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Subject: ASU Submission regarding Clerks Private Sector Award 2020; AM2020/95

Dear Associate, please see attached the ASU submissions regarding the AIG and ACCI application to extend Schedule I-Award flexibility during the Covid-19 pandemic in the Clerks Private Sector Award 2020. The ASU as directed is filing its submissions before 12pm on Tuesday 29 September 2020 and will I attend the FWC FB on this matter at 10am on Wednesday 30 September. Thank you, Michael Rizzo.

Regards

Michael Rizzo

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In the Fair Work Commission

Matter No.: AM2020/95

**S.157 Variation of a Modern Award to achieve the Modern
Award's objective**

Clerks - Private Sector Award 2020

SUBMISSION OF THE AUSTRALIAN SERVICES UNION

Submitter: Robert Potter, National Secretary

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Date: 29th September, 2020

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Attachments

Attachment 1 Statement from the Victorian Premier 27th September 2020

Attachment 2 Information note – Government responses to Covid-19 pandemic
updated on 18th September 2020.

Introduction

1. This submission is in reply to the application by the Australian Industry Group (AIG) and the Australian Chamber of Commerce and Industry (ACCI) to extend “Schedule I – Award flexibility during the Covid-19 Pandemic” which expires on the 30th September 2020 to the 29th March 2021. The ASU opposes the application.
2. Schedule I was originally placed in the Clerks Private Sector Award (Award) by the FWC on the 28th March 2020. On that occasion the ASU supported this decision as did the ACTU. However, the Employer Associations then applied to the FWC to extend Schedule I from June 30th 2020 to September 30th 2020. The ASU opposed that application and it opposes this application to further extend Schedule I to 29th March 2021.
3. One of the major reasons the ASU supported the Schedule on the 28th March 2020 was that it would only exist for 3 months and end on the 30th June 2020. Mr. M Rizzo on behalf of the ASU said at the hearing on the 28th March 2020 at PN 101:

“Your Honour and the Full Bench, the ASU (indistinct) fully supports this. We are responding to extraordinary times and the other reason, of course, why we support it is – the important point – is while it is for a short term, thus does expire on 30th June 2020 and so it is a comfort to us and we will see what happens on that particular date, but the ASU commends the variation to the

Full Bench and encourages it to (indistinct). If your Honour, please” (emphasis added)

Thus we do not support the extension of the Schedule for yet another 6 months. If this application were to be granted it would mean our members would have been subject to this Schedule for a full 12 months, which is a far cry from the original 3 months.

Circumstances have changed since June 30th 2020

4. The ASU submits that the circumstances around the pandemic infection rates have changed significantly since June 2020 and thus the extension of Schedule I is unwarranted.
5. Infection rates around Australia have plummeted in the past couple of months. In jurisdictions such as Western Australia, South Australia, Tasmania, ACT and NT there have been little or no new infections over this period. While in New South Wales and Queensland their rate of new infections have been in single digits for weeks.
6. Admittedly Victoria has been in Stage 4 lockdown over most of this period and at one stage the infection rate was alarmingly high. But even in Victoria over the past 2-3 weeks infection rates have been plummeting. For example in the week of 21-28 September new cases have been as follows:

Monday 21 September – 11

Tuesday 22 September – 28

Wednesday 23 September – 17

Thursday 24 September – 12

Friday 25 September – 14

Saturday 26 September – 12

Sunday 27 September – 16

Monday 28 September - 5

7. To ease restrictions further the Victorian Government had set a benchmark for Melbourne over a 14 day average of between 30-50 new cases. As of the 28th September the average had fallen to 20.9. In regional Victoria, the Government had set an average of below 5 cases. On the 28th September the 14-day rolling average in regional Victoria was 0.8.
8. Border restrictions between the states have also been significantly eased over the past two weeks. In the week of the 21st September the SA Government opened up its borders for the first time in 6 months and now allows flights from NSW and the ACT. Meanwhile, Queensland announced a partial border opening to NSW regional towns such as Byron Bay and Ballina. Furthermore, NSW has eased restrictions on weddings, children's sport and will allow the fireworks display on New Year's Eve. (More on this point below).
9. Even in Victoria the Premier announced on Sunday 27th September that the roadmap would be sped up and announced the easing of restrictions regarding the following:

- The curfew that had been in place between 9pm-5am for weeks will be removed on 28th September
- From 12th October all primary school students, VCE and VCAL students and specialist schools all return to on-site learning
- Child centres can reopen, with kinder to open from term 4 too (5th October)
- Supermarkets and food distribution centres can return to full capacity. Abattoirs, seafood and meat processing plants to increase.
- Manufacturing can return with up to 90% of its workforce. Sole traders doing outside gardening and landscaping can resume. Retail pet grooming can also resume.
- See **Attachment 1** "Premier's Statement for more easing of restrictions".

10. Most importantly, the previous dates for the further easing of restrictions (October 26th and November 30th) have now been abandoned. The Victorian Premier says that moving forward, "... our move to the third and last steps will no longer be defined by dates in the calendar. Instead, the 'trigger point' for review by our public health team will be based solely on reaching our case number targets. That means the sooner we hit those targets- the sooner we can consider our next steps."

JobKeeper has been introduced and now extended to JobKeeper 2.0

11. Another major change in circumstances since the FWC decision of March 28th 2020 and June 30th 2020 which mitigates against the extension of Schedule I was the introduction of the JobKeeper scheme by the Federal Government on 9th April 2020 and its most recent extension known as JobKeeper 2.0. JobKeeper provides eligible employers (those that can show for example a loss of at least 30% of their income) a payment of \$1500 per fortnight for its employees until the 27th September 2020, while making amendments to the Fair Work Act 2009. The changes to the Act provides significant flexibility for eligible employers to reduce hours, change duties and location of work, and request changes to days and times of work and access to annual leave use.
12. JobKeeper 2.0 makes it even easier for employers to access the flexibilities listed above. Now an employer only has to demonstrate a loss of at least 10% of their income to access these flexibilities and JobKeeper 2.0 will remain in force until the end of March 2021. The ASU submits that stressed employers can access a much more accessible JobKeeper 2.0 rather than rely on the proposed extension to Schedule I in the Award.

Schedule I may continue to disadvantage some employees

13. The ASU submits that the Schedule already disadvantages some employees and those disadvantages should not be extended. When the ASU consented to the Schedule in March 2020 it did so to try and save jobs and hours of work and understood that some workers may be temporarily disadvantaged, but that

the disadvantage would be short lived and end on 30th June 2020. This application now seeks to extend the Schedule to the end of March 2021. That would add up to a whole of 12 months of disadvantage and not a mere 3 months to deal with the then national lockdown.

14. Examples of possible disadvantage are contained in the ordinary hours of work for employees working from home section of the Schedule. This is because of the increased spread of hours from 7am-7pm to 6am-10pm Monday to Friday, where employees may not attract the relevant penalty payments. The expanded span of hours Clause can also be open to misuse. Many workers covered by this Award are low paid women with limited negotiation power. While there is an agreement mechanism, employees could be pressured to agree to work extended hours with no penalties under this section to save their jobs. We submit that if the Commission is to grant the application it restrict the span of hours in the Schedule by one hour. i.e. 6am-9pm instead of 6am-10pm. This would allow flexibility but also further protect employees.

