



Queensland Health

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Movement and Gathering Direction (No. 9)

Summary

Effective from: 6am AEST 15 April 2021

Posted: 15 April 2021

Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency

Public Health Act 2005 (Qld)

Section 362B

On 29 January 2020, under the *Public Health Act 2005*, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 29 June 2021 and may be further extended.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following direction pursuant to the powers under s 362B of the *Public Health Act 2005* to assist in containing, or to respond to, the spread of COVID-19 within the community.

Preamble

1. This Public Health Direction is to be read in conjunction with other Public Health Directions issued under section 362B of the *Public Health Act 2005* that have not expired or been revoked.

Note: This Direction sets out requirements for how people may interact with others in public spaces, residences and non-residences. It is important that this Direction is read in conjunction with the Restrictions on Businesses, Activities and Undertakings Direction (No. 18), Disability Accommodation Services Direction (No. 16), Hospital Visitors Direction (No. 18) and Aged Care Direction (No. 26) or their successors to determine what requirements apply at a business, facility or service operating in accordance with any of those Directions.

Citation

2. This Public Health Direction may be referred to as the *Movement and Gathering Direction (No. 9)*.

Commencement

3. This direction applies from 6am on 15 April 2021 until the end of the declared public health emergency, unless it is revoked or replaced.

PART 1 – GENERAL REQUIREMENTS

Physical Distancing

4. An owner, **resident, tenant**, occupier, temporary occupier or person in control of a **premises**, including a **residence**, must take reasonable steps to encourage visitors to the **premises** to practise physical distancing to the extent reasonably practicable.
5. A person who is leaving their principal place of residence must practice physical distancing while outside their **principal place of residence**, to the extent reasonably practicable.

Quarantine and isolation

6. A person who is required to quarantine or isolate under another Public Health Direction or a direction of an emergency officer under the *Public Health Act 2005*, must comply with the terms of the direction to quarantine or isolate and may not leave, or receive visitors, at the premises in which they are quarantining or isolating unless permitted under the terms of those orders or directions.

Application of Direction

7. Paragraph 8 does not apply to a **residential aged care facility, corrective services facility, detention centre**, or a **shared disability accommodation service**.

Note – The Aged Care Direction (No. 26) and Disability Accommodation Services Direction (No. 16) restrict visitors to those facilities. Other Public Health Directions may be made applying to other types of facilities.

PART 2 – GATHERINGS

Gatherings of up to 100 persons at a residence or non-residence

8. A person who is an owner, **resident, tenant**, occupier, temporary occupier or person in control of a **premises**, including a **residence**, must not allow or organise a **gathering** of more than 100 persons at the **premises**.

Note: The limit of 100 persons includes the members of a person's household.

PART 3 – MAXIMUM OVERNIGHT OCCUPANCY OF SHORT-TERM RENTAL ACCOMMODATION

9. A person who is an owner, resident, tenant, occupier, temporary occupier or person in control of a **premises** being used for **short term rental accommodation** may only allow the number of persons permitted under the specific booking, letting or rental agreement for the **premises** or part of the **premises** to remain there overnight.

PART 4 – OTHER MATTERS

Exemptions

10. The Queensland Chief Health Officer may grant an exemption to part or all of this Direction on compassionate grounds or for other exceptional circumstances.

PART 5 – PENALTIES

A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—100 penalty units or 6 months imprisonment.

Dr Jeannette Young
Chief Health Officer

14 April 2021

Published on the Queensland Health website at 6am AEST 15 April 2021

SCHEDULE 1 – DEFINITIONS

For the purposes of this Public Health Direction:

