

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 61, 67 and 72A

COVID TRANSITION (LEVEL 2 PUBLIC HEALTH AND SOCIAL MEASURES) DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 am on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005 (WA)* (**Act**) (**State of Emergency**). The State of Emergency applies to the State of Western Australia.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, consider it reasonably necessary to give these directions to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19 pursuant to my powers under sections 61, 67 and 72A of the Act.

PREAMBLE

1. The purpose of these directions is to regulate certain gatherings, to place restrictions on certain places in the **affected area** and to give further directions in order to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19 and to otherwise limit the spread of COVID-19.

CITATION

2. These directions may be referred to as the **COVID Transition (Level 2 Public Health and Social Measures) Directions**.

COMMENCEMENT

3. These directions come into effect at 12.01am on 3 March 2022 and remain in effect for the **Level 2 period**.

OPERATION

4. During the Level 2 period, a person must comply with these directions and not the COVID Transition (Public Health and Social Measures) Directions except where these directions expressly provide otherwise.

5. These directions operate throughout the affected area unless expressly stated otherwise.
6. These directions are intended to operate in addition to other directions in place, including:
 - (a) the Contact Register Directions (No 3); and
 - (b) the Proof of Vaccination Directions (No 5); and
 - (c) the COVID Transition (Face Covering) Directions (No 3),as amended from time to time, and to the extent of any inconsistency, these directions prevail.

DIRECTIONS

PART I: GATHERINGS IN THE AFFECTED AREA

*This part sets out requirements regarding **capacity caps** and **density limits** for certain venues in the affected area, the maximum number of people who may attend at certain types of gatherings or **premises** and where seated service rules apply. The requirements apply cumulatively.*

Density limits and restrictions on gatherings and activities at high risk venues

7. Subject to paragraph 8, a person must not hold, conduct, participate in or attend a gathering:
 - (a) of 2 or more persons; and
 - (b) in a single undivided **indoor space** or a single undivided **outdoor space** (whether or not the space is a **public place**); and
 - (c) where that gathering is on or at a **high risk venue** in the affected area; and
 - (d) where the number of **patrons** present at the same time exceeds 150,other than an **excluded gathering** or an **exempt gathering**.

Note: Where there are multiple spaces within a place and each is separated by a sufficient dividing structure, those spaces are separate spaces for the purposes of this requirement. By way of example, if a venue has 3 separate function rooms and each function room is enclosed and separate from the other function spaces (including

because of the presence of walls, a ceiling and a door, the 150 patron cap can be utilised for each of those spaces.

8. The requirements in paragraph 7 do not apply at the following high risk venues:
- (a) that part of the Crown Perth Complex that is comprised of the gaming floor;
or
 - (b) a swimming pool (whether indoors or outdoors); or
 - (c) a library; or
 - (d) an amusement park that is predominantly outdoors; or
 - (e) the Perth Zoo; or
 - (f) any other venue which the State Emergency Coordinator or a person approved by the State Emergency Coordinator, or the Chief Health Officer or a person approved by the Chief Health Officer, for the purposes of this paragraph designates in writing to be a high risk venue to which this paragraph applies,

provided that the total number of patrons present at the same time at any gathering in a single undivided indoor space or a single undivided outdoor space at a high risk venue referred to in this paragraph must not exceed 500.

9. A person must not hold, conduct, participate in or attend a gathering of 2 or more persons at the same time in a single undivided indoor space or a single undivided outdoor space (whether or not the space is a public place) where that gathering is on or at a high risk venue in the affected area unless:
- (a) the gathering is an excluded gathering or an exempt gathering; or
 - (b) there is at least 2 square metres of **publicly accessible** space for each person at the gathering; or
 - (c) the gathering is on the gaming floor of the Crown Perth Complex, in which case the requirements of paragraph 10 apply.