15. The ASU is also concerned that it is one thing to agree to the Schedule in March 2020 at the height of the pandemic crisis to save jobs, but now we are being asked to agree to a “new normal” where we are likely to have permanent changes to the way work is performed, especially working from home. Apart from the possible loss of penalty rates, members are also concerned about work intensification while working from home, with the distinction between work time and family time being increasingly blurred. As we step into the “new normal” of working from home, the ASU is concerned that we will be

establishing patterns of work and custom and practice which disadvantage workers and will then be difficult to reverse. This is especially true if this working from home regime were to last for 12 months as contemplated in the employer application.

16. Furthermore, the Annual Leave section of the Schedule can also act to disadvantage employees. There was broad consensus in March 2020 that given the pandemic crisis at the time that it was preferable for employees to take leave rather than risk their employment. However, 6 months on from March 2020 and many employees in many different industries have either been directed to take leave or have been forced or persuaded to take leave. 6 months down the track from March 2020 many employees have exhausted their paid leave. Granted there is a safeguard in the Schedule that no employee can have a balance of less than 2 weeks annual leave, nonetheless many employees would have already hit that threshold and if the provision is allowed to exist for another 6 months to March 2021, then many more employees will hit that bottom threshold as well. This will be to their disadvantage.

17. Thus if the Schedule were to continue for 12 months you may have the following scenario: An employee under this Award, who is most likely female, may be working long and unfriendly hours without penalty rates while cementing a pattern of work meant for a crisis which will become the “new normal.” Additionally her annual leave balance may have been reduced to the minimum. The ASU does not support this vision for its members and therefore is opposed to the extension of this Schedule.

18. Finally an extension of the Schedule I would be a breach of trust for those 352 employees who voted to reduce their hours under the temporary reduction in ordinary hours part of the Schedule. They voted at the time with the understanding that this disadvantage would be for a limited time until the 30th June 2020. Then in June the time period was extended to 30th September and now it is contemplated that this disadvantage will be extended until the end of March 2021. This does not seem fair.

Alternatives to Schedule I

19. The ASU submits that the Schedule should not be extended because circumstances have changed since the 30th June 2020, employee disadvantage may be perpetuated and there are existing alternatives to the Schedule if the employers seek flexibility. For example, we saw above that employers can avail themselves of JobKeeper 2.0 which like the employer application also extends to the end of March 2021. Furthermore, if employers want to accommodate those working from home there is already a wide span of hours in the existing Clerks Private Sector Award. Clause 13.3 provides for 7am-7pm Monday to Friday and 7am-12:30pm on Saturday. Also under Clause 13.4, those ordinary hours may be altered by agreement up to one hour at either end. This allows for a lot of hours where mutual flexibility can be agreed.

The Employers have failed to produce probative evidence

20. The ASU submits that the employer associations have not provided the Commission with sufficient probative evidence to persuade the Commission of the necessity to extend Schedule I to March 29th 2021. The 12 exhibits that the employers have tabled to support their application the ASU would characterise as largely generic in nature and not specific to the Clerks Private Sector Award (more on this point below.)

21. The employers have not produced any of the following pertinent evidence: they have not produced one witness statement from either an employer or an employee supporting the Schedule and its continued existence. This is in a context where the Clerks Award covers thousands of employers of varying sizes and some 1.6 million employees. The employers have not produced a relevant survey of employers or employees supporting their application. There is no survey to gauge for example the prevalence of working from home in the clerical industry and whether it needs to continue into the future. Similarly there is no survey on the use of the Annual Leave section of the schedule. The employers have had 3 months between June and September 2020 to prepare this type of relevant material, but they have not. Again making application to the Commission to extend the Schedule at the last minute before the expiry of the current Schedule on the 30th September and again forcing a Full Bench hearing on the last possible date in the life of the Schedule (30th September 2020).

22. The evidence the employers have produced in the form of exhibits looks impressive at first glance but is largely generic in nature and has little or no specific reference to the clerical industry. The ASU characterises the following exhibits to this effect: Exhibits 2, 3, 4, 6, 7, 8, 10, 12. An exhibit that could be classified as more relevant to Schedule I is outdated. Exhibit 9 which reports that nearly a third of Australians are working from home is based on interviews conducted in April-May 2020, which was in fact during the height of the national lockdown. Conditions have eased significantly in most of Australia since that time with many more people returning to work.
23. Exhibit 11, which is a more up to date document (September 2020), informs us on page 3 that, “more than two in five employing businesses (43%) reported that they had staff currently teleworking. This compares to 28% of employing businesses that reported they had employees teleworking prior to Covid-19.” In other words, there was only a 15% increase in working from home because of the pandemic. This sounds a lot less impressive than the headline figure of 43% teleworking. The ASU of course does not deny that there are a greater number of employees in general working from home because of the pandemic. It simply notes that in recent weeks more and more parts of the economy around Australia are opening up and if this trend is to continue Schedule I will not be needed to March 29th 2021.
24. Now let us turn to Attachment B of the employer application. At point 8 the employers say, “A substantial proportion of businesses covered by the Award have modified their operations as a result of the pandemic and a significant

proportion of clerical employees are working from home.” (emphasis added) As we saw above the employers have not produced any specific evidence regarding the Clerks Award. We are not informed how many clerical employees have been working from home between March-June 2020 or between June-September 2020. Nor are we given any forward projections of how many clerical employees may continue to work from home in the next 6 months to March 2021 or whether that number may increase or decrease during this time.

25. The employers argue at point 5 (v) of Attachment B that since the FWC decisions in March and June, “... the applicable circumstances and relevant considerations have not materially changed so as to justify a different conclusion as to the necessity for the Schedule.” (emphasis added) The ASU submits that this is incorrect, that in fact circumstances have changed substantially in the past few months as identified in the FWC document “Information note – Government responses to Covid-19 pandemic” updated on 18th September 2020 see **Attachment 2** .
26. The FWC document gives a history of restrictions on a state by state basis and gives the following examples which demonstrate a significant shift in the easing of Covid-19 restrictions:

NSW – on page 8 the document says that on the 17th September 2020 NSW announced that from 1st October major sporting events at selected Sydney stadiums can increase crowds from 24% to 50% capacity, up to a maximum of 40,000 spectators, with some restrictions. This is a very significant step.

Queensland – on page 13 the document informs us that from the 3rd July Queensland is in Stage 3 out of restrictions with a maximum of 100 people permitted for private gatherings, weddings and funerals, a maximum number of people at museums, art galleries, libraries and historic sites determined by the 1 person per 4 square metre rule. That up to 25,000 spectators or 50% capacity can attend major sports facilities (page 14).

South Australia – on page 15 the document says that from June 29th, SA is on Step 3 in easing out of restrictions and this means most businesses/activities will be permitted including nightclubs and music festivals, gaming rooms/facilities in pubs and clubs, casinos, spas, saunas and bathing etc.

Western Australia – on page 17 the document says that from 27th June WA is in Phase 4 of easing restrictions. This means for instance the removal of seated service requirements at food businesses and licensed premises, alcohol can be served as part of unseated service arrangements and that for major sport and entertainment venues a 50% capacity rule will apply. Western Australia is operating at nearly a normal rate.

Tasmania – on page 19 the document says that from the 26th June Tasmania is in Stage 3 of its easing of restrictions. This means that businesses that are allowed to reopen include indoor amusement parks, play centres, arcades, saunas, spa baths, strip clubs, casinos and gaming venues, zoos, stadiums, etc.

ACT – on page 22 the document says that from the 18th September smaller sized venues, facilities and businesses are able to return to their pre-Covid-19 capacity, subject to a maximum of 25 people.

