



Phone – 02 9517 2577
 Fax – 02 9517 2488
 Post – PO Box 854,
 Newtown NSW 2042
 Street – Suite 203, 1 Erskineville Road,
 Newtown NSW 2042
 Email – info@scarletalliance.org.au
 Web – www.scarletalliance.org.au
 ABN - 86 612 112 065

COVID-19 Restrictions and Directions Affecting Sex Workers at 06/04/2020

The Australian federal, state and territory governments have announced public health directions and new laws as part of the COVID-19 response. The public health orders have announced closure of businesses and restrictions on activities and movement. Increased powers to enforce these requirements vary across states and territories.

While a federal announcement closed brothels, massage parlours and strip clubs, there are further restrictions impacting on other sectors of the sex industry made by the state and territory governments.

As a “state of emergency” has been declared in states and territories of Australia (except QLD), a number of agencies have authority to enforce these restrictions and directives, in addition to the existing enforcement of current sex work laws.

Restrictions are being updated frequently, and there have been new interpretations to existing orders. This document is correct at 6 April, 2020. **The Queensland section has been updated at 30 April, 2020.** Scarlet Alliance and our [member peer sex worker organisations](#) are remaining open or providing support via phone, and will continue to update workers with new information when available. Because this is changing so frequently, please check in with your state and territory sex worker organisation.

Federal

<p>Restrictions on non-essential services 31 March 2020</p>	<p>Strip clubs, brothels and sex on premises venues were required to close from midnight 31 March.</p> <p>Sex on premises venues or SOPVs is understood as venues where a person is required to pay an admission fee to enter the venue for the purpose of engaging in sex. Examples include gay bath house, gay saunas, backrooms / darkrooms, and sex clubstyle venues. They are distinct legally from brothels and other sex industry workplaces.</p> <p>REF: https://www.business.gov.au/risk-management/emergency-management/coronavirus-information-and-support-for-business/restrictions-on-non-essential-services</p>
<p>Limits on public gatherings for Coronavirus</p>	<p>Public gatherings, excluding household members, have been reduced to a maximum of two people.</p>

29 March 2020	<p>The restrictions state that everyone should stay home unless you are: shopping for essentials, receiving medical care, exercising or travelling to work or education.</p> <p>REF: https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/limits-on-public-gatherings-for-coronavirus-covid-19</p>
---------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Federal Government actions on COVID-19 are updated daily on <https://www.australia.gov.au/>

NSW

<p>Closure of Certain Premises 31 March 2020</p>	<p>Sex services premises “must not be open to the public” with no exceptions allowed under section 7(1o) and strip clubs “must be closed to the public” under section 7(2d).</p> <p>The Public Health Order states that definitions are the same as Standard Instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.</p> <ul style="list-style-type: none"> • This would exclude home based sex workers as the Standard Instrument—Principal Local Environmental Plan defines sex service businesses and home occupation separately. <p>“Sex services premises means a brothel, but does not include home occupation (sex services).” https://www.legislation.nsw.gov.au/#/view/EPI/2006/155a/dict1</p> <p>REF: https://www.legislation.nsw.gov.au/_emergency/Public%20Health%20(COVID-19%20Restrictions%20on%20Gathering%20and%20Movement)%20Order%202020.pdf</p>
<p>Restrictions on Gathering and Movement 31 March 2020</p>	<p>Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 restricts people’s movement. Examples of a ‘reasonable excuse’ for leaving the house include:</p> <p>(a) obtaining food or other goods and services, or</p> <p>(b) travelling for the purposes of work or education if the person cannot do it at home, or</p> <p>(c) exercise, or</p>