11. **Approved family day care service** has the same meaning as in the *Education and Care Services National Law (Queensland)* and **stand-alone care service** has the same meaning as 'stand-alone service' under the *Education and Care Services Act 2013*.
12. **Corrective services facility** has the same meaning as in the *Corrective Services Act 2006*.
13. **Detention centre** has the same meaning as in the *Youth Justice Act 1992*.
14. **Household** means persons who ordinarily live at the same residence, including if family or kinship customs or cultural obligations have the effect of a person living across multiple residences.
15. **Gathering**, subject to paragraph 16, means a gathering of more than 100 persons at the same time, regardless if it is indoors or outdoors.
16. **Gathering** does not include a gathering:
 - a. at an airport that is necessary for the normal business of the airport;
 - b. for the purposes of or related to public transportation, including in vehicles or at public transportation facilities such as stations, platforms and stops;
 - c. at a medical or health service facility that is necessary for the normal business of the facilities;
 - d. for the purposes of emergency services or disaster management;
 - e. at a residential aged care facility or a shared disability accommodation service, that is necessary for the normal business of the facility or residence;
 - f. at a prison, corrective services facility, detention centre or other place of custody;
 - g. at a court or tribunal;
 - h. for the purposes of an investigation or action by a law enforcement authority;
 - i. for the purposes of complying with or giving effect to the exercise of power or function of a government agency or entity under a law;
 - j. for the purposes of national security;
 - k. at Parliament for the purpose of its normal operations;
 - l. at a business, facility or service operating in accordance with, or not restricted under, the *Restrictions on Businesses, Activities or Undertakings Direction (No. 18)*, or its successor, or another Public Health Direction;

Example – wedding, funeral, accommodation facilities, retail store, shopping centre

- m. at a workplace, including but not limited to an office building, factory, manufacturing facility, resource extraction, mine or mineral processing facility, utilities or construction sites that is necessary for the normal operation of those premises;
- n. at a school, university, educational institution or childcare facility, that is necessary for the normal business of the facility;
- o. at an indoor place where persons may be present for the purposes of transiting through the place;

Example – Central Station

- p. specified as exempt from this direction by the Chief Health Officer in writing.

17. **Physical distancing** includes remaining at least 1.5 metres away from other persons where possible.
18. **Premises** has the same meaning as in Schedule 2 of the *Public Health Act 2005*, and also includes land and vessels.
19. **Principal place of residence** means:
- a. for a person who permanently resides in Queensland, the residence where the person ordinarily resides.
 - b. for a person who temporarily resides in Queensland, the residence where the person ordinarily resides when the person is present in Queensland.
20. **Residence** means premises used, or intended to be used, as a dwelling or mainly as a dwelling, and includes the land on which the residence is situated, and includes:
- a. a single detached dwelling;
 - b. each of one or more attached dwellings that are separated by a common wall;
- Examples for paragraph (b) – villa unit, townhouse, terrace house, row house, unit in an apartment block.*
- c. a manufactured home as defined in section 10 of the *Manufactured Homes (Residential Parks) Act 2003*;
 - d. a caravan as defined in section 7 of the *Residential Tenancies and Rooming Accommodation Act 2008*;
 - e. any other building or structure situated on the same land as the **premises** or dwelling.
- Examples for paragraph (e) – shed, pool house, carport, granny flat.*
21. **Residence** does not include a residential aged care facility, corrective services facility or detention centre.
22. **Resident** has the meaning given in section 14 of the *Residential Tenancies and Rooming Accommodation Act 2008*.
23. **Residential aged care facility** means a facility at which accommodation, and personal care or nursing care or both, are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the *Aged Care Act 1997* of the Commonwealth.
24. **Shared disability accommodation service** means a service, including the forensic disability service under the *Forensic Disability Act 2011*, where:
- a. four or more people with disability reside with people who are not members of their family; and

b. the residents share enclosed common living areas within the facility whether inside or outside;
and

c. the residents are provided with disability supports within the facility.

25. **Short term rental accommodation** includes serviced apartments, holiday rentals, holiday accommodation or hosting accommodation provided through online booking platforms.

26. **Tenant** has the meaning given in section 13 of the *Residential Tenancies and Rooming Accommodation Act 2008*.

Last updated: 15 April 2021

Understanding this Direction

Information to help you understand what this Direction means for you staying home, going out and having visitors to your home.

[Find out more](#)¹

Links

1. <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/public-health-directions/movements-gatherings>

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[Other languages](https://www.qld.gov.au/languages/) (<https://www.qld.gov.au/languages/>).

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