10. A person must not hold, conduct, participate in or attend a gathering of 2 or more persons in any space comprising the whole or part of the gaming floor of the Crown Perth Complex (other than an excluded gathering or exempt gathering) where there is

not at least 4 square metres of publicly accessible space for each person at the gathering.

11. A person who owns, controls or operates a high risk venue in the affected area must not allow a gathering of 2 or more persons to occur in a single undivided indoor space or a single undivided outdoor space at the same time on or at the high risk venue (whether or not the space is a public place) if that gathering does not comply with the requirements of paragraph 7 – 10.
12. Notwithstanding paragraphs 7 – 11, a person may hold, conduct, participate in or attend a gathering other than a **restricted gathering** on or at a high risk venue in the affected area of 2 or more persons in a single undivided indoor space or a single undivided outdoor space at the same time where there is not at least 2 square metres of publicly accessible space for each person at the gathering if:
 - (a) the venue is a **specified entertainment venue**; and
 - (b) the number of patrons present at the gathering does not exceed the greater of:
 - (i) 50% of the **fixed seating capacity** of the specified entertainment venue; and
 - (ii) the number of patrons that can be accommodated whilst allowing 2 square metres of publicly accessible space for each person at the gathering up to a cap of 150 patrons.

Note: Gatherings at specified entertainment venues can have the greater of 50% of fixed seated capacity or the number of persons that can be accommodated applying the 2 square metre rule up to 150 patrons. The 150 patron cap only applies where the 2 square metre rule is being applied.

Maximum numbers of people at homes, weddings and funerals, private gatherings and community sport

13. Subject to paragraph 14, a person must not hold, conduct, participate in, or attend a gathering of persons at a **home** in the affected area, whether the gathering is indoors or outdoors, where the total number of persons exceeds the greater of:
 - (a) 10 (including members of the **household**); or
 - (b) the number of members of the household.

14. A person may hold, conduct, participate in or attend a gathering at a home in the affected area where the number of persons exceeds the maximum number of persons permitted at a home under paragraph 13 if:
- (a) the gathering is a wedding, a wedding reception, a funeral or wake; and
 - (b) there is at least 2 square metres space for each person at the gathering; and
 - (c) the total number of persons present at the gathering does not exceed 150; and
 - (d) there are no more than 10 people in the house at any one time.
15. A person must not conduct, participate in, or attend a wedding, wedding reception, funeral or wake in the affected area other than at a home (including at a high risk premises) where:
- (a) the total number of persons present exceeds 150; and
 - (b) there is not at least 2 square metres of publicly accessible space for each person at the gathering.

Note: these requirements apply to all weddings, wedding receptions, funerals and wakes regardless of where they are held in the affected area other than weddings, wedding receptions, funerals or wakes held at home, which are dealt with in paragraph 14. The requirements apply even if the wedding, wedding reception, funeral or wake is held at a venue that is not a high risk venue.

16. A person must not hold, conduct, participate in, or attend a **private gathering** of more than 50 persons that occurs in an outdoor space that is not a high risk venue unless the gathering is:
- (a) solely for a **community sporting activity**, in which case, subject to the requirements of paragraph 17, there is no maximum number of persons who may be present at the gathering; or
 - (b) at a **major stadium**, in which case the requirements set out in paragraphs 20 to 23 apply (in addition to those requirements applying to any gathering at a major stadium which is not a private gathering).

Spectators at Community Sporting Activities

17. In addition to any other requirements imposed by these directions, a person must not attend a community sporting activity as a spectator unless that person:
- (a) is a parent or guardian of a child who is participating in that community sporting activity as a player or official; or
 - (b) is otherwise a member of the immediate family of a person who is a player in that community sporting activity.

Seated service requirements for certain venues

18. A person who owns, controls, operates or is otherwise apparently in charge of the **seated service venue** or is a member of its **staff** who is engaged in providing food or beverage service at a seated service venue must only provide **seated service** at the seated service venue and must not allow food or beverages (including alcohol) to be consumed at the seated service venue other than by a patron who is seated.
19. A patron must not consume food or beverages (including alcohol) at a seated service venue unless they are seated.

