

# Public Health Order

## Public Health (COVID-19 Gatherings) Order 2020 and the Public Health (COVID-19 Places of Social Gathering) Order 2020

On 20 March 2020 the NSW Minister for Health and Medical Research, Brad Hazzard MP, made an Order under section 7 of the Public Health Act 2010 (NSW) to prohibit mass gatherings ([Gatherings Order](#)).

On 23 March 2020 the Minister made a further order that directs the closure of certain places of social gathering ([Places Order](#)).

Both of the Orders are in force and must be followed.

### What does the Gatherings Order do?

The Gatherings Order prohibits gatherings of 500 or more people in a single, undivided outdoor space at the same time (the **500 person outdoor rule**), or a gathering of 100 or more people in a single undivided indoor space at the same time (the **100 person indoor rule**).

It also stops the operator or occupier of a premises from allowing other gatherings unless there is four square metres of space for each person on the premises (the **four square metre rule**).

The four square metre rule does not apply to essential gatherings (e.g. schools, hospitals, transport, offices) or gatherings at a person's home.

### What does the Places Order do?

The Places Order directs that certain places must not be open to the public, except for certain exceptions, including to allow people to buy takeaway food.

### Can I go to work?

Yes. The Orders do not stop workers attending at their normal place of work, even if your employer employs more than 100 people.

However, if you work in a place that has been directed not to be open to the public, you should talk to your employer about the arrangements that have been put in place. For example, operations at your workplace may continue but in a modified way (for example, cafes may continue to serve take-away meals).

### Can my child attend school?

The Orders do not close schools.

Parents are, however, encouraged to keep their children at home if they are able to from 24 March 2020.

Schools remain open and will not turn away any students.

Large school events (i.e. events with 100 or more people indoors or 500 or more people outdoors) that involve members of the community in addition to staff and students are prohibited.

### Can I send my child to child care?

Yes. The Orders do not apply to a gathering at a child care facility that is necessary for the normal business of the facility.

## **Can I still buy take-away food from my local restaurants and cafes?**

Yes.

When you are waiting for your take-away, you should wait outside the restaurant or café, and follow NSW Health advice on social distancing and personal hygiene. People should generally keep 1.5 metres of physical distance between each other and avoid handshakes or physical contact with people outside their family.

## **Can I go to the supermarket?**

Yes. A gathering at a supermarket, food market, grocery or other retail store or shopping centre that is necessary for the normal business of the supermarket, market, store or centre, is not prohibited by the Gatherings Order.

## **Can I go to the shopping centre?**

Yes. The Gatherings Order does not prevent people attending a shopping centre.

However, the Places Order may require certain stores or facilities in the shopping centre to be closed. Food stores will only be able to provide you with take-away food. You should ensure that the relevant store or facilities you wish to access are open before travelling to the shopping centre.

## **Can I go to an outdoor food market to buy groceries?**

Yes. A gathering at a food market is not prohibited by the Gatherings Order.

Premises that prepare food and drink must be closed to the public, except for selling food and beverages to the public to be consumed off-site.

## **Can I go to the hairdresser, beautician or massage therapist?**

Yes. The Gatherings Order does not prevent personal services like these from being provided. However, the occupier or operator of a premises is still required to comply with the 100 person indoor rule and the 4 square metre rule.

People should follow the advice of NSW Health in relation to social distancing, personal hygiene and minimising unnecessary physical contact to prevent opportunities for disease transmission.

## **Can I still go to my place of worship?**

No. Places of worship must be closed to the public, except for the purposes of conducting wedding and funeral services.

## **Can I go to the pub or my local club?**

No. All pubs and registered clubs must be closed to the public, except for the purposes of selling take-away food and beverages or for providing hotel or motel accommodation. You can buy food and drink to take away from the pub or club.

## **Can I have a meal at a restaurant or café?**

No. However, you can order and collect take-away food and drink.

Premises that prepare food and drink must be closed to the public, except for selling food and beverages to be consumed off-site.

## **Can I get a coffee at a café?**

Yes, if it is a take-away coffee.

Premises that prepare food and drink must be closed to the public, except for selling food and beverages to be consumed off-site.

## **Can I go to the bottle shop?**

Yes. As long as a bottle shop is selling food and beverages for people to consume off the premises they can remain open.

