

# COVID-19: Public health orders – what do I need to know?

FACTSHEET

*This factsheet is part of a series from Legal Aid NSW that aims to help answer your questions about COVID-19 and everyday law.*

You may be worried or confused about how COVID-19 will affect you and your everyday life. Sometimes a crisis can make legal problems worse or new problems might develop. Legal Aid NSW understands that there will be a lot of questions about money worries, fines, police, housing, Centrelink, employment, guardianship and mental health. This series of factsheets will give you helpful information and contacts to assist you to manage all the changes that are happening in our community.

## What are the new public health order fines?

The NSW Government has issued public health orders to limit the spread of COVID-19. The orders have been issued under the Public Health Act.

The police have powers to give fines to people who don't follow the new orders.

### For individuals

The police can:

- Give you an on-the-spot fine for \$1,000 if you don't follow the orders
- Fine you another \$5,500 for each day that you don't follow the orders

The court can:

- Fine you up to \$11,000 or give you 6 months imprisonment or both

## How can I follow the orders?

This is what you need to know about self-isolation, air travel, movement and gathering so that you can follow the new orders.

### Self-isolation

#### You must self-isolate if you:

- have COVID-19
- are a close contact of someone with COVID-19
- are a returned traveller exempt from hotel quarantine
- have been tested for COVID-19 and are awaiting results
- have been in Victoria in the past 14 days (see the Legal Aid NSW Border Closure factsheet for more information on who needs to self-isolate in this situation).

#### Self-isolate means that you:

- must stay where the doctor has told you to be. This might be at home or at a medical facility.
- must stay in that place until you are medically cleared of the virus

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- cannot leave your home or place you are staying unless there is an emergency, or you need to get medical care

No-one else can enter the place where you are self-isolating, unless they normally live there, or they are providing you with medical or emergency care.

For more information about [how to self-isolate go to the NSW Health website](#).

## Air Travel

If you have arrived in NSW by plane and you have been overseas or in Victoria in the last 14 days:

- You must enter quarantine for at least 14 days. This period can extend up to 24 full days.
- The government will organise your accommodation. This could be a hotel or hospital. You do not have a choice of where you stay.
- People in quarantine who get tested for COVID-19 and the result is negative still need to remain for the quarantine period.
- Quarantine period starts on the day you disembark into NSW and ends when (whichever is sooner):
  - At least 14 days have passed and you have been cleared through testing or
  - 24 full days have passed. A full day starts at 12:00 am (midnight) and ends at 12:00 am (midnight) on the following day.
- You will not be allowed to leave quarantine before the 14 days unless directed by the Police Commissioner or there is an emergency that requires you to leave the facility.
- People transiting in Australia for another international flight may not need to quarantine if their transit time is **less than 8 hours** and provided they stay in the transit zone. This will be possible only if bags have been checked through to their next destination. If these conditions are met these travellers will not need to apply for an exemption and will be able to continue their journey to another country. If a traveller goes through immigration they will require an exemption.
  - If the next departure flight is between 8-72 hours after arrival flight, the traveller will be taken to quarantine accommodation to wait until their departing flight. An exemption will be required.
- People returning from overseas can be exempt from staying at a quarantine hotel if there are strong medical, health or compassionate grounds. You should apply for this exemption from NSW Health up to 2 weeks before your travel date to ensure you have all the relevant documents when you arrive.
- Unaccompanied children (under the age of 18) who are being picked up by a parent or guardian at the airport are exempt from conducting quarantine in a government hotel but must self-isolate for 14 days at home in accordance with NSW guidelines.
- If you are a critical services worker with a current entry permit transiting through NSW by air to another place outside NSW you can only travel to NSW through Sydney Airport. You must not leave Sydney Airport unless authorised by the Commissioner of Police or required to do so because of an emergency.

This does not apply to:

- aircraft flight crew
- a person with a current entry permit under the *Public Health (COVID-19 Border Control) Order 2020*.

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**From 18 July 2020** the NSW Government began charging returning international travellers for their hotel quarantine accommodation.

**From 11 September 2020** the NSW Government will also begin charging people entering NSW from Victoria by air for their hotel quarantine accommodation.

For more information see our factsheets: [COVID-19: NSW and Victoria border closure – what do I need to know?](#) and [COVID-19: Mandatory quarantine – what do I need to know?](#)

## Interstate Travel

Before planning to travel interstate you must check current restrictions regarding NSW Hotspots. Some NSW residents may be prevented from crossing state or territory borders. See links below.