Northern Territory – on page 23 the document says that from 5th June the following can operate – licensed gaming activities, team sports, cinemas, theatres, concert halls, music halls, dance halls, nightclubs etc. In fact, life in the NT is almost normal.

The most up to date situation in Victoria was outlined in point 8 regarding the Victorian Premier's statement.

27. What can be clearly seen from the above is that except for Victoria, since June 2020, the rest of Australia has been returning to normality at a rapid pace. And even Victoria is starting to move out of restrictions more quickly as well, as seen in the Premier's Statement dated 27th September 2020. The evidence above is not consistent with the employers' statement in point 5 (v) of Attachment B where they claim circumstances have not materially changed so as to justify the continued existence of the Schedule. The circumstances have changed.

28. In light of the above, the ASU also questions the assumption the employers make at point 5 (vii) of Attachment B where they say, "... circumstances justifying the operation of the Schedule appear likely to persist until at least 29th

March 2020 [sic] 2021.” No evidence has been produced, such as an expert witness, a clerical industry survey or an official report projecting into the future to justify this statement. In fact, as seen from the material above, the opposite view can be made with more certainty.

Compromise

29. The ASU does not support this application but if the Commission is of the mind to grant the employer application then the ASU would suggest a sensible compromise given the rapidly changing circumstances. We suggest the Commission extend the Schedule to November 30th 2020 and not March 29th 2021. This decision would be consistent with the approach taken by the Commission in the Vehicle Repair, Services and Retail Award 2020.

30. In a Statement released by the FWC Full Bench on the 25th September 2020 (FWCFB 5175) the Full Bench said that 3 applications to extend the operation of the Schedule in the Vehicles Award were made since the 11th May 2020 decision (these were obviously of short duration). The Commission noted that the current Schedule was to cease operation on the 30th September 2020. The Commission said if there were no opposition then it would decide to extend the current Schedule to 30th November 2020 and not until the end of March 2021. (The ASU does note that there was consensus of the parties regarding this Award.)

31. Given that the circumstances are rapidly changing across Australia towards normality, the Commission could take a similar course to the Vehicles Award in the Clerks Award and limit the extension of Schedule I to November 30th 2020. Even in Victoria, which has been lagging behind other states, we have seen substantial progress made as announced in the Premier's statement of September 27th 2020.

32. The advantage of this compromise would be that the parties and the Commission could review the situation in late November and see whether the further extension of the Schedule is warranted. This would mean the necessity of the Schedule could be seen in real time rather than waiting until the end of March 2021 where the Schedule may have been made redundant months before by the changing circumstances. Also as mentioned in paragraph 14, the compromise would also include the restriction in the span of hours in the Schedule by one hour i.e. 6am to 9pm instead of the current 6am to 10pm.

Conclusion

33. On March 28th 2020 the ASU did support Schedule I being placed in the Clerks Award. It did so because at that time there was panic about the pandemic, a lot of confusion about how it would progress and where we would finish up. So in the interests of saving jobs and saving hours of work the ASU agreed to the Schedule. But one of the major reasons it did so was because the Schedule would run for 3 months to June 30th 2020. When the employers applied again to the Commission in June to extend the Schedule for another 3 months until 30th

September 2020 the ASU opposed application arguing that circumstances had changed since March and the extension was unnecessary.

34. Now the ASU is confronted with another employer application which seeks to extend the Schedule not for 3 months but for 6 months to March 29th 2021. The ASU has argued above that the existence of JobKeeper, the plummeting infection rate across the country and the rapid easing of restrictions in every state and territory means that the extension of the Schedule is unwarranted. That the disadvantages to employees contained in the Schedule should not be compounded. Furthermore, the ASU has argued that the employers have not produced probative evidence to the Commission to justify a 6 month extension to the Schedule.

35. However, the ASU has suggested a pragmatic and sensible compromise where the Commission could extend the Schedule for 2 months to November 30th 2020 and not for 6 months. Given the rapidly changing circumstances surrounding the pandemic around the country, this shorter extension would allow the parties and the Commission to review the Schedule in a timely manner and make contemporary decisions. It would also mean that some of the disadvantages to employees contained in the Schedule may only continue to exist for another 2 months and not 6 months. If the application were to be granted it would mean the Schedule would have been in existence for a full 12 months and not a mere 3 months as originally envisioned.

Statement

The Hon Dan Andrews MP
Premier



Sunday, 27 September 2020

STATEMENT FROM THE PREMIER

Seven weeks ago, our average case numbers were peaking at more than 400 every single day. Today, Melbourne's rolling case average is 22.1.

It's a remarkable thing – and an achievement that belongs to every single Victorian.

Because with grit and with guts and with heart – we are beating this thing.

We are driving it down.

We are winning.

Thanks to those efforts, and on the advice of our public health team, I can confirm that from 11:59pm tonight, Melbourne will enter the Second Step towards reopening.

I can also confirm, again on the advice of our public health team, that we are further ahead than we'd hoped for.

The latest modelling shows that our strategy is working. Not only have we been able to drive down cases from the hundreds – we're well on-track to hit single digits in the next few weeks.

That allows us to make some small, but significant changes.

Firstly, our move to the Third and Last Steps will no longer be defined by dates in the calendar.

Instead, the "trigger point" for review by our public health team will be based solely on reaching our case number targets. That means the sooner we hit those targets – the sooner we can consider our next steps.

It also means that getting back to the things we love – seeing more of the people we love – not only is achievable, it's in our hands.

Making sure we have enough time to evaluate the impact, movement between steps will be spaced at least three weeks apart.

This, and based on the current projections, means we'll be in a position to consider our next Step by mid-October.

Those same projections have enabled us to make a few small changes to our Second Step too.

Under the existing roadmap, onsite learning for VCE, VCAL and Prep to Grade Two was set to resume onsite learning from October 12.

Because we're slightly ahead of where the modelling had put us – and in good news for many parents – we've been able to expand that to all primary school students.

As always, we'll continue to review the return of remaining year levels on a regular basis.

There are a few other areas where we've been able to go a little bit further to make life a little bit easier.

For example, private inspections can resume for real estate. Weddings can take place with up to five people.

Apprentices and uni students in their final year of study will be able to attend onsite for learning and assessment where necessary.

In a really meaningful change for many families, the rules around visiting hospitals and care facilities will also be slightly relaxed.

And because we said we'd lift it the moment we could – and the Chief Health Officer's advice is the success of our current numbers means we can – the curfew will no longer be in place after tonight.

None of these changes though are a sign we can take our foot off the pedal. The fine for gatherings – having visitors over to your home, meeting outdoors in big groups – will be increased to the same penalty for travelling into regional Victoria without a valid reason. That is, almost \$5000.

Under the Second Step, we've also been able to make sure more Victorians – 127,000 Victorians – can get back to work.

The workforce limits for some industries will be expanded. Supermarkets and food distribution centres, for example, will return to full capacity. Abattoirs, seafood and meat processing plants will also increase, in line with the levels we know are safe.

At the same time, and recognising the increased risk in some of these environments, there'll be additional obligations for employers, including regular surveillance testing of staff, nightly deep cleaning, separating workers into consistent bubbles, and providing regular training for their workers.

Manufacturing can return with up to 90 per cent of its workforce. Sole traders doing outside gardening and landscaping can return. Retail pet grooming will also resume.

We'll also be able to enact those changes laid out in the existing roadmap.

From 11:59pm tonight, groups of up to five from across a maximum of two households can meet outdoors. Outdoor pools will open, and personal training can resume with a maximum of two people and their trainer.