	<p>(d) medical or caring reasons</p> <p>The full list of Reasonable Excuses is to be found in Schedule 1 of the current Public Health Order</p> <p>Indoor and outdoor gatherings are restricted to two.</p> <p>NSW has a fining system for people who do not comply. Police officers may issue a penalty notice for an offence that occurs between 26 March 2020 and 25 March 2021 in the amount of:</p> <ul style="list-style-type: none"> o \$1,000 for an individual or o \$5,000 for a corporation. <p>Section 10 of the Public Health Act 2010 creates an offence if an individual fails to comply with a direction with a maximum penalty of imprisonment for 6 months or a fine of up to \$11,000 (or both) plus a further \$5,500 fine each day the offence continues. Corporations that fail to comply with a direction are liable to a fine of \$55,000 and \$27,500 each day the offence continues.</p> <p>REF: https://www.legislation.nsw.gov.au/_emergency/Public%20Health%20(COVID-19%20Restrictions%20on%20Gathering%20and%20Movement)%20Order%202020.pdf</p>
<p>Gatherings of more than 2 persons 31 March 2020</p>	<p>Gatherings of more than 2 persons</p> <p>Direction of Minister concerning gatherings of more than 2 persons</p> <p>(1) The Minister directs that a person must not participate in a gathering in a public place of more than 2 persons.</p> <p>The Public Health orders rely on the definition of 'public place' which is in the Summary Offences Act 1988 (https://www.legislation.nsw.gov.au/#/view/act/1988/25/part1/sec3).</p> <p>public place means:</p> <p>(a) a place (whether or not covered by water), or</p> <p>(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,</p> <p>whether or not the place or part is ordinarily so open or used and</p> <p>whether or not the public to whom it is open consists only of a limited class of persons, but does not include a school.</p> <p>see s 3(2) which states that</p>

	<p>a person who is in a vehicle in a place shall be taken to be in that place.</p> <p>REF: https://www.legislation.nsw.gov.au/emergency/Public%20Health%20(COVID-19%20Restrictions%20on%20Gathering%20and%20Movement)%20Order%202020.pdf</p>
<p>COVID-19 Legislation Amendment to Public Health Act in relation to Enforcement 25 March 2020</p>	<p>Police have the authority to arrest persons who contravene COVID public health order.</p> <p>71A Arrest of persons who contravene public health order relating to COVID-19 pandemic</p> <p>(1) A police officer may arrest a person if the police officer suspects on reasonable grounds that the person is contravening a public health order relating to the COVID-19 pandemic.</p> <p>(2) On being arrested, the person may be returned to—</p> <p>(a) the person’s home or usual place of residence, or</p> <p>(b) the place specified in the public health order that the person has been ordered to reside, or</p> <p>(c) if the person is a public health detainee, the person’s place of detention.</p> <p>The authority to ask for a name and address is extended to the police. (section 2.16 (4))</p> <p>The Public Health Act (NSW) provides “An authorised officer may direct a person whom the authorised officer suspects to have contravened or to be contravening any provision of this Act or the regulations, or who is apparently in charge of premises where such a contravention is occurring or evidently has occurred, to state his or her full name and residential address and (if the person is not the occupier of the premises) the name of the occupier of the premises.” - section 112 of the Public Health Act.</p> <p>REF: https://www.parliament.nsw.gov.au/bill/files/3741/Passed%20by%20both%20Houses.pdf</p>

The NSW Government actions on COVID-19 are updated daily on <https://preview.nsw.gov.au/covid-19>

Victoria

<p>Restricted Activity Directions 30 March 2020</p>	<p>The 'Restricted Activity Order' requires closure of brothels, sex on premises venues, strip clubs, escort agencies, other adult entertainment venues and "sole practioners" (commonly known as escorts or private workers).</p> <p>Addition of escort agencies to the list of restricted adult entertainment facilities on 30/03/2020. A clarification was issued by DHHS on 1st April, 2020 to state that "sole practioners" (commonly known as escorts or private sex workers) were also included in these directions.</p> <p>REF: https://www.dhhs.vic.gov.au/sites/default/files/documents/202003/Restricted%20Activity%20Directions%20.pdf</p>
<p>Non-essential Activity Directions (No2) 26 March 2020</p>	<p>Pubs, bars, clubs, nightclubs and hotels – 'a person who owns, controls or operates a licensed premises in Victoria must not operate that premises between midnight 26 March 2020 and midnight 13 April 2020.</p> <p>A licensed premises is defined to include a pub, bar, club, nightclub or a hotel that supplies alcohol under a general license, an on-premise license or a club license.</p> <p>Accommodation providers are exempt.</p> <p>Brothels, sex on premises venues, strip clubs, escort agencies or other adult entertainment venues are explicitly prohibited from operating between 26th March 2020 to 13th April 2020.</p> <p>It is specified that 'brothel' has the same meaning as in the Sex Work Act 1994.</p> <p>These guidelines issued have been interpreted by the Department of Health and Human Services as reflecting section 23 of the 'Sex Work Act 1994' which includes "sole practioners" (commonly known as escorts or private workers).</p> <p>REF: https://www.dhhs.vic.gov.au/sites/default/files/documents/202003/Non-Essential-Activity-Directons-No-2.pdf</p>

