons present.</li></ul></li></ul>
57.	Commercial and domestic cleaning services	<ul style="list-style-type: none"><li>• May only operate:<ul style="list-style-type: none"><li>• To provide cleaning services to an <b>essential business, activity or undertaking</b>, or a <b>non-essential business, activity or undertaking</b>.</li><li>• To provide cleaning services to shared spaces of multi-residential dwellings;</li><li>• To provide cleaning services at a residential premises where the premises is vacant , and the service is urgent or time critical.</li><li>• To provide cleaning services at a residential premise to a vulnerable person.</li></ul></li></ul> <p><i>Example: an end-of-tenancy or pre-settlement clean</i></p>
58.	Trade unions	<ul style="list-style-type: none"><li>• Trade union representative only when providing representation to a person performing <b>essential work</b>.</li></ul>



## Attachment 2 – Non-essential business, activity or undertaking

*Note:* A business, activity or undertaking that is not listed in Column 1 must not operate other than in accordance with Part 4 paragraph 17(b)(i).

	<b>Column 1 Non-essential business, activity, or undertaking</b>	<b>Column 2 Conditions of operation (other than those outlined in the Direction)</b>
1.	Art Studios	<ul style="list-style-type: none"><li>• The owner, operator or controller of an art studio may attend the premises to undertake personal art-related work including filming, live streaming or broadcasting.</li><li>• Where there are multiple art studios located at one premises, no more than two people are permitted to work at the premises at any one time.</li></ul>
2.	Gyms, health clubs, fitness centres, wellness centres and dance studios	<ul style="list-style-type: none"><li>• May permit no more than two people at any one time who work at the non-essential business, activity or undertaking to attend the premises for the purposes of filming, live streaming, or broadcasting to patrons.</li></ul> <p><i>Example</i> – a person who owns, controls or operates a gym or dance studio may permit two employees to attend the premises to film a class which is live streamed or otherwise distributed to members.</p>
3.	<b>Small Business</b>	<ul style="list-style-type: none"><li>• Must only operate a <b>click and collect</b> service or otherwise provide goods or services by contactless means.</li><li>• No more than two people who work at the <b>small business</b> may be present at the premises at any one time.</li></ul>



<p>4.</p>	<p>Outdoor services that operate solely outdoors, and where physical distancing can be maintained at all times.</p> <p><i>Example:</i> outdoor maintenance, cleaning, gardening where this is being undertaken at a residential premise and there is no contact between residents and workers. Mobile dog grooming services.</p>	<ul style="list-style-type: none"><li>• Solo work should take place wherever possible, unless additional workers are required for safety reasons.</li><li>• Does not include:<ul style="list-style-type: none"><li>• Residential construction; and</li><li>• Personal training services.</li></ul></li></ul>
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