Childcare centres can reopen, with kinder to open from Term 4 too.

Recognising a number of important upcoming events for many of our religious communities, gatherings of up to five people can meet with their faith leader outdoors.

More of our medical, health and allied professionals will also be able to offer face to face services for non-urgent care.

And of course, reaching the Second Step means we can begin to slowly ramp up elective surgery to 75 per cent of pre-pandemic levels.

With all of these changes, though, comes increased responsibility to keep each other safe.

To get tested when you're sick. To keep your distance when you're out. To follow the rules and listen to the health advice.

It also means continuing to wear a face covering. And with more people moving across our city, our public health team have advised the rules around wearing a mask need to be strengthened.

Victorians will now be required to wear a fitted face mask, covering the nose and mouth. Some of the concessions we made as we adjusted to this new normal – things like wearing a scarf or a bandana or a face shield – will no longer apply.

As I've said before, wearing a face covering is a small sacrifice – but it makes a huge difference in keeping all of us safe. Because fundamentally, that's what all of this comes down to.

None of it's easy. But all of it matters.

And every day, and every Victorian, is getting us that much closer to the other side.

Whether you call it the final quarter, the home stretch, or the last push – we're nearly there.

We've got this.

METROPOLITAN MELBOURNE – THE SECOND STEP



Changes apply from 11:59pm Sunday, 27 September 2020.
Density requirements, cleaning, signage and record keeping requirements continue to apply for many of these venues and facilities

Category	First Step	Second Step
Reasons to leave your home	<p>Stay home unless</p> <ul style="list-style-type: none"> • Shopping for essential goods (1 person per household, once a day, within 5km of home) • Caregiving or compassionate reasons • Work or education (if a permitted worker or learner) • Exercise (2 hours per day within 5km from home, and can drive to undertake exercise) • Other specified reasons (specific exemptions apply) <p>Intrastate travel: not allowed unless for permitted purpose</p> <p>Local Government elections: can leave home for letterboxing as a candidate, employee or volunteer</p>	<p>Stay at home unless:</p> <ul style="list-style-type: none"> • Shopping for essential goods (No limit to the number of people from one household that can leave to shop for necessary goods or services so long as group aligns with public gathering requirements). • Caregiving or compassionate reasons • Work or education (if a permitted worker or learner) • Exercise (2 hours per day within 5km from home or permitted workplace, and can drive to undertake exercise) • Other specified reasons (specific exemptions apply) <p>Curfew: does not apply from 5am 28 September 2020</p> <p>Intrastate travel: not allowed unless for permitted purpose</p> <p>Local Government elections: can leave home for letterboxing as a candidate, employee or volunteer</p> <p>Face coverings: A face covering means a face mask that covers the nose and mouth. Face shields on their own do not meet these requirements. There will be a one-week grace period in enforcement.</p> <p>End of life: A terminally ill person plus up to 10 people or a household can meet outdoors, attend entertainment or a recreation venue. Children under 12 months of age are excluded from the limit. This will be signed off by the CHO or the DCHO in each individual case.</p> <p>Resting place: A person may attend the resting place (a cemetery or columbarium) of a deceased relative for remembering a key milestone (e.g. birthday, date of death, anniversary). Exempt from the 5km rule, but can only travel to the resting place if it is within metropolitan Melbourne and must observe gathering requirements. Gathering limits are a household or up to five people from a maximum of two households.</p>

If you can work from home, you must continue to work from home. For up-to-date information, visit www.vic.gov.au/roadmap

Category	First Step	Second Step
Study	<ul style="list-style-type: none"> Primary and secondary students: onsite learning only for children of persons unable to work/study from home, vulnerable children and specialist schools 	<p>Primary and secondary students: Phased return to onsite learning in Term 4:</p> <ul style="list-style-type: none"> From 5 October <ul style="list-style-type: none"> VCE and VCAL students (including Yr 10 students in VCE) can attend onsite for General Achievement Test and essential assessment From 12 October students return to onsite learning. <ul style="list-style-type: none"> All primary school students return to on-site learning VCE and VCAL students (including Yr 10 students in VCE) return to onsite learning specialist schools return to on-site learning Return to onsite learning of Year 7-10 secondary students will be considered following further public health advice <p>Tertiary education: Final year students and teachers in metropolitan Melbourne who require access to in-person to teaching, assessment and/or work placements</p> <ul style="list-style-type: none"> Higher education: final year students who would not graduate by the end of January 2021 (i.e. even with extended delivery into summer) can return on site for teaching, assessment and/or work placements to complete their qualifications. VET: includes final year apprenticeship students
Gatherings of people	<ul style="list-style-type: none"> Public gatherings: a person cannot meet more than one other person for a common purpose at a public place Home: Single person households or single parent households can have one nominated visitor: <ul style="list-style-type: none"> Bubble cannot cross between metro and regional Face coverings must be worn Social interaction: Two people or a household can meet outdoors for social interaction 	<p>Public gatherings: A household or a limit of five people from two households can meet outdoors for social interaction. Children under 12 months of age are not included in the limit. Must be an outdoor space that is public.</p> <p>Home: Single person households or single parent households can have one nominated visitor:</p> <ul style="list-style-type: none"> Bubble cannot cross between metro and regional Face coverings must be worn

Category	First Step	Second Step
Sport and recreation	<ul style="list-style-type: none"> • Physical recreational facility: can open only for the exclusive use of training for professional and high-performance sports persons, including: <ul style="list-style-type: none"> o a facility used predominantly for outdoor sport or physical recreation; o a personal training facility; o a swimming pool at a non-residential premises • Publicly accessible playgrounds: open, outdoor only 	<ul style="list-style-type: none"> • Exercise is allowed within 5km of your home, or 5km from your workplace if you are on the permitted worker list (you must carry your permit) • Outdoor exercise: Allowed in line with public gathering limits, within 5km, only where facilities are not required. • Outdoor personal training: limited to 2 people, plus the personal trainer, but excluding children under 12 months. Equipment sharing is not permitted, and the trainer must wear a mask. • Indoor physical recreational facilities: can be used for the purposes of education and work, including exclusive use of training for professional and high-performance sports persons or exclusive use by a school, including: <ul style="list-style-type: none"> o a facility used predominantly for outdoor sport or physical recreation; o a personal training facility; o a swimming pool at a non-residential premises • Outdoor pools: permitted to open for exercise only <ul style="list-style-type: none"> o Toilets at outdoor pools can be open, but changing rooms are closed o People allowed in a pool is the lower of the density quotient or 20 people o People unable to congregate around a pool o Exception to cap where exclusive use by a single school at any one time for education purposes • Publicly accessible playgrounds: open, outdoor only • Playcentres: closed • Skateparks: closed • Trampolining centres: closed
Community facilities	<ul style="list-style-type: none"> • Libraries and toy libraries: only open to facilitate collection and return of books/toys or home delivery • Community venues: closed except for: <ul style="list-style-type: none"> o Hosting an essential public support service o Hosting an essential support group o Hosting a wedding or funeral o Providing an exclusive venue for a single school at any one time for educational purposes. 	<ul style="list-style-type: none"> • No change