Special requirements for gatherings at major stadiums

20. A **stadium operator** must not allow a gathering at the relevant major stadium in the affected area where the total number of patrons at the relevant major stadium exceeds:
- (a) 50%; or
 - (b) such other higher percentage approved by the Chief Health Officer or a person appointed by the Chief Health Officer for that purpose,
- of the fixed seating capacity of the **spectator seating** at the relevant major stadium.
21. A person who attends a gathering at a major stadium must wear a **face covering** at all times while present at the major stadium unless one of the **face covering exceptions** applies to them.
22. A stadium operator must take all reasonable steps to ensure spacing between groups of patrons present at a gathering at the relevant major stadium.
23. In addition to the requirements of paragraph 20 and 22, the stadium operator must not allow a gathering of more than 2 people in any individual **hospitality space** or **special seating space** at the relevant major stadium in the affected area unless there is at least

2 square metres of publicly accessible space for each person at the gathering and there are no more than 150 patrons present at the gathering at the same time.

Calculating space for the purposes of the 2 square metre rule

24. In determining the space in a single undivided indoor area or a single undivided outdoor area, only publicly accessible space should be included.

PART II: VISITOR REQUIREMENTS

*This part sets out visitor caps in relation to residential disability care facilities and hospitals. The requirements are specific to the type of facility. People are able to visit a **hospital** for compassionate reasons such as end of life care and additional visitors can also be approved to attend residential disability care facilities for compassionate purposes.*

Maximum number of visitors at residential disability care facilities

25. Subject to paragraph 26, the owner, operator or person otherwise apparently in charge of a residential disability care facility must take all reasonable steps to ensure that no more than two visitors per day enter the facility for the purpose of visiting any single resident or patient unless a greater number of visitors has been approved in respect of that resident or patient by the Chief Health Officer or a person approved by the Chief Health Officer for the purposes of this paragraph.

Note: Up to 2 visitors can visit each resident or patient. This paragraph does not impose a cap on the total number of visitors who may enter a residential disability facility or a hospital, the cap applies to an individual resident or patient.

26. Where it is necessary for the purposes of providing urgent or end of life care or support to a resident, and it is not reasonably practicable to obtain the prior approval of the Chief Health Officer or a person authorised by the Chief Health Officer for the purposes of paragraph 25, the owner, operator or person otherwise apparently in charge may allow more than 2 visitors to enter the facility to visit that resident on a particular day but must keep a record of those visitors and notify the Chief Health Officer as soon as reasonably practicable.

Visitors to hospitals

27. The owner, operator or person otherwise apparently in charge of a hospital must not allow a person to enter or remain at a hospital for the purposes of visiting any patient at the hospital, other than where the person:
- (a) is the parent or guardian of a child who is a patient; or
 - (b) is the parent or guardian of an adult patient with complex needs; or
 - (c) is the **carer** of the patient; or
 - (d) is a **support person**; or
 - (e) is otherwise present for compassionate reasons, including end of life care or support.

PART III: EVENTS AND OTHER LARGE GATHERINGS

This part deals with the requirements for events and other gatherings that are not otherwise provided for in these directions.

Prohibition on events and other organised public gatherings

28. A person must not hold, conduct, participate in, or attend an **event** in the affected area.
29. A person must not hold, conduct participate in, or attend an **organised public gathering** unless:
- (a) there are at least 2 square metres of publicly available space for each person present at the gathering; and
 - (b) there are no more than 500 patrons present at the gathering at the same time; and
 - (c) all persons present at the gathering wear a face covering at all times unless one of the face covering exceptions applies to them.

PART IV: COVID SAFETY PLAN REQUIREMENTS

The requirements for COVID safety plans and safety plan certificates that are imposed by the COVID Transition (Public Health and Social Measures) Directions will continue to apply during the Level 2 period.