[Tasmania](#)

[Victoria](#)

[ACT](#)

[Queensland](#)

[Northern Territory](#)

[South Australia](#)

[Western Australia](#)

## Gatherings

### Wearing Face Masks

NSW Health strongly recommends that people wear face masks in the following situations:

- indoor settings where physical distancing is hard to maintain, such as on public transport or in supermarkets
- any areas where community transmission has occurred
- indoor settings with a higher risk of transmission, such as for staff working in hospitality and retail and other customer-facing venues like cafes, restaurants, pubs and clubs
- attending places of worship.

To find out more about face masks go to the [NSW Government website](#).

**The following gathering activities are not permitted:**

- nightclubs, dance and music festivals (including using residential premises for these gatherings)

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The following gatherings for normal business are exempted from the number of people restrictions but physical distancing rules still apply:

- Airports
- For public transportation purposes in vehicles and at stops but not party buses
- Hospitals and other medical or health service facilities
- Emergency services including training by an emergency service
- Correctional and youth justice centres or other places of custody
- Disability and aged care facilities
- Courts and Tribunals
- Parliament
- Supermarkets and other markets where food is predominately sold
- Work sites like offices, farms, factories, warehouses, commercial fishing, mining or construction sites
- Schools, universities or other educational institutions or child care facilities but not community events that involve members of the community in addition to staff and students
- Hotel, motel or other accommodation facility
- Outdoor space for purpose of transiting through that space like malls
- To provide services to vulnerable members of the public like a food service for homeless people
- Premises necessary to provide early education and care facilities

The following gathering activities are permitted:

<b>Premises or event type</b>	<b>Requirements for these types of venues</b>
Aged care facilities (residential)	4 square metres per person with 1.5m physical distancing  You are authorised to enter a residential aged care facility if you are a prospective resident, an employee or contractor of the aged care facility, a representative of a union to which employee/contractor belongs, or are providing an activity or service relating to: <ul style="list-style-type: none"><li>- Goods or services necessary for the facility's operation</li><li>- Health, medical, or pharmaceutical services</li><li>- Care and support visit. Recommended maximum is two visitors at any one time.</li><li>- Providing end of life-support for resident</li></ul>

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	<ul style="list-style-type: none"> <li>- Emergency management or law enforcement</li> </ul> <p>People prohibited from entering residential aged care facility:</p> <ul style="list-style-type: none"> <li>- People who have returned from overseas in last 14 days, or</li> <li>- People who have returned from Victoria in the last 14 days, or</li> <li>- Those who have had contact with a confirmed case of COVID-19 in the last 14 days, or</li> <li>- People who have not been vaccinated against influenza, unless the vaccination is not available to them or the person has a letter from the GP certifying that they have a negative reaction to the vaccination, or</li> <li>- Those with fever (temperature of 37.5) or symptoms of respiratory infection</li> </ul>
Aquariums, zoos and reptile parks	4 square metres per person
Auctions, open houses or viewing inspections	4 square metres per person. People are exempted from the 20 visitor rule and will not be counted as visitors.
Beauty, nail, waxing, tanning salons, spas, tattoo and massage parlour premises	4 square metres per person
Betting agencies	4 square metres per person
Businesses such as banks, post office, hairdressers	4 square metres per person
Caravan parks and camping grounds	4 square metres per person
Commercial vessels used for scuba diving, snorkelling, marine animal tours, hosting functions, party buses	4 square metres per person
Community centres and halls	4 square metres per person and a maximum of 20 people at a scheduled class or organised event. Excluding the person running the class or event and the parents, guardians or carers of any participants.

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Community sporting activities (including training)	4 square metres per person and maximum of 500 people including players, referees/umpires, coaches and spectators.
Corporate events (conferences, functions and corporate events)	4 square metres per person or a maximum of 150 people excluding staff (who are not counted in the maximum limit)
Drive in cinemas	4 square metres per person
Entertainment facilities (Cinemas, theatres, concert halls)	4 square metres per person
Food and drink premises (Restaurants, cafes and food courts)	4 square metres per person
Funerals and memorial services and gatherings following funerals	4 square metres per person or a maximum of 100 people excluding staff (who are not counted in the maximum limit)
Gym and fitness training facilities	4 square metres per person with a maximum of 20 people per gym or recreational class. Excluding the instructor of the class
Holiday homes and short-term rentals	Up to 20 people allowed, unless all of people staying in the home are from the same household
Hospitality venues – casino, function centres, food and drink premises, micro-breweries, small distilleries, cellar door premises, pubs, registered clubs and small bars (see also Corporate Events, funerals, memorial and religious services and weddings)	<p>One person per 4 square metres of space or 300 people, whichever is the lesser</p> <p>Maximum of 10 people per group on the premises (including bookings)</p> <p>As far as practicable all persons are to remain seated</p> <p>If there are more than 250 people, a COVID-19 Safety Hygiene Marshal must be present on the premises</p> <p>For significant events using the venue see restrictions listed under corporate events, funerals, religious services and weddings)</p>
Libraries, museums and galleries	4 square metres per person
Markets – no food markets	4 square metres per person