<p>Stay at home directions 30 March 2020</p>	<p>This 'stay at home' order restricts individuals freedom of movement. It states that movement is prohibited unless it is to:</p> <ul style="list-style-type: none"> - obtain necessary goods and services - care and other compassionate reasons - attend work and education - exercise - 'other reasons' which include for legal reasons, to move to new premise. <p>Under the restrictions on Gatherings, it says that only one other person that doesn't live with you can enter your premise (section 11(1b)). Under section 11(3) it states all the circumstances that another person can enter your home. These include things like for work and education, or care, inspection of property, medical or emergency purposes or required by the law.</p> <p>REF: https://www.dhhs.vic.gov.au/sites/default/files/documents/202003/Stay%20at%20Home%20Directions%20.pdf</p>
<p>On the Spot Fines related to 'Stay at Home Directions' 30 March 2020</p>	<p>All gatherings are restricted to no more than 2 people except for members of an individual's 'immediate household and for work or education'.</p> <p>Breaches to these regulations face on the spot fines of \$1,652 for individuals and \$9,913 for businesses. Larger fines can be issued through the courts.</p> <p>REF: https://www.premier.vic.gov.au/on-the-spot-fines-to-keep-victorians-safe/</p>
<p>Know your rights</p>	<p>https://www.consumer.vic.gov.au/resources-and-tools/advice-in-a-disaster/coronavirus-covid19-and-your-rights</p>

The VIC Government actions on COVID-19 are updated daily on

<https://www.dhhs.vic.gov.au/coronavirus>

Queensland

<p>Non-essential business, activity and undertaking Closure Direction (No.5) 9 April 2020</p>	<p>Brothels, strip clubs and massage parlours have been defined as 'non-essential' businesses and are required to close. These businesses cannot operate at a private residence.</p>
---------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>Sole operator sex workers are defined as non-essential businesses/activities and are directed to stop all services except online or phone services.</p> <p>“Sole operator sex workers may continue to provide online or phone services. <i>Example – video streaming or phone chat services</i>”</p> <p>“a person who owns, controls or operates a non-essential business, activity or undertaking may continue to do so online or through the internet”</p> <p>Police are continuing to charge sex workers under the existing Prostitution Act and Criminal Code laws (Eg working in pairs or from the same hotel as other workers). As well as checking businesses and sole operators are complying with the closure order. If businesses are operating, both the business owner/s and workers can and have been charged. In Queensland police have the power to operate covertly, posing as clients and regularly review sex worker advertising.</p> <p>If you are contacted by police, check their ID, write it down, photograph any paperwork or documents shown to you. Get in contact with Respect Inc ASAP.</p> <p>Failure to comply with public health directions:</p> <p>A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.</p> <p>Maximum penalty—100 penalty units. (\$13,345)</p> <p>REFS: https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/non-essential-business-closure-direction</p>
<p>Home confinement Direction - apply from midnight 29th of March 2020.</p>	<p>Home confinement directions restrict the reasons a person can leave their home, the number of visitors they can have and require groups of more than two persons (who are not members of the same household) to not gather except for permitted purposes.</p> <p>REF: https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/home-confinement-direction</p>

	ion
--	---------------------

Respect, Inc’s COVID-19 Information for sex workers is updated regularly on <https://respectqld.org.au/covid/>

The QLD Government actions on COVID-19 are updated daily on <https://www.covid19.qld.gov.au/>