Requirement for COVID safety plan and safety plan certificate at specific places

30. During the Level 2 period, a person must continue to comply with any obligation that applies to them under paragraph 24 of the COVID Transition (Public Health and Social Measures) Directions.

AUTHORISATION

31. For the avoidance of doubt, in addition to and without limiting any other authorisation any **relevant officer** may have, all relevant officers are authorised under section 61 of the Act to give any **direction** to a person for the purpose of giving effect to these directions.

INTERPRETATION

32. Unless specified otherwise, any reference in these directions to any other direction made by the State Emergency Coordinator is deemed to be a reference to that direction as amended or replaced from time to time.

DEFINITIONS

33. **Affected area** means the whole of the State of Western Australia.

34. **Authorised officer** has the same meaning that it has in the Act.

*Note: At the time of making these directions, all **police officers** are **authorised officers**, and paragraph 31 ensures that relevant officers are also authorised officers for the purposes of these directions.*

35. **Bottleshop** means an area physically attached or adjacent to the premises of a business characterised as:

(a) a pub, bar, tavern or club that supplies alcohol under a licence granted under the *Liquor Control Act 1988* (WA); or

(b) a hotel,

that sells packaged alcohol to be consumed off the premises of the pub, bar, club or hotel.

36. **Capacity** means the maximum number of people that can be accommodated at the premises consistent with any legal requirements.
37. **Carer** has the same meaning as in the *Carers Recognition Act 2004* (WA).
38. **Casino** has the same meaning that it has in the *Casino Control Act 1984* (WA).
39. **Child care facility** means a place where:
- (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1) operates; or
 - (b) a child care service as defined in the *Child Care Services Act 2007* (WA) section 4 is provided.
40. **Community sporting activity** means:
- (a) an organised and scheduled amateur sporting activity or undertaking; or
 - (b) an organised and scheduled training session relating to an organised and scheduled amateur sporting activity,
- involving members of the community, and played or participated in other than for **valuable remuneration** but does not include a training session, sporting activity or undertaking at a major stadium.
41. **Direction** includes a direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
42. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).
43. **Entertainment venue of any other kind** means any entertainment venue that is not otherwise referred to in Schedule 1.
44. **Event** means any gathering of more than 500 patrons, whether in public or in private, and whether undertaken or engaged in on a for profit or not for profit basis, unless the gathering:
- (a) falls within the terms of an existing approval under section 178 of the *Health (Miscellaneous Provisions) Act 1911* (WA) other than an approval which has been issued on a temporary basis or is expressed to apply only for a fixed period of time; or

(b) is an excluded gathering or an exempt gathering.

Note: for the avoidance of doubt, an event includes, but is not limited to, any event that requires approval under section 176 or section 178 of the Health (Miscellaneous Provisions) Act 1911 (WA) or regulation 9 of the Health (Public Buildings) Regulations 1992 (WA).

45. **Excluded gathering** means a gathering:

- (a) at an outdoor gym, or a **playground** or **skate park**; or
- (b) at an airport that is necessary for the normal business of the airport; or
- (c) for the purposes of or related to public transportation, including at public transportation facilities such as stations, platforms and stops; or
- (d) at a medical or health service facility that is necessary for the normal business of the facility that is not a gathering of visitors; or
- (e) at a disability or aged care facility that is necessary for the normal business of the facility that is not a gathering of visitors; or
- (f) for the purposes of providing care or assistance (including personal care) to a vulnerable person or providing emergency assistance; or
- (g) for the purposes of emergency services; or
- (h) at a prison, detention centre, lock up or other place of custody for the purposes of or related to the operation of that place of custody; or
- (i) at Parliament for the purposes of its normal operations; or
- (j) at a court or tribunal; or
- (k) at a permanent fixture food market, supermarket, grocery store, retail store or shopping centre that is necessary for the normal business of those premises; or
- (l) at an office building, factory, mining site (including mining site accommodation), construction site or other place of work that is necessary for the normal business of those premises, except premises described in paragraph 45(m); or