Category	First Step	Second Step
Childcare facilities	<ul style="list-style-type: none"> • Childcare: Only children whose parents have a childcare permit and vulnerable children • In-home child minding: Existing arrangements (paid or unpaid) can continue for Permitted workers 	<ul style="list-style-type: none"> • Childcare: Open to all children, permit no longer required, the 5km limit does not apply • In-home child minding: Allowed for all children, only one child minder external to the household is permitted at any one time.
Care facilities and hospitals	<ul style="list-style-type: none"> • Visitation for patients or residents over 18: only 1 visitor, once per day, for a maximum of 1 hour. • Visitation for patients under 18: only one visitor at any one time • Visitation: allowed for essential care and support for emotional and social wellbeing • Close contacts: Residential aged care facilities may, jointly with the Chief Health Officer (or a person authorised by the Chief Health Officer), determine whether workers at the facility who have been in close contact with a person who has been diagnosed with 2019-nCoV may continue to work at the facility. 	<ul style="list-style-type: none"> • Visitation for patients or residents over 18: extended to only 1 visitor, once per day, for a maximum of 2 hours. • Visitation for patients under 18: Two parents or carers of a patient under 18 years of age in a hospital may visit at the same time with no time limit. • Visitation for emotional and social wellbeing: inclusion of cultural and spiritual wellbeing, provision of informal language support.
Hospitality	<ul style="list-style-type: none"> • Take-away and delivery only • Exceptions for hospitals, RACFs, childcare, prisons, defence, fatigue-regulated heavy vehicle areas, workplaces and where providing to homeless persons. 	<p>No change</p>
Shopping, retail and personal services	<ul style="list-style-type: none"> • Retail and personal care: closed • Real estate auctions: remote auctions only. • Real estate inspections: Services related to property settlement or commencement/end-of-lease (including removalists) permitted under Permitted Work Premises List. 	<ul style="list-style-type: none"> • Retail and personal care: closed • Real estate auctions: remote auctions only. • Real estate inspections: Private property and display home inspections allowed with 1 agent and 1 prospective purchaser or tenant <ul style="list-style-type: none"> o The prospective purchaser or tenant may be accompanied by 1 other person from an existing household or an intimate partner, and the prospective purchaser or tenant's children under 18 years old. o 'contactless' with protocols for inspections, including pre-arranged at a set time and limited to 15 minutes. o A person is not permitted to travel to regional Victoria for a private property inspection, and a person may not travel to metropolitan Melbourne for a private property inspection.

Category	First Step	Second Step
Ceremonies and religious gatherings	<ul style="list-style-type: none"> • Religious ceremonies and private worship: not allowed; a maximum of 5 people can attend a place of worship to conduct ceremony being broadcast. • Weddings: on compassionate grounds only • Funerals: up to 10 people, plus infants under 12 months and people to conduct funeral 	<ul style="list-style-type: none"> • Religious ceremonies broadcast: a maximum of 5 people can attend a place of worship to conduct ceremony being broadcast. • Outdoor religious gatherings and ceremonies: permitted with a limit of five people, plus one faith leader. Must be adjacent to the place of worship with only one group permitted at a time. Sharing of food, drink, crockery, utensils, vessels or other equipment by participants is not permitted. • Weddings permitted in outdoor public spaces with a maximum of 5 attendees, including the couple and two witnesses, but not including the celebrant. Weddings do not need to occur proximate to a place of worship. • Funerals: up to 10 people, plus infants under 12 months and people to conduct funeral
Accommodation	<ul style="list-style-type: none"> • Closed, except for permitted purposes. 	<p>No change</p>
Transport	<ul style="list-style-type: none"> • Vehicle repairs: vehicle repairs and critical maintenance permitted 	<ul style="list-style-type: none"> • Vehicle maintenance: safety inspections and maintenance or repairs, including scheduled/logbook servicing, is permitted. • Boat maintenance: marine and specialist mechanics permitted to operate when required for safe operation including scheduled/logbook inspections
Healthcare and Social Assistance	<ul style="list-style-type: none"> • Professional respite • Public dental clinics: providing urgent care only 	<ul style="list-style-type: none"> • Telehealth services must be preferred as the first option for care delivery and provided where and as appropriate • Dental clinics: recommencement of non-urgent services with COVIDSafe Plan in place. • All AHPRA registered health workers – and in addition, social work, speech pathology, dietetics, audiology, exercise physiology, orthotists and prosthetists – may provide some face to face services
Industry	<ul style="list-style-type: none"> • Work from home unless you are in a permitted industry • COVIDSafe Plan: Businesses with more than 5 workers onsite are required to have a COVIDSafe Plan. 	<ul style="list-style-type: none"> • Work from home unless you are in a permitted industry • Work: partial return to work for childcare, construction, manufacturing, wholesale trade, postal and distribution, dental services, allied health, elective surgery, outdoor sole traders (gardening, landscaping and garden maintenance businesses), pet grooming, real estate, and limited higher education and VET staff. • COVIDSafe Plan: All businesses will be required to have a COVIDSafe Plan except businesses with no onsite operations (e.g. working from home). The exemption for workplaces with less than five workers onsite will no longer apply.

Information note – Government responses to COVID-19 pandemic

Updated 18 September 2020

The Fair Work Commission will update this note regularly to keep subscribers informed of the latest developments.

The outbreak of the coronavirus (COVID-19) and the responses from governments, both federal and state, initially put restrictions on some businesses and then forced many to close, which has consequences for employees.

Measures taken to restrict gatherings and non-essential business

Commonwealth

The Commonwealth Government has initiated the following [guidelines for social distancing](#) in order to stop or slow the spread of the disease:

- avoid handshaking and kissing;
- visit shops sparingly;
- consider whether outings and travel are necessary;
- reconsider non-essential business travel; and
- the suspension of non-essential gatherings for an initial period of 4 weeks.

On 13 March 2020, the Commonwealth and State Governments [agreed](#) to advise against all non-essential organised public gatherings of more than 500 persons, effective from 16 March 2020. This did not impact schools, workplaces, hospitals, public transportation, domestic travel and universities as well as public transient places such as shopping centres.

In [addition](#), on 18 March 2020, non-essential indoor gatherings of more than 100 people (including staff) and outdoor activities of more than 500 people were not to be permitted. Essential gatherings include:

- public transport;
- medical and health care facilities, pharmacies, emergency service facilities;
- correctional facilities, youth justice centres or other places of custody, courts and tribunals;
- Parliaments;
- food markets, supermarkets and grocery stores, shopping centres; and
- office buildings, factories, construction sites and mining sites.

For outdoor gatherings of fewer than 500 people, there must be no more than 1 person per 4 square metres of ground space.

On 20 March 2020, the Commonwealth [announced](#) that there must be a density of no more than 1 person per 4 square metres of floor space for indoor gatherings.

The [guidelines](#) also explain that, from midday local time on 23 March 2020, restrictions on opening were placed on the following facilities:

- pubs, registered and licensed clubs (excluding bottle shops attached to these venues), hotels (excluding accommodation);
- gyms and indoor sporting venues;
- cinemas, entertainment venues, casinos and night clubs;

- restaurants and cafes restricted to takeaway and/or home delivery; and
- religious gatherings, places of worship or funerals (in enclosed spaces and other than very small groups and where the 1 person by 4 square metre rule applies).

Further [measures](#), along with clarification of current guidelines, were announced on 24 March 2020 by the Commonwealth Government, which applied from 11.59pm local time on 25 March 2020.