NT

<p>Directions to Close Public Places, Services and Activities 5 April 2020</p>	<p>All sex work that is not conducted electronically or online is prohibited in the Northern Territory (NT) as of 5pm 2nd April.</p> <p>Directions 18 was issued as an update 11:59pm on 5 April 2020. However the direction for sex work in the NT has not changed.</p> <p>Advertising a service to be provided electronically or online has not been prohibited by this order.</p> <p>In the Northern Territory, all “sexual activity with another person in return for payment or reward” other than “electronically or online” sex work is now prohibited.</p> <p>Electronic or online forms of sex work services are inclusive of, but not limited to, the use of images, video or cam work, GIFs, phone sex and / or other online communication and information technology services.</p> <p>Electronic or online sex work, including virtual sex work appointments for reward and or payment, are permitted.</p> <p>REF: https://coronavirus.nt.gov.au/_data/assets/pdf_file/0019/812305/CHO-Directions-No-18-Directions-to-close-public-places,-services-and-activities-SIGNED.pdf</p> <p>These Directions will remain in force during any subsequent extensions of that declaration, which may be made under section 50(2) of the Public and Environmental Health Act 2011.</p> <p>An occupier of a place and a proprietor of a business must close to the public, including to a customer or member, any place specified in the direction and cease conducting with, or providing to, the public any activity or service specified in the direction.</p> <p>Any places, activities and or services are closed to the public, including to a customer or member:</p>
------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>A sex on premises venue, a brothel, a strip club or any place that sells admission to the place for customers to participate in sexual activity with each other; or provides services that involve a person participating in sexual activity with another person in return for payment or reward.</p> <p>To avoid doubt, these Directions do not prohibit any service or activity provided or conducted electronically or online.</p> <p>The maximum penalty for this offence is 400 penalty units, or 2 years imprisonment</p> <p>A person is not guilty of this offence if the person has a reasonable excuse</p> <p>REF: https://coronavirus.nt.gov.au/chief-health-officer-directions</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The NT Government actions on COVID-19 are updated daily on <https://coronavirus.nt.gov.au/>

ACT

<p>Advice for strip clubs, brothels and escort agencies 25 March 2020</p>	<p>Strip clubs, brothels and escort agencies explicitly prohibited from operating.</p> <p>Importantly, it says that the government ‘will be undertaking proactive monitoring to ensure local compliance with these restrictions’.</p> <p>The Sex Work Act differentiates between ‘commercial brothel’ and ‘sole operator brothel’ and ‘commercial escort agency’ and ‘sole operator escort agency’.</p> <p>Failure to comply can result in penalties for noncompliance that range from \$8,000 (50 penalty units) to \$40,500 for body corporates.</p> <p>REF: https://www.covid19.act.gov.au/_data/assets/pdf_file/0006/1506840/2020.03.26-AC-letter-to-strip-clubs,-brothels,-escort-agencies.pdf</p>
<p>Penalties for closure of non-essential businesses or undertaking 31 March 2020</p>	<p>Specifies strip clubs, brothels and escort agencies</p> <p>Maximum Penalty: In the case of a natural person, \$8,000 (50 penalty</p>

	<p>units)</p> <p>In the case of a body corporate, \$40,500 (50 penalty units)</p> <p>In the case of a utility that is a body corporate, \$1,620,000 (2000 penalty units)</p> <p>REF: https://www.legislation.act.gov.au/View/ni/2020-203/current/PDF/2020-203.PDF</p>
<p>Restrictions on public gatherings</p>	<p>Indoor and outdoor public gatherings, excluding household members, have been reduced to a maximum of two people.</p> <p>Exceptions for weddings, funerals, people in the same household and family unit.</p> <p>Movement restricted to:</p> <ul style="list-style-type: none"> ● shopping for what you need - food and necessary supplies ● medical or health care needs, including compassionate requirements ● exercise in compliance with the public gathering requirements ● work and study if you can't work or learn remotely. <p>However, it also says 'This does not mean you cannot leave your home, rather you should exercise caution and maintain physical distancing wherever possible'</p> <p>REF: https://www.covid19.act.gov.au/protecting-yourself-and-others/outside-the-home#Closure-of-Non-Essential-Businesses-and-Undertaking</p>