- (m) at a school, educational institution other than a **higher education facility** or **child care facility** that is necessary for the normal business of the facility; or
- (n) at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
- (o) in an outdoor space where a gathering of persons may be present for the purpose of transiting through the space; or
Example: Forrest Place, Perth.
- (p) in an indoor space where a gathering of persons may be present for the purpose of transiting through the space; or
Examples: Perth Busport; an elevator or lift.
- (q) in an indoor space or an outdoor space where everyone in the gathering is a member of the same household; or
- (r) in or on a vehicle (including a **motor vehicle**, boat or aircraft), unless the vehicle is being used for the dominant purpose of serving or consuming food or drink.

- 46. **Exempt gathering** means a gathering which the State Emergency Coordinator or a person approved by the State Emergency Coordinator, or the Chief Health Officer or a person approved by the Chief Health Officer, for the purposes of this paragraph designates in writing to be an exempt gathering, which exemption may be subject to terms and conditions which must be complied with.
- 47. **Face covering** has the same meaning as in the COVID Transition (Face Covering) Directions (No 3).
- 48. **Face covering exceptions** means any of the exceptions set out in the COVID Transition (Face Covering) Directions (No 3).
- 49. **Fixed seating** means seats which are securely affixed to the floor or otherwise fastened together in blocks of not less than 4 seats and also includes tiered seating that forms part of the immovable structure of a place, such as the tiers of an amphitheatre or a stadium grandstand.
- 50. **Fixed seating capacity** means the maximum number of patrons who can be seated in **fixed seating** at the premises.

51. **Formal worship** means a religious ceremony or service that consists of communal involvement or participation in religious observances or practices, including rites, rituals, prayer, singing or the receiving of religious instruction.
52. **High risk venue** means a venue listed in Schedule 1.
53. **Higher education facility** includes a university, a vocational education facility, an English language school and a pathway college.
54. **Home** means the premises or place where a person usually resides or other premises (such as a hotel room or short stay accommodation) at which a person is residing.
55. **Hospital** has the same meaning as in the *Health Services Act 2016*.
56. **Hospitality space** means a space at the relevant major stadium which is:
- (a) characterised as a pub, bar or club (but not a **nightclub**) that supplies alcohol under a licence granted under the *Liquor Control Act 1988* (WA); or
 - (b) a restaurant or café (including premises selling food or drink in a food court).
57. **Hospitality venue** means:
- (a) that part of any business, place or premises, including any business, place or premises, including one characterised as a pub, bar, club or tavern, but not a nightclub, that supplies alcohol under a licence granted under the *Liquor Control Act 1988* (WA) (but not including any part of the business constituted by a **bottleshop**); or
 - (b) a hotel, whether licensed or unlicensed, except any part of the hotel:
 - (i) constituted by a bottleshop; or
 - (ii) which consists of accommodation or is otherwise necessary or essential to enable a patron to utilise the accommodation (such as lifts and reception services).
58. **Household** means two or more persons who usually reside at the same home, irrespective of whether those persons are related to each other.
59. **Indoor space** means an area, room or premises that is or are substantially enclosed by a roof and a **sufficient dividing structure**, regardless of whether the roof or sufficient dividing structure, or any part of them, are permanent or temporary or capable of being opened or closed.