Restrictions on opening were placed on the following facilities:

- food courts (takeaway and/or home delivery remain operational);
- auction houses, real estate auctions and open house inspections (with the exception of private appointments for inspection);
- outdoor and indoor markets will be a decision for each state/territory (food markets continue to remain operational);
- beauty therapy, tanning, waxing, nail salons, tattoo parlours, spa, and massage parlours;
- hairdressers and barber shops to only have appointments of up to 30 minutes and must abide by the 1 person by 4 square metre rule;
 - On 26 March 2020, the Commonwealth Government [announced](#) that appointments would no longer be limited to 30 minutes per patron (effective immediately) for barbers and hairdressers, but the 1 person per 4 square metre rule must be strictly observed.
- gaming or gambling venues;
- strip clubs, brothels and sex on premises venues;
- concert venues, theatre, arenas, auditoriums, stadiums (live streaming of a performance by a small group can be permissible with social distancing observed);
- amusement parks, arcades and play centres (indoor and outdoor);
- community and recreation centres except for those that host essential voluntary or public services, such as food banks or homeless services;
- health clubs, fitness centres, yoga, barre and spin facilities, saunas, bathhouses and wellness centres;
- boot camps, personal training operating inside (for outside events, limited to groups of no more than 10 people and social distancing must be exercised);
- social-sporting based activities and swimming pools;
- residential facilities, such as hotels, hostels, bed and breakfasts, campsites, caravan parks, and boarding houses will be a decision for each state and territory (excludes permanent residents and workers);
- galleries, museums, national institutions and historic sites;
- libraries, community centres, and youth centres;
- local government non-essential facilities and services (i.e., libraries and pools)
- community facilities (i.e., community halls, RSLs, PCYCs);
- weddings restricted to a maximum attendance of 5 people and where the 1 person per 4 square metre rule applies; and
- funerals restricted to a maximum attendance of 10 people and where the 1 person per 4 square metre rule applies.

In addition, a 'do not travel' ban on Australians travelling overseas will be implemented, with exemptions to citizens that ordinarily live overseas, where travel is essential or necessary, where travel is in the national interest, and on compassionate and humanitarian grounds. Further, measures will be taken to prevent price gouging and exporting products essential to preventing and controlling COVID-19.

On 27 March 2020, the Commonwealth Government [announced additional restrictions](#) for return travellers and enforcement that require travellers returning from overseas to undertake a mandatory 14 days of self isolation at designated facilities and will be enforced with increasing compliance checks by state and federal police. Beginning from 11.59pm on Saturday 28 March 2020, anyone who returns to Australia will be forced to quarantine in a hotel or other accommodation for 14 days. They will not be allowed to return home. The Government also [announced](#) that part of their plan to tackle both the health and economic crises due to COVID-19 would be to hibernate parts of the economy, with the plan that effected business and workers would be able to start again on the other side.

On 29 March 2020, further measures from the Commonwealth Government [advised people to stay at home](#) people to stay at home unless partaking in one the following:

- 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 it cannot be done remotely.

Playgrounds, skate parks and outside gyms in public places will be closed and bootcamps reduced to 2 persons, including the trainer.

The announcement limited both indoor and outdoor gatherings to a maximum of 2 persons with exceptions limited to the following:

- people of the same household;
- funerals – a maximum of 10 people;
- weddings – a maximum of 5 people; and
- family units.

In addition, on 30 March 2020, the National Cabinet [endorsed advice](#) from the Australian Health Protection Principal Committee (AHPPC) that:

- where vulnerable workers undertake essential work, a risk assessment must be undertaken with consideration of the characteristics of the worker, the workplace and the work;
- special provisions apply to essential workers who are at higher risk of serious illness and, where the risk cannot be sufficiently mitigated, should not work in high risk settings; and
- international flight crew and maritime crew are granted a concession from the mandatory 14 day quarantine requirements.

On 8 May 2020, the Commonwealth Government [announced a 3-step plan](#), called the [Roadmap to a COVIDSafe Australia](#) to and have a sustainable COVID safe Australia by July 2020. The exact role out and time is to be announced and implemented by state and territory premiers and chief ministers. The Roadmap has been amended over time in line with expert medical advice regarding the success of health measures implemented to limit the transmission of COVID-19.

Each step will still be underpinned by a commitment to:

- keep 1.5 metres away from other people whenever possible;
- maintain good hand washing and respiratory hygiene;
- stay home if feeling unwell, and get tested if you have respiratory symptoms or a fever;
- download the COVIDSafe app; and
- develop COVID safe plans for workplaces.

Step 1 will relax various baseline restrictions, including:

- gatherings of up to 10 people outside and in businesses;
- having up to 5 people visit at home;
- restaurants, cafes and shopping open;
- children back in the classroom;
- libraries, community centres, outdoor bootcamps and playgrounds open;
- home sales and auctions;
- some local and regional travel;
- people should work from home if it suits workers and their employers.

Step 2 was developed and defined based on the success of step 1 and pandemic situation, informed by expert medical advice and from June allows:

- gatherings of up to 20 people;
- more businesses opening including gyms, beauty services and entertainment venues such as galleries and cinemas;
- caravan and camping grounds open;
- some interstate travel.

Step 3 requires further refinement, which will occur based on the success in implementing steps 1 and 2. Provisionally it allowed:

- gatherings of up to 100 people;
- return to workplaces;
- nightclubs, food courts and saunas open;
- all interstate travel;
- possible cross-Tasman, pacific island and international students travel.

On 12 June, based on AHPPC advice, the Commonwealth Government [announced](#) the extended removal of restrictions under Step 3 (the timing and implementation to be managed by states and territories):

- the removal of the 100-person limit on non-essential indoor gatherings; and
- outdoor events (including stadiums) with a capacity of up to 40 000 can operate at no more than 25 per cent capacity, with the event is ticketed and seated.

On 26 June, National Cabinet met and [announced](#) they had asked AHPPC to develop a roadmap for re-opening arts and entertainment venues, which would build on the plan announced on 12 June in regards to outdoor seated and ticketed events. National Cabinet also noted that in later steps, states and territories may allow all large venues to admit larger crowds provided there is no evidence of community transmission and the event is seated, ticketed and physical distancing and other public health measures are maintained. They further agreed, based on [AHPPC advice](#), that under step 3 states and territories may allow small premises to apply a 1 person per 2 square metre rule.

On 4 September, National Cabinet [agreed](#) to a suppression strategy for COVID-19 with the goal of no community transmission. The Commonwealth, and all states and territories except for Western Australia, agreed in-principle to develop a new plan for Australia to reopen by Christmas. This included the use of the hotspot concept for travel between jurisdictions. The National Cabinet noted the COVID-19 hotspot definition proposed by the Commonwealth Acting Chief Medical Officer which would be a basis for decision-making using the following thresholds: a rolling 3 day average of 10 locally acquired cases per day (30 in 3 consecutive days) in metropolitan areas; and a rolling 3 day average of 3 locally acquired cases per day (9 cases in 3 consecutive days) in rural or regional areas.

Once a threshold has been activated, the Commonwealth would perform further analyses to assist in discussion between the Commonwealth Chief Medical Officer and state and territory Chief Health Officers. Bilateral and multilateral arrangement between the Commonwealth, states and territories will continue to be developed to support border arrangements. Western Australia will continue to participate in discussions on the development of the reopening plan and timetable.

- [New South Wales](#), [Victoria](#), South Australia, Northern Territory and the Australian Capital Territory agreed to adopt the [National Agricultural Workers code](#), with Western Australia, Queensland and Tasmania giving consideration to the code as part of their own border restriction arrangements. The code allows permits or an equivalent approval to facilitate movement of critical agricultural industry workers across domestic borders where restrictions are in place. The Code commences within 15 days of National Cabinet agreement unless arrangement for a state or territory are specified separately. It covers workers, farm businesses, agricultural services and activities, as well as animal welfare support services.