The ACT Government actions on COVID-19 are updated daily on <https://www.covid19.act.gov.au/>

Western Australia

<p>Closure of Certain Places of Business, Worship and Entertainment Directions (No2)</p> <p>23 March 2020</p>	<p>Massage Parlours, adult entertainment premises (including but not limited to strip clubs, brothels, and sex on premises venues) are directed to be closed to the public until the 13th of April 2020.</p> <p>REF:</p>
---------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>https://www.wa.gov.au/sites/default/files/2020-03/Closure%20of%20Places%20Direction%202_0.pdf</p>
<p>Preventative Restriction of Activities Directions (No 2) 31 March 2020</p>	<p>A person is prohibited from engaging, organising or attending a prohibited activity.</p> <p>'It is an offence for a person to fail, without reasonable excuse, to comply with any of these directions, punishable by a fine of up to \$20,000 for individuals and \$100,000 for bodies corporate.'</p> <p>REF: https://www.wa.gov.au/sites/default/files/2020-03/200330%20Restriction%20on%20Activities%20Direction%20%28no.2%29.pdf</p>
<p>Prohibited Gatherings Directives 31 March 2020</p>	<p>Indoor and outdoor gatherings are restricted to two people unless the people are from the same household.</p> <p>'It is an offence for a person to fail, without reasonable excuse, to comply with any of these directions, punishable by a fine of up to \$20,000 for individuals and \$100,000 for bodies corporate.'</p> <p>REF: https://www.wa.gov.au/sites/default/files/2020-03/200331%20Prohibited%20Gatherings%20Direction.pdf</p>
<p>Penalties for non-compliance with quarantine and gathering requirements 31 March 2020</p>	<p>WA have mobilised a 200-officer task force to investigate compliance with quarantine and gathering restrictions.</p> <p>https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/covid-19-coronavirus-western-australian-government-response</p> <p>Penalty fines for businesses are \$1,000 for workers, \$5,000 for owners</p>
<p>Emergency Management Act 4 April 2020</p>	<p>S.86 states:</p> <p>(1) Failure to comply with direction (1) A person given a direction under section 47, 67, 70, 71 or 75 must comply with the direction.</p> <p>Penalty:</p> <p>(a) a fine of \$50 000; (b) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$5 000.</p>

(2) A person must comply with a direction referred to in subsection (1) despite the provisions of any other written law, and the person does not commit an offence by reason of that compliance.

71 is Powers of police to direct closure of places and concerning movement and evacuation

specifically, we are covered under subclause 1:

1) For the purpose of emergency management during an emergency situation or state of emergency, a police officer may direct the owner, occupier or the person apparently in charge of any place of business, worship or entertainment in the emergency area to close that place to the public for the period specified in the direction

75 is General powers during a state of emergency, which are extensive.

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2388_homepage.html

Section 67: Restricting intrastate travel -
As of April 1 2020, Western Australians will not be allowed to travel outside their designated region.

Western Australian intrastate travel is defined as movement through the boundaries of the regions of Western Australia.

These regions are:

Perth and Peel (due to their proximity, the Perth and Peel regions will form one region)

South West

Great Southern

Goldfields-Esperance (stronger restrictions apply to the Shire of Ngaanyatjarraku)

Mid-West

Wheatbelt

Gascoyne

Pilbara (stronger restrictions apply to parts of the Shire of East Pilbara)

Kimberley (stronger restrictions apply to the entire Kimberley region)

Exemptions will apply for:

	<p>-People travelling to work -Attending medical appointments -Transporting freight -Those who do not have access to groceries or supplies within their region -Returning to a place of residence -Attending school or an educational institution where necessary -Catering for family members -Compassionate grounds</p> <p>Check points and mobile police patrols will be in place to monitor travel across boundaries to these regions.</p> <p>https://www.wa.gov.au/sites/default/files/2020-03/Prohibition%20on%20Regional%20Travel%20Directions.pdf</p>
<p>State of Emergency Declarations 1 April 2020</p>	<p>New offences created for spitting or coughing near police, and for claiming to have coronavirus.</p> <p>“individuals could face up to 10 years' imprisonment if found guilty of assaulting a frontline worker in circumstances where they know they have COVID-19 or create a belief, suspicion or fear that they have COVID-19.”</p> <p>REF: https://www.wa.gov.au/government/document-collections/covid-19-coronavirus-state-of-emergency-declarations</p>