60. **Level 2 period** means the period commencing at 12.01am on Thursday 3 March 2022 and continuing until the date and time that these directions are revoked.
61. **Main arena** has the same meaning as in the Proof of Vaccination Directions (No 5), as amended or replaced from time to time.
62. **Major stadium** means, if in the affected area and as context demands:
- (a) Optus Stadium; or
 - (b) HBF Park; or
 - (c) HBF Stadium – **Main Arena**; or
 - (d) RAC Arena.
63. **Motor vehicle** has the same meaning that it has in paragraph (b) of the definition of "motor vehicle" in section 4 of the *Road Traffic (Administration) Act 2008* (WA).
64. **Nightclub** means a place that has a nightclub licence under section 42 of the *Liquor Control Act 1988* (WA) or another place that is specified in writing by the State Emergency Coordinator, or a person authorised by the State Emergency Coordinator for that purpose, to be a nightclub for the purposes of these directions.
65. **Organised public gathering** means an outdoor gathering other than:
- (a) an excluded gathering; or
 - (b) an exempt gathering; or
 - (c) a private gathering; or
 - (d) a gathering at a home; or
 - (e) a wedding, wedding reception, funeral or wake; or
 - (f) a gathering at a high risk venue; or
 - (g) a gathering for the purposes of a community sporting activity or at a major stadium,
- and includes a gathering which falls within the scope of an approval under section 178 of the *Health (Miscellaneous Provisions) Act 1911* (WA).
66. **Outdoor gym** means an outdoor space used for, and equipped with, facilities or equipment for exercise.

67. **Outdoor space** means any space that is not an indoor space.
68. **Patron** means a person who is not staff and, for the avoidance of doubt, includes spectators.
69. **Place of worship** means premises used for religious activities such as a chapel, church, mosque, synagogue or temple or any other premises at the time it is being used for the purpose of **formal worship**.
70. **Playground** means an outdoor space used for, and equipped with, facilities for recreation, especially by children.
71. **Police officer** means a person appointed under Part I of the *Police Act 1892* (WA) to be a member of the Police Force of Western Australia.
72. **Premises** includes:
- (a) land (whether vacant or not); and
 - (b) land covered by water, whether permanently or temporarily or from time to time; and
 - (c) the whole or any part of a building or other structure, of whatever type and whether of a permanent or temporary nature; and
 - (d) a vehicle.
73. **Private gathering** means an organised or planned gathering or activity for a common recreational purpose, including a birthday party or other private function, but not including a gathering at a home, an event or a wedding, wedding reception, funeral or wake.
- Example: a party or picnic is a private gathering. A gathering will not be a private gathering where the presence of people at the gathering is incidental. For example, if people are at the beach at the same time but their presence was not arranged or organised, and is merely incidental, it will not be a private gathering.*
74. **Public place** means premises that are open to the public, or are used by the public whether or not for payment or other consideration, whether or not the place is ordinarily so open or used and whether or not the public to whom it is open consists of only a limited class of persons.

75. **Publicly accessible** means open to, practically accessible and permitted to be used by, the public.
76. **Relevant officer** means:
- (a) an authorised officer; or
 - (b) an **emergency officer**; or
 - (c) a **responsible officer**.
77. **Responsible officer** means:
- (a) an officer, employee or contractor of the Department of Health; or
 - (b) an officer, employee or contractor of a health services provider; or
 - (c) any other person authorised by the Chief Health Officer orally or in writing to perform a function for the purposes of these directions.
78. **Restricted gathering** means a gathering which the State Emergency Coordinator or the Chief Health Officer or a person approved by either of them for the purposes of this paragraph designates in writing to be a restricted event.
79. **Seated service** means service to seated patrons or service where patrons may order at a counter or bar but must consume any food or beverages whilst seated.
80. **Seated service venue** means a venue referred to in Items 1 – 15 (including the casino gaming floor forming part of the Crown Perth Complex) and, 22, 26, 27 and 28 of Schedule 1.
81. **Skate park** means a facility specifically designed for skateboarding, rollerskating or rollerblading, containing structures such as ramps and basins.
82. **Special seating space** means a space with fixed seating that is a corporate box, a function room, a conference room or a meeting room, which includes, for the avoidance of doubt, any outdoor space with fixed seating that adjoins or is otherwise part of that special seating space.
83. **Specified entertainment venue** means an indoor or outdoor cinema, theatre, concert hall or other live music venue, a convention centre, stadium other than a major stadium or an **entertainment venue of any other kind** provided that it contains fixed seating configured in such a manner that all patrons are forward facing when using the fixed seating.

