

Statement

The Hon Dan Andrews MP
Premier



Monday, 23 March 2020

STATEMENT FROM THE PREMIER

Victoria Police has established a coronavirus enforcement squad of five hundred officers to ensure containment measures that have been put in place to combat coronavirus are followed.

Coordinated through the Police Operations Centre, the officers will be out in the community doing spot checks on returning travellers who are in 14-day isolation, as well as enforcing the bans on indoor and outdoor gatherings.

This includes the decision of the National Cabinet to implement Stage 1 of a shutdown of non-essential activity across the country from midday today which is aimed at slowing the spread of coronavirus.

The businesses that will close due to the Stage 1 shutdown include pubs, clubs, nightclubs, Crown Casino, and licensed venues in hotels and pubs. It also includes gyms, indoor sporting venues, places of worship, cinemas and entertainment venues. Restaurants and cafes will only be allowed to provide home delivery or takeaway services.

This decision and other containment measures are meaningless if Victorians don't take them seriously or don't think they will be caught if they flout the rules.

Such thinking is wrong and the new coronavirus enforcement squad at Victoria Police will take action against anyone caught doing the wrong thing.

The Stage 1 shutdown will have a significant impact on the lives and livelihoods of many Victorians, but if we don't do this, more Victorians will contract coronavirus and more Victorians will die.

The decision will be reviewed regularly by the National Cabinet, and speaking as honestly as possible, it's likely that governments across Australia will need to go further in the days and weeks ahead.

The Government can also confirm that school holidays for government schools in Victoria will be brought forward, starting on Tuesday 24 March. Schools will use this time to support teachers and staff plan for flexible and remote learning in the event schools need to move to that method of teaching.

I have recently told Victorians that the Government will ask them to do things they have never experienced before – these are the types of measures that I was talking about.

I also call on every Victorian to undertake their civic duty and practice social distancing: don't be closer than 1.5 metres from another person, wash your hands and practice good hand hygiene.

Do that for yourself, your loved ones and for the loved ones of people you have never met. It will save lives.

Direction from Deputy Chief Health Officer (Communicable Disease) in accordance with emergency powers arising from declared state of emergency

Non-essential Business Closure Direction

Public Health and Wellbeing Act 2008 (Vic)

Sections 190 and 200

I, Dr Annaliese van Diemen, Deputy Chief Health Officer (Communicable Disease), consider it reasonably necessary to protect public health to give the following direction pursuant to ss 190(1)(a) and 200(1)(d) of the *Public Health and Wellbeing Act 2008 (Vic)*:

Preamble

1. The purpose of this direction is to prohibit the operation of non-essential businesses and undertakings in order to limit the spread of Novel Coronavirus 2019 (2019-nCoV).

*Note: All businesses or undertakings that continue to operate must comply with the **Mass Gatherings Directions (No 2)**. Those directions limit indoor gatherings in a single undivided space to fewer than 100 people. In addition, the total number of persons present in the indoor space at the same time must not exceed the number calculated by dividing the total area (measured in square metres) of the indoor space by 4.*

Citation

2. This direction may be referred to as the **Non-Essential Business Closure Direction**.

Direction

3. A person who owns, controls or operates a **non-essential business or undertaking** in the State of Victoria must not operate that business or undertaking between noon on 23 March 2020 and midnight on 13 April 2020.

Definition of non-essential business or undertaking

4. A **non-essential business or undertaking** means any of the following, whether operated on a for profit or not-for-profit basis:
 - a. a business characterised as a pub, bar or club that supplies alcohol under a **general licence**, an **on-premises licence** or a **club licence**, but not including any part of the business constituted by a **bottleshop**;
 - b. a hotel, whether licensed or unlicensed, but not:
 - i. to the extent that it provides accommodation, takeaway meals or a meal delivery service; or
 - ii. any part of the hotel constituted by a bottleshop;
 - c. a gym;
 - d. an indoor sporting centre;

- e. a **casino**;
- f. a cinema, nightclub or entertainment venue of any kind;
- g. a restaurant or cafe, other than to the extent that it provides takeaway meals or a meal delivery service;
- h. a **place of worship**, other than for the purposes of a wedding or funeral.

Other definitions

- 5. **Bottleshop** means an area physically attached to the premises of a business characterised as a pub, bar or club referred to in paragraph 4(a), or a hotel referred to in paragraph 4(b), that is for the sale of packaged alcohol to be consumed off the premises of the pub, bar, club or hotel.
- 6. **Casino** has the same meaning as in the **Casino Control Act 1991**.
- 7. **Club licence** has the same meaning as in the **Liquor Control Reform Act 1998**.
- 8. **General licence** has the same meaning as in the **Liquor Control Reform Act 1998**.
- 9. **On-premises licence** has the same meaning as in the **Liquor Control Reform Act 1998**.
- 10. **Place of worship** has the same meaning as in the **Heritage Act 2017**.

PENALTIES

Section 203 of the *Public Health and Wellbeing Act 2008* (Vic) provides:

Compliance with direction or other requirement

- (1) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.

Penalty: In the case of a natural person, 120 penalty units.

In the case of a body corporate, 600 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

.....
Dr Annaliese van Diemen,

Deputy Chief Health Officer (Communicable Disease), as authorised to exercise emergency powers by the Chief Health Officer under section 199(2)(a) of the *Public Health and Wellbeing Act 2008* (Vic).

23 March 2020