The WA Government actions on COVID-19 are updated daily on <https://www.wa.gov.au/government/covid-19-coronavirus>

TAS

<p>Business Restrictions 25 March & 3 April 2020</p>	<p>As of Wednesday 25 March, restrictions order closure of:</p> <ul style="list-style-type: none"> ● Spas and massage parlours ● Strip clubs, and sex on premises venues ● Cinemas, entertainment venues, casinos, night clubs <p>As of Friday 3 April,</p> <p>‘sex workers (cannot operate or place</p>
-----------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>advertisements in local newspapers).’</p> <p>Each person who provides a service specified in Schedule 2 in Tasmania must not provide the service commencing from 6pm on 3 April 2020:</p> <p>Schedule 2 includes the provision of services to a person by a sex worker, within the meaning of the Sex Industry Offences Act 2005.</p> <p>REF https://www.coronavirus.tas.gov.au/_data/assets/pdf_file/0023/86720/29.-PHA-Mass-Gatherings-2-April-2020.pdf</p> <p>Within the Sex Industry Offences Act 2005 sexual services means – (a) an act of sexual intercourse; or (b) any activity where there is any form of direct physical contact between 2 or more persons for the purpose of the sexual gratification of one or more of those persons including, without limitation, the masturbation of one person by another http://classic.austlii.edu.au/au/legis/tas/consol_act/sioa2005253/s3.html</p> <p>As of Wednesday, 25 March:</p> <p>Hotels, motels, hostels, bed and breakfasts and boarding houses (excluding permanent residents and workers). <i>NB: People who are staying at all these accommodation types in Tasmania, have until 11.59pm Wednesday 1 April 2020 to depart. Anyone self-isolating must continue to do so for the 14-day self-isolation period. New bookings cannot be made. See emergency accommodation for travellers for more information.</i></p> <p>REF: https://coronavirus.tas.gov.au/business-and-employees/business-restrictions</p>
<p>Directions on Gatherings 31 March 2020</p>	<p>Indoor and outdoor gatherings of 3 or more are prohibited. In other words, gatherings of more than 2 are prohibited.</p> <p>However, this does not apply to a private vehicle (Section f(iii))</p> <p>It also says that “in any gathering, the total number</p>

	<p>of persons present in any single undivided space, at the same time, must not exceed the number calculated by dividing the total area of the space used, as measured in square metres, by 4;”</p> <p>Under Schedule 1 (8) strip clubs, brothels and other similar premises are explicitly prohibited.</p> <p>All spas and massage parlours and other similar premises are prohibited under Schedule 1(11)</p> <p>REF: https://www.coronavirus.tas.gov.au/__data/assets/pdf_file/0023/86720/29.-PHA-Mass-Gatherings-2-April-2020.pdf</p>
<p>Penalties under Public Health Act 1997 Division 2: Emergency Powers</p>	<p>Penalties: (3) A person must comply with a direction of the Director given under this section.</p> <p>Penalty: Fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.</p> <p>16A. Warrant may be issued if person fails to comply with direction under section 16</p> <p>Current penalty unit value for 1 penalty unit is \$168</p> <p>REF: https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-086#HP2@HD2@EN</p>

The TAS Government actions on COVID-19 are updated daily on <https://coronavirus.tas.gov.au/>