84. **Spectator seating** means seating that is provided for patrons at the relevant major stadium or relevant premises for the purpose of viewing a sporting event, entertainment or a performance of any kind, but does not include any seating provided in a special seating space.
85. **Stadium operator** means the owner, occupier or person apparently in charge of the relevant major stadium.
86. **Staff** means a person who has responsibilities at a place as an officer or employee or in some other capacity (including a voluntary capacity) and includes:
- (a) in the case of a sporting activity, coaches and officials such as umpires, referees or scorekeepers; and
 - (b) in the case of a religious service at a **place of worship**:
 - (i) a person who leads or presides at the service, such as an imam, priest or rabbi; and
 - (ii) persons who assist the person who leads or presides at the service (including those who would ordinarily read from scripture or some other sacred text to a congregation or other group gathered to participate in the service); and
 - (iii) persons present for the purpose of live streaming or recording the service; and
 - (c) for the purposes of paragraphs 9(b) and 15 includes any person who is engaged in performing or playing professional sport.
87. **Sufficient dividing structure** means a wall or other structure which:
- (a) substantially comprises material that is impervious to air flow; and
 - (b) is anchored to the ground or floor in a way which ensures that it cannot be lifted or pushed apart; and
 - (c) either:
 - (i) reaches from the ground or floor to the ceiling (or roof if there is no ceiling); or

- (ii) starts from the ground or floor and is at least 2 metres high from the ground or floor to its lowest vertical point measured from the ground or floor.

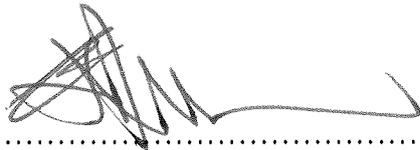
Note: In addition to meeting these requirements, a sufficient dividing structure must comply with any other legal requirements applicable to the structure in any way, including any legal requirements relating to the structural integrity of the structure (such as, but not limited to, requirements typically imposed or administered by local governments).

- 88. **Support person** has the same meaning as in the Proof of Vaccination Directions (No 5) and also includes a spouse or partner providing support or care to the patient.
- 89. **Valuable remuneration** means financial or in-kind payments of more than a nominal sum.
- 90. **Wildlife park** means an amusement park at which the dominant form of amusement or entertainment relates to any or all of exposure to or experiences with or viewing wildlife but, for the avoidance of doubt, does not include Perth Zoo.

Example: Caversham Wildlife Park.

PENALTIES

It may be an offence to fail to comply with any of these directions, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.



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Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

2 March 2022 2044 hours

SCHEDULE 1 – HIGH RISK VENUES

1. a **hospitality venue**
2. a nightclub
3. a **casino** other than the Crown Perth Complex
4. a gaming or gambling venue
5. a cinema (including a drive-in cinema or outdoor cinema)
6. an entertainment venue of any other kind
7. a restaurant or café (including a food court)
8. adult entertainment premises (including but not limited to strip clubs, brothels and sex on premises venues)
9. a play centre, whether indoors or outdoors
10. an amusement park or arcade (including, for the avoidance of doubt, a **wildlife park**)
11. a museum or gallery
12. a theatre, concert hall or other live music venue
13. a convention centre or function centre
14. the Crown Perth Complex
15. a place of worship
16. a beauty parlour or salon
17. a hairdressers or barbershop
18. a nail salon
19. a tattoo parlour
20. a spa
21. a massage parlour
22. a community, recreation or youth centre or facility (including but not limited to community halls, clubs, Returned and Services League facilities and Police and Community Youth Centres)

23. a gym, indoor sporting centre, wellness centre, health club or fitness centre (including a centre offering yoga, barre, pilates, aerobics, dancing or spin facilities)
24. a library
25. a swimming pool, whether indoors or outdoors
26. an indoor function area in a public place when used for a function
27. the Perth Zoo
28. a higher education facility