## **Can I go to a cellar door, micro-brewery or distillery that serves food and beverages?**

No. Cellar door, micro-brewery or distillery that have a drink on premises authorisation are required to be closed, except for the purposes of selling food and beverages for people to consume off the premises. You can buy food and drink to take away from the premises.

## **Can I go to the gym?**

No. Gyms and all other indoor recreation facilities must be closed to the public.

## **Can I still take a lift or elevator with other people?**

Yes. The four square metre rule means that a gathering can't occur on premises unless the premises (including all rooms and enclosed spaces) has enough space for there to be four square metres per person on the premises.

The Gatherings Order does not stop two people from gathering in a lift, storeroom or other enclosed space that is part of a premises.

You should always keep 1.5 metres of space between yourself and others, which may mean waiting longer for the next lift to avoid overcrowding.

## **Does the four square metre rule apply to a gathering at my home?**

No. The four square metre rule does not apply to gatherings at a person's place of residence.

Mass gatherings (that is, those with 100 or more people indoors or 500 or more people outdoors) cannot be held at a person's house or residence.

## **Can I stay in a hotel?**

Yes. 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, is not prohibited by the Gatherings Order.

Food and beverage are allowed to be served, but only for guests to consume in their rooms.

## **Can I stay at a caravan park?**

Yes. A caravan park is an accommodation facility and normal accommodation services provided by such a facility are not covered by the Gatherings Order.

## **Can I stay in a youth hostel?**

Yes. A youth hostel is an accommodation facility and normal accommodation services provided by such a facility are not covered by the Gatherings Order.

## **Can I still travel to regional NSW?**

The Gatherings Order does not prohibit the movement of people.

All non-essential travel should be cancelled or postponed. If you do need to travel, you should always follow NSW Health advice about social distancing and personal hygiene to limit the spread of COVID-19.

## **Can I still travel to other States and Territories?**

The Gatherings Order does not prohibit the movement of people.

All non-essential travel should be cancelled or postponed.

You should also check if there are any restrictions imposed by other States or Territories. Many States have recently announced mandatory self-isolation for people arriving in the State, including domestic travellers from inter-state.

## Can I move through an area if there are also a large number of other people moving through the area?

Yes. A gathering at an outdoor space where 500 or more people may be present for the purposes of transiting through the place, such as at Pitt Street Mall, is not covered by the Order.

People should always follow the advice of NSW Health in relation to social distancing and personal hygiene.

## I'm organising my wedding. Can I still have it?

Yes, provided that the number of wedding guests and staff at the venue does not exceed the relevant maximum person rule (100 or more people indoors, or 500 or more people outdoors).

If the wedding is held in a single undivided outdoor space, there must not be 500 or more people gathered at the same time. If the wedding is held in a single undivided indoor space, there must not be 100 or more people gathered at the same time.

The venue operator or occupier will also need to ensure that they provide at least four square metres of space for each person on the premises (including venue staff).

While places of worship are generally closed to the public, they can be used for a wedding if the wedding complies with the relevant maximum person rules and the four square metre rule.

You should carefully consider advice from NSW Health in relation to organised gatherings in preparing for and attending weddings, even small ones.

## Can I attend large sporting events?

No. The Gatherings Order prohibits sporting events that would involve a gathering of 500 or more people in a single, undivided outdoor space at the same time, or a gathering of 100 or more people in a single undivided indoor space at the same time.

The Places Order requires all indoor recreation facilities to be closed to the public, so indoor sporting events will not be held.

## I organise or participate in a local sporting competition, can it go ahead?

The Orders do not require all sporting competitions to be cancelled.

The Places Order requires all indoor recreation facilities to be closed to the public. If the event was to take place in an indoor recreation facility (such as a squash court, indoor swimming pool, gym, table tennis centre, health studio, bowling alley or ice rink) then it will not be able to go ahead.

If the competition is not to be held in an indoor recreation facility, it can go ahead, provided that the number of participants and spectators at the venue does not exceed the relevant 100 person indoor rule or the 500 person outdoor rule.

The venue operator or occupier would also need to comply with the four square metre rule at all times.

Sporting activities may create the opportunity for physical contact between people and therefore can increase the risk of transmission of disease. The Australian Government's [Community Sport Guidelines](#) provide advice in relation to organising or attending these activities.

People should follow the advice of NSW Health in relation to social distancing and personal hygiene, whether in sporting activities or otherwise.