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National parks and state forests	Open with no capacity limitations. People need to exercise physical distancing
Outdoor gatherings	Up to 20 people, including children. This does not apply to members of the same household, people engaged in work or providing care or assistance to vulnerable people
Outdoor playground and exercise equipment	Up to 20 people or 4 square metres per person
Party buses	4 square metres per person
Places of public worship, funeral home or crematorium	<p>4 square metres per person or a maximum of 100 people (whichever is lesser). Staff are not counted as part of the maximum limit.</p> <p>If place of public worship has multiple buildings at a single location:</p> <ul style="list-style-type: none"> <li>• Each building can have as many people as allowed under the 4 square metre rule, up to a maximum of 100 people or up to 150 for a wedding (whichever is lesser)</li> <li>• Each building must be designated as a separate area with it's own COVID-19 Safety Plan and separate staff</li> <li>• the area should not allow persons gathering in different buildings to mingle</li> <li>• each service or event must start and finish at different times</li> </ul> <p>Note: Maximum number allowed for wedding service or gathering following a wedding at a place of worship is 150 people or 4 square metres per person (whichever is lesser)</p>
Pubs and Clubs (including small bars, cellar doors, breweries, casinos, karaoke bars, function centres and strip clubs)	<p>Must have whichever is the lesser:</p> <ul style="list-style-type: none"> <li>• The number of persons equivalent to one person per 4 square metres of space in the premises, or</li> <li>• 300 persons</li> <li>• And, no group entering the premises or reservation bookings of more than 10 people</li> <li>• Persons remain seated</li> </ul>
Recreational facilities (major) including theme parks, sports stadiums, showgrounds and race courses <b>with a capacity of over 500 people</b>	Are allowed 25% of their capacity or 10,000 people in total whichever is the lesser. Events must be ticketed and seated

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<p>Recreational facilities (indoor) including bowling alleys and ice rinks <b>with a capacity of 500 people or less</b></p>	<p>4 square metres per person</p>
<p><b>Regional or interstate travel</b></p> <ul style="list-style-type: none"> <li>• Visitors from state and territories, <b>except Victoria</b>, can enter NSW for a holiday or for work purposes.</li> <li>• There are no NSW government restrictions for travel across other states (<b>except Victoria</b>).</li> <li>• However, each state or territory will have its own entry requirement and travel restrictions (see above 'Interstate travel' section for links).</li> <li>• NSW residents travelling interstate must comply with any border rules of the state or territory you are entering or leaving.</li> </ul>	<p>No limitations for travel within NSW.</p> <p>There are temporary travel restrictions for <b>Victoria</b>.</p> <p>People entering NSW from Victoria will need a NSW border entry permit. They will need to follow self-isolation requirements on their permit or complete mandatory quarantine for 14 days from arrival at a NSW airport.</p> <p>From 11 September 2020 NSW residents returning from Victoria will also be charged for their mandatory quarantine accommodation. See our factsheet '<a href="#">Mandatory quarantine – what do I need to know?</a>'</p> <p>Your permit will specify your conditions on entry to NSW like having to self-isolate.</p> <p>For more information see our factsheet '<a href="#">NSW and Victoria border closure: what you need to know</a>'.</p>
<p>Religious services (see also Places of public worship and Funerals)</p>	<p>4 square metres per person or a maximum of 100 people</p>
<p>Schools</p>	<p>Schools are an exempted gathering. Physical distancing of students is not required under current guidelines. All teachers, support staff and parents must maintain physical distance from each other (1.5m).</p> <p>School formals and graduations can take place from Thursday 12 November 2020. Schools must:</p> <ul style="list-style-type: none"> <li>- Follow their <a href="#">COVID-19 Safety Plans</a> for school forms and graduations</li> <li>- Ensure the event does not exceed 4 square meters per person</li> <li>- Restrict tables to 10 people</li> </ul> <p>Guidelines apply for HSC exams:</p> <ul style="list-style-type: none"> <li>- Alternative locations on standby</li> <li>- Health screening on exam day</li> <li>- Limiting student numbers to 75 in each exam</li> </ul>