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State and territories

Some states and territories had already made announcements to ease restrictions before the Commonwealth Government announcements. These and other announcements since 8 May 2020 from the states and territories and their proposed timelines are summarised below:

New South Wales

- From 1 May, 2 adults (and any dependent children) can visit another household to provide care or support; on 10 May, announced that from 15 May, outdoor gatherings of up to 10 people at cafes and restaurants that can seat 10 people at a time; up to 5 visitors to a household at a time; weddings with up to 10 guests; indoor funerals up to 20 people and up to 30 people for outdoor services; religious gatherings/places of worship up to 10 people; use of outdoor equipment (with caution); outdoor pools open (with restrictions); short and long-term accommodation are open at crisis and temporary accommodation, disability of aged care facilities, hotels, motels, youth hostel or other accommodation, caravan parks and camping grounds closed to the general public (with some exceptions), and bars, clubs and pubs are open with a maximum of 10 seated customers and alcohol only being served to customers eating.
- From 1 June, there were no limitations to travelling within NSW; pubs, clubs, cafes and restaurants are able to have up to 50 seated customers (with a maximum of 10 customers per group) on the premises; up to 20 people can attend weddings and up to 50 for funerals and places of worship; possible to visit museums, galleries and libraries; beauty and nail salons can begin treatments (one person per 4 square meter rule, physical distancing and hygiene and safety requirements will remain); caravan and camping grounds may open.
- From 13 June, fitness, gyms, Pilates, yoga and dance studios can reopen with up to 10 people per class and 100 people in an indoor venue; community centres, including their recreational facilities can reopen; some indoor recreational facilities (excluding indoor pools) and saunas can reopen with a limit of 20 participants; tattoo and massage parlours can reopen with up to 10 clients.
- On 11 June, announced that also from 13 June food courts will be allowed to reopen (with a maximum of 50 people per separate eating areas); the number of people allowed to visit homes to increase from 5 to 20; and the number of people allowed to gather outdoors to increase from 10 to 20.
- Further restrictions were eased, including allowing up to 20 visitors to visit another household; food and drink premises such as pubs, bars, cafes and restaurants can take group bookings of up to 20 customers; betting agencies will be allowed to have the lesser of 20 customers or the total number allowed as calculated by the 1 person per 4 square metre rule; holiday homes and rentals limit of 10 increased to 20; markets to reopen with restrictions; tattoo and massage parlours can reopen with up to 20 customers; nail, beauty, waxing and tanning salons can have the lesser of 20 customers or the total number as allowed by the 1 person per 4 square metre rule; indoor and outdoor pools can open subject to the 1 person per 4 square metre rule; major recreation facilities can have the lesser of 20 people or the number calculated by the 1 person per 4 square metre rule; scuba diving and snorkelling tours or marine animal watching tours can have up to 50 customers; vessels used for hosting function or for commercial tours (other than those listed above must have no more than the lesser of 50 customers or the total number of people allowed under the 1 person per 4 square metre rule.
- On 14 June, further announced that from 1 July, the number of people allowed at indoor venues (including function centres) will be determined by the 1 person per 4 square metre rule, with no upper limit, and all activity must be seated only; cultural and sporting events at outdoor venues with a maximum capacity of 40 000 will be allowed up to 25 per cent of their normal capacity (events must be ticketed and seated); restrictions on funerals eased to

allow the 1 person per 4 square metre rule to apply; kids and community sports competitions for those under 18 allowed, and adult community sport allowed.

- On 14 July, announced new rules commencing on 17 July limiting group bookings at pubs to a maximum of 10 people (down from 20) and introducing a venue cap of 300 people inside a venue at any time.
- On 17 July, announced tightened restrictions to come into effect on 24 July, which extended the limit of 10 people for group bookings to places such as restaurants, bars and cafés and registered clubs as well as limiting the amount of people (subject to the 4 square metre rule) in a venue for weddings or corporate events to 150 people and for funerals and places of worship to 100 people. Venue caps are the lesser of either 300 people or 1 customer per 4 square metres. For venues consisting of separate areas, the venue cap applies per area. Alcohol can only be consumed by seated customers.
- From 22 July, people seeking to enter New South Wales from Victoria will require an [entry permit](#) and may only do so for essential travel, with some exceptions. Victorian residents living in metropolitan Melbourne or the Mitchell Shire are not eligible for entry permits. On 5 August, it was announced that from 7 August, New South Wales residents returning from Victoria must go into 14 days of mandatory hotel quarantine at their own expense. Those who can apply for a permit include defence officials, doctors and nurses, critical workers in energy, mining and construction, child protection workers and disability workers. The permit will indicate if the permit holder needs to self-isolate for 14 days, get tested for COVID-19, abide by a COVID-19 safety plan, or any other conditions.
 - Victorian residents living in designated border zone areas near the New South Wales and Victorian border may apply for a New South Wales border entry permit for work, education, medical or health care or providing or receiving care to a vulnerable person. Border zone residents who are Victorian residents must not travel to any part of New South Wales outside of the border zone and must not enter New South Wales if they have travelled in Victoria outside the border zone within the previous 14 days.
 - New South Wales border zone residents must self-isolate if they have either travelled within Victoria outside the border zone, or have entered Victoria other than for work, education, medical or health care, or receiving or providing care.
 - People living in the border regions who are providing a critical service in the border region can apply for a border entry permit to cross into New South Wales for: movement of freight on a commercial basis; movement of persons on a commercial basis; maintenance and repair of critical infrastructure; medical, hospital, dental or veterinary care; commonwealth defence and security services; mining, agriculture, construction, energy or manufacturing; and cleaning and disinfection in a workplace or other non-residential premises to prevent the spread of COVID-19 on a commercial basis that is not locally available.
- From 1 August, a limit of 20 people applies to gym and recreation classes such as yoga, tai chi and Pilates. Community sporting activities that involve more than 20 participants must have a COVID-19 Safety Plan and the maximum number of participants must not exceed 500.
- From noon on 18 August, farmers and agricultural workers outside the New South Wales and Victoria border zone will be able to access a new Highly Specialised Critical Service (Agriculture) Permit if they: provide a highly specialised critical agriculture service; are moving and working anywhere within 100km of the New South Wales/Victorian border (on the New South Wales side); comply with strict conditions if staying overnight; and adhere to other safety requirements. Exemption for workers needing to move beyond the 100km limit will be considered on a case-by-case basis.
- [Announced](#) on 1 September that, from 4 September, a single region will be reinstated that extends to around 50km on either side of the New South Wales and Victorian border. This replaced the border zone. A new border region resident permit was introduced for residents in the border region to cross the New South Wales and Victorian border: to get necessary goods or services; for care or other compassionate reasons; to attend work or education (where it is not possible to do from home); or to permanently relocate to New South Wales.

- On 17 September, [announced](#) that from 1 October major sporting events at selected Sydney stadiums can increase crowds from 24 per cent to 50 per cent capacity, up to a maximum of 40 000 spectators, with some restrictions.