South Australia

<p>Emergency Management (Non-Essential Business and Other Activities No 2) (COVID-19) Direction 2020 31 March 2020</p>	<p>Emergency Management (Non-Essential Business and Other Activities No 2) (COVID-19) Direction 2020</p> <p>Specifies</p> <p>3 - Definitions: 1(x) saunas, bathhouses, wellness centres, spas and massage parlours</p> <p>4-Direction</p>
----------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>(1) Subject to the exceptions set out in clause 5- (a) a person who owns, controls or operates a defined premises must close those premises and keep those premises closed in so far as it is necessary to prohibit access to consumers or members of the public; and (b) a consumer or member of the public must not enter into defined premises.</p> <p>(2) Subject to the exceptions set out in clause 5- (a) a person must not conduct defined work or operations; and (b) a consumer or member of the public must not participate in defined work or operations.</p> <p>(3) A person who, pursuant to the exceptions set out in clause 5, is present at defined premises or who participates in defined work or operations must use their best endeavours to comply with the social distancing principles (having regard to the all the circumstances).</p> <p>No penalties defined in this order.</p> <p>REF: https://www.sa.gov.au/_data/assets/pdf_file/0007/605590/Signed-Direction-Non-Essential-Business-and-other-activities-no-2-COVID-19-Direction-2020.pdf</p>
<p>Emergency Management Act 2004 Declaration of a Major Emergency 22 March 2020</p>	<p>Police Commissioner declared Assistant State Coordinator in conjunction with a Declaration of a Major Emergency</p> <p>REF: https://www.covid-19.sa.gov.au/_data/assets/pdf_file/0004/145687/Major-Emergency-Declaration-Signed-1300-Hrs-22032020.pdf</p>
<p>Emergency Management Act 2004 Extension 4 April 2020</p>	<p>Section 23(2) extended for a period of 28 days as of 1pm, 4th April 2020. Approved by SA Governor.</p> <p>https://www.covid-19.sa.gov.au/_data/assets/pdf_file/0005/145688/Emergency-Services-Act-2004-Governors-Approval-of-Extension-of-Major-Emergency-Declaration-Signed-Documents.pdf</p>
<p>SAPOL notice re: enforcement of rules and restrictions 28 March 2020</p>	<p>‘SA Police have established a new team dedicated to enforcing quarantine rules, social distancing restrictions and business closure rules, and will be knocking on the doors of individuals and businesses</p>

	<p>to ensure pandemic restrictions are being adhered to. From today (28 March), police will be able to issue an on-the-spot fine to those who fail to comply with directions made by the State Coordinator for the declared Major Emergency, under the Emergency Management Act 2004.</p> <p>....It is proposed that authorised officers will be able to issue expiation notices of \$1,000 for non-compliance by a person and \$5,000 for non-compliance by a body corporate.'</p> <p>Authorised members of SAPolice are issuing directives in the form of hand delivered documents that detail the nature of services allegedly taking place on the premises along with a request to cease and desist. Maximum penalties detailed in the document are \$20,000 fines for individuals and \$75,000 fines for bodies corporate found to be in breach of the current directives.</p> <p>REF: https://www.police.sa.gov.au/sa-police-news-assets/front-page-news/expiation-notices-to-be-introduced-for-covid-19-non-compliance</p>
<p>Restrictions on business, organisations, activities, events and gatherings in South Australia - COVID-19 25 March 2020</p>	<p>The South Australian Public Health Act includes police officers as 'authorised' individuals in the enforcement of public health directives and grants them the power to issue fines for non-compliance. Despite the lack of detailed legislation outlining specific financial penalties for non-compliance, at present SA police have sweeping powers to enforce state directives around Covid-19 due to the declaration of a state of emergency on the 22nd March, 2020.</p> <p>South Australia Police will be conducting proactive random checks on venues and those businesses which have been captured by these newly announced restrictions.</p> <p>Failure to comply with the direction is an offence with a maximum penalty of \$20,000 per individual or \$75,000 for a company. These amounts are <i>maximum</i> penalties and may be enforced if fines are escalated due to nonpayment or if the individual or corporation is brought before a magistrate. On the spot expiation notices of \$1,000 per individual and \$5,000 per body corporate may be issued for</p>

	<p>non-compliance.</p> <p>REF: https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/health+topics/health+topics+a+-+z/covid+2019/covid-19+response/mass+gatherings+and+events+-+covid-19#Leisureandcreation</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The SA Government actions on COVID-19 are updated daily on

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/health+topics/health+topics+a+-+z/covid+2019/latest+updates/latest+updates+-+covid-19>