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	<ul style="list-style-type: none"> <li>- Limiting interaction HSC students have with rest of school</li> <li>- Prioritising COVID-19 test results for HSC student to minimise disruption. Students doing their HSC will need to advise their GP or testing clinic that they are currently doing their HSC.</li> </ul> <p>For more information see the <a href="#">NSW Education website</a></p>
Sex services premises	4 square metres per person
Sporting events (see community sporting activities)	4 square metres per person and maximum of 500 people including players, referees/umpires, coaches and spectators
Swimming Pools indoor and outdoor	4 square metres per person
Visiting another household (place of residence)	<p>Up to 20 visitors at any one time, including children.</p> <p>A visitor must not participate in a gathering of more than 20 visitors at a residence.</p> <p><b>From Monday 14 September 2020</b> if you visit a residence where there are more than 20 visitors, every person at the gathering may be responsible for breach of the public health order.</p> <p><b>Note</b> - You are not a visitor to a place of residence if you are a member of the household or you go there:</p> <ul style="list-style-type: none"> <li>• to engage in work</li> <li>• for childcare</li> <li>• to fulfil carer’s responsibilities</li> <li>• to provide care or assistance to a vulnerable person</li> <li>• to give effect to a new or existing arrangement for spending time with, and providing contact between, parents and children under 18 years or between siblings</li> <li>• to assist a person moving to or from a place of residence</li> <li>• to avoid an injury or illness or to escape a risk of harm</li> </ul>

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	<ul style="list-style-type: none"><li>• due to an emergency or for compassionate reasons</li><li>• to view or inspect a property for sale or lease or to participate in an auction</li></ul>
Wedding ceremonies at place of public worship or gatherings following wedding at non-residential premises	4 square metres per person or a maximum of 150 people excluding staff (who are not counted in the maximum limit)  Wedding venues may accept bookings for greater numbers for event in the future, so long as they comply with the public health order rules that are in place when the event is held
Wedding ceremonies on residential premises	Up to 20 guests. Excluding the wedding couple, people conducting or assisting with the ceremony, a photographer and videographer, if one person per 4 square metres can be ensured

## What does physical distancing mean?

Physical distancing means that you should not stand close to people, touch people or gather in groups.

### Providing your personal details when visiting hospitality venues, significant events and religious services:

All people attending hospitality venues, significant events and religious services must sign-in by providing their contact details (name and phone number or email address and the time they entered the premises)

If the person is a member of a group attending the premises together, details can be provided for one adult member of the group (such as the person who is making the group booking). This contact person must, at the request of the Chief Health Officer, be able to provide the name and contact details of all other persons in the group.

### Things you can do to physical distance are:

- Don't shake hands, hug or kiss as a greeting
- Keep 1.5 metres between yourself and other people, where possible

You will not break the law if you forget to do these things. But it is very important for our health and safety that you try to distance yourself from other people at all times.

## What are my options if I get a fine?

### The options to deal with your fine are:

- Pay the fine or organise with Revenue NSW to make instalment payments over time

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- Ask for a review of the fine through [MyPenalty](#) on the Revenue NSW website
- Elect to dispute the fine in the Local Court through [MyPenalty](#) on the Revenue NSW website

If you get a Public Health Order fine you should get legal advice early, so you know the best option for you.

## What if I can't pay my fine by the due date?

If you can't pay your fine you have the option to:

- Make instalment payments over time. These can be small payments each fortnight if you are in financial hardship or on a Centrelink benefit.
- Clear your fines through a [Work and Development Order \(WDO\)](#) if you are eligible
- Request to have the fine waived by Revenue NSW if you have serious financial, medical or domestic problems.

## What will happen if I don't pay my fine?

If you don't pay or make arrangements to pay your fine, Revenue NSW have enforcement powers to:

- Suspend your driver licence
- Cancel your car registration
- Take money from your bank account or wages
- Get the Sheriff to seize and sell things you own
- Make a community service order

Each time Revenue NSW takes enforcement action they add fees to your fine. So don't ignore a fine you can't pay, get help quickly.

**If you have received a NSW public health order fine or charge, contact LawAccess NSW on 1300 888 529 for free legal help.**

## Where can I find more information?

For the most up to date information on what you can and cannot do under the rules go to the

[NSW government website](#).

If you have received a Public Health Order fine and want to discuss your options directly with [Revenue NSW](#) you can contact them on **(02) 7808 6934** (8:30am to 5:00pm Monday – Friday)

Redfern Legal Centre has a [Public Health Laws and Police Powers](#) factsheet on their website.

For COVID-19 health questions or to check symptoms call 1800 020 080 (open 24/7).

## How can I get help?

For free legal help call **LawAccess NSW on 1300 888 529** or [call your local Legal Aid NSW office](#).

There is also a series of [factsheets about COVID-19 and the law](#) available on the Legal Aid NSW website to assist you to manage all the changes that are happening in our community.

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If you need an interpreter, call the Translating and Interpreting Service on 131 450 and ask for LawAccess NSW. If you find it hard to hear or speak, call the National Relay Service on 133 677 and ask for LawAccess NSW or visit [www.relayservice.gov.au](http://www.relayservice.gov.au).

This factsheet is intended as a general guide to the law. Do not rely on this information as legal advice. We recommend you talk to a lawyer about your situation. This information is correct at the time of writing, however, it may change.

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