## Can I visit the art gallery or the museum?

Yes, as long as the art gallery or museum does not allow 100 or more persons to gather in a single undivided indoor space at the same time on its premises. The venue operator or occupier of the premises also needs to comply with the four square metre rule at all times.

## Can I go to the casino?

No. All casinos must be closed to the public.

A casino that provides accommodation is still allowed to provide that accommodation and to provide food and beverages to guests to consume in their rooms.

## **Can I go to the movies?**

No. All entertainment facilities, which includes theatres and cinemas, are required to be closed to the public.

## **Can I go to a gaming arcade?**

No. All amusement centres are required to be closed to the public.

## **Can I go to a bowling alley?**

No. All indoor recreation facilities are required to be closed to the public.

## **Can I attend a concert venue?**

No. All entertainment facilities, which includes music halls, dance halls and concert halls, are required to be closed.

## **I own a retail store, do I have to comply with the four square metre rule?**

No. Retail stores are exempt from the Gatherings Order.

However, people should always follow the advice of NSW Health in relation to social distancing and personal hygiene.

## **Are construction sites affected?**

No. The Gatherings Order does not apply to a gathering at a construction site that is necessary for the normal operation of the site.

## **Are airports affected?**

No. The Gatherings Order does not apply to gatherings at an airport that are necessary for the normal business of the airport.

## **Is public transport affected?**

No. Public transport services are not affected by the Gatherings Order.

## **Are hospitals affected?**

No. A gathering at a hospital or other medical or health service facility, that is necessary for the normal business of the facility, is not prohibited by the Gatherings Order.

## **Are aged care facilities affected?**

No. A gathering at an aged care facility, that is necessary for the normal business of the facility, is not prohibited by the Gatherings Order.

## **Is crisis and other temporary accommodation affected?**

No. The Gatherings Order does not apply to a gathering at an accommodation facility that is necessary for the normal operation of the facility.

## **Do my staff count when I am assessing whether I comply with the rules?**

Yes. The 500 person outdoor rule, the 100 person indoor rule and the four square metre rule are based on the total number of people. This means that all people – including staff – who are in the relevant indoor space or outdoor space will count in assessing compliance with the rules.

## **My venue has an area of 100 square metres. How many people can I have in it at one time under the four square metre rule?**

You need to allow four square metres of space (two metres x two metres) for each person in the premises. If your venue has a total area of 100 square metres, then you can have 25 people in it at one time. That includes both customers and staff.

## **Are all indoor venues automatically limited to 100 people?**

No. The 100 person indoor rule means 100 or more people cannot be in the same, undivided indoor space. A single venue may be made up of a number of different single undivided indoor spaces (for example, different rooms).

A venue operator or occupier of premises will have to comply with the four square metre rule for all gatherings that are held on the premises.

## **Can gatherings be modified so that they can go ahead?**

Yes. Gatherings that are not being held in premises that must be closed to the public may be able to be modified to ensure that there are never more than 499 people in a single undivided outdoor space at the same time, or more than 99 people in a single undivided indoor space at the same time.

An example of a modification may be temporarily dividing a premises so that it complies with the 500 person outdoor rule or the 100 person indoor rule. The venue operator or occupier of such a premises also needs to comply with the four square metre rule at all times.

Venue operators should implement systems to ensure that they comply, for instance, making use of ticketing systems or other crowd control services.

## **What happens if I don't comply with the Orders?**

Breach of the Orders attracts heavy penalties.

In the case of an individual, the maximum penalty is 100 penalty units (\$11,000), or imprisonment for 6 months, or both. In the case of a continuing offence, a further 50 penalty units (\$5,500) may apply for each day the offence continues.

In the case of any corporation, the maximum penalty is 500 penalty units (\$55,000). In the case of a continuing offence, a further 250 penalty units (\$27,500) may apply for each day the offence continues.

## **Will there be more Orders?**

The NSW Government is closely monitoring the situation and advice from NSW Health and will consider making other Orders if necessary in order to safeguard the community.

The Orders will stay in place as long as they are necessary to protect the health of the NSW public.

## **I think I should be exempt from the Order, who can I talk to?**

If you think that your gathering or premises should be exempted from the Order, please contact: [MOH-COVID-massgatherings@health.nsw.gov.au](mailto:MOH-COVID-massgatherings@health.nsw.gov.au)