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Victoria

- On 11 May, announced amended restrictions which came into effect on 12 May: gatherings outdoors in groups of up to 10 people; gatherings indoors at home with up to 5 visitors; leave the house for exercise for health or recreational activities in groups of up to 10 people (subject to existing physical distancing requirements); attend weddings with up to 10 guests (excluding the celebrant and the couple); attend funerals with up to 20 people for an indoor ceremony and up to 30 people for an outside ceremony (in addition to the minimum people required to conduct the funeral); attend religious gatherings and ceremonies with a maximum of 10 people (plus those required to perform the ceremony).
- From 25 May, public playgrounds, outdoor communal gym equipment and skateparks were opened (subject to existing group limits),
- From 1 June, private gatherings of up to 20 people per house are allowed (including members of the household); public gatherings (indoor and outdoor) of 20 people allowed;

weddings can have up to 20 people (plus the celebrant and couple); the number of people at indoor and outdoor funerals increased to 50 (plus people reasonably required to conduct the funeral); private worship or small religious ceremonies of up to 20 people (plus people reasonably required for the ceremony); auction houses, real estate auctions and open house inspections can have up to 20 people (plus people reasonably required to facilitate); restaurants, cafes and pubs can have 20 patrons (alcohol served with meals only); overnight stays in private residences allowed; camping and tourist accommodation (if no shared use of facilities); beauty therapy, tanning, waxing, nail salons, spas, tattoo parlours, massage parlours open (with up to 20 patrons); community sports and recreation facilities open with no more than 20 people (plus those needed to run the space); indoor and outdoor pools open with maximum 20 patrons and 3 people per lane in each pool; galleries, museums, national institutions, historic sites, outdoor amusement parks, drive-in-cinemas, zoos and arcades open with up to 20 patrons per space; and non-contact outdoor sporting activities with 20 people (plus the instructor).

- o Restrictions were initially planned to be further eased from 22 June. However, on 20 June, following a spike in cases in Victoria (including community transmission), restrictions were adjusted to: public gatherings limited to 10 people; the number of visitors to a home limited to 5 people; private worship or small religious ceremonies limited to 20 people plus those reasonably required for the ceremony; auction houses, real estate auctions, open houses inspections and community facilities remain limited at 20 (plus those reasonably required to facilitate the activity); 20 patrons allowed per space for restaurants, cafes, pubs and clubs (with a maximum group size and no requirement to purchase a meal with your drink); cultural and entertainment venues still allowed 20 patrons, plus indoor cinemas, movie theatres, concert venues, theatres, arenas, auditoriums, stadiums; libraries; community centres and halls; indoor play centres and toy libraries; ski season can begin (including accommodation); indoor sports centres and physical recreation venues, including gyms, to open and allowed up to 20 people per single undivided indoor space and up to 10 people per groups/activity at any one time; full-contact training and competition (indoors and outdoors) for people 18 years old and under; non-contact competition (indoors and outdoors) for people over 18 years old; changing room and showers can open for sporting and recreational facilities (including swimming pools); the limit of 3 per lane in swimming pools will no longer apply; and shared facilities at camping and tourist accommodation can open, with increasing screening and safeguards in place.
- o It was initially planned that from 20 July, electronic gaming areas at pubs, clubs and the casino will be reopened; all sports training and competition will resume for those aged 18 years or under and non-contact sports competition could begin across all age groups; indoor sports centres; local contact sports for over 18s to resume training from 13 July and full competition from 20 July (including the reopening of community facilities and changerooms). However, from 2 July, a number of Victorian postcodes returned to stage 3 (Stay at Home) restrictions, with further postcodes added from 5 July. It was also announced that, from 9 July, all of Metropolitan Melbourne and the Mitchell Shire would return to Stay at Home restrictions for 6 weeks. Under stage 3 restrictions there are only 4 reasons to leave home: shopping for food and supplies; medical care and caregiving; exercise and recreation; and study and work (if it cannot be done from home). Businesses across these regions will also return to Stage 3 restrictions: restaurants and cafes will return to takeaway and delivery services only; beauty and personal services will need to close; entertainment and cultural venues will need to close; and community sport will stop.
- On 19 July it was announced that from 23 July people living in metropolitan Melbourne or Mitchell shire must wear a face covering when they leave their home.
- On 30 July, announced that from 31 July, people living in the local government areas of Greater Geelong, the Surf Coast, Moorabool, Golden Plains, Colac-Otway and Borough of Queenscliffe will no longer be able to have visitors at home or visit other people's homes. From 3 August, face coverings to be mandatory for all of Victoria.

- From 6pm 2 August, Victoria entered into a state of disaster and Melbourne moved to stage 4 restrictions to last until 13 September. A curfew will operate from 8pm to 5am, where the only reason to leave home during these hours are for work, medical care and caregiving, and safety reasons. Outside of curfew hours, there are 4 reasons to leave home; exercise will be limited to 1 hour a day and to a size of 2 people (regardless of being in the same household); shopping for food and necessary supplies will be limited to 1 person per households per day. Exercise and shopping for essentials must be done within a 5km radius of home. People may leave their homes for care and health care or work. The 5km limit does not apply to care or caregiving, or work. Exceptions to the 4 reasons to leave home are for shared parenting arrangements, escaping family violence or in the case of an emergency. Mitchell shire will remain at stage 3 restrictions and the rest of regional Victoria will also move to stage 3 restrictions from 6 August. All schools will move to remote learning.
- On 3 August further details restrictions on businesses and workplaces were announced, commencing 6 August. Certain retail services (plus everyone involved in the frontline health response) will continue to operate—supermarkets, grocery stores, bottle shops, pharmacies, petrol stations, banks, newsagencies and post offices. Other retail stores, some manufacturing and administration industries will have to cease onsite operation for 6 weeks. Retail stores not specifically allowed to operate are permitted to operate on a contactless 'click and collect' and delivery services (with strict safety protocols in place). Hardware stores will remain open onsite for tradespeople only. The meat industry will operate at two-thirds capacity (applies across the state); warehousing and distribution centres in Melbourne limited to no more than two-thirds of the normal workforce allowed on site at any one time; and the construction sector will have no more than 25 per cent of the normal workforce for major construction sites and a maximum of 5 people on site for small-scale constructions. These workplaces will have additional safety requirements, including extra personal protective equipment, staggered shifts and breaks, health declarations and more support for sick workers to stay at home. From 6 August, employees working in permitted industries who cannot work from home will be required to have a new 'Worker Permit' when travelling to and from work. Employers will be required to issue signed permits to their employees to allow them to attend a workplace. All open businesses and services had until 11:59pm 5 August to enact a COVIDSafe plan.
- On 5 August, announced that people working in permitted industries will maintain access to kinder and childcare under stage 4 restrictions. If someone in a household is able to care for children at home then they must continue to do so. From 6 August, only children of permitted workers and vulnerable children will be able to access childcare and kinder (for the purposes of accessing childcare a permitted worker also includes someone working from home).
 - Permitted workers (both those working onsite and those working from home) will need to confirm there is no one else in their household able to supervise their child in order to access childcare or kinder.
- A full list of permitted workplaces by industry that can operate during the stage 4 restrictions can be found here: <https://www.dhhs.vic.gov.au/business-industry-stage-4-restrictions-covid-19>
- On 6 September, [announced](#) a roadmap for reopening, with separate roadmaps for [metropolitan Melbourne](#) and [regional Victoria](#). Each roadmap has 4 steps towards reaching a 'COVID normal', progressing through each step will largely be triggered by the later of planned dates and when the number of new cases reaches established thresholds.
- For metropolitan Melbourne:
 - **First Step** from 14 September: curfew reduced to 9pm to 5am; public gatherings increased to 2 people or a household can meet outdoors for up to 2 hours; a 'single social bubble' that allows 1 nominated visitor for people living alone or single parents where all children are under 18 years of age; professional respite care allowed for people with complex needs; exercise outdoors up to 2 hours per day total and a maximum of 2 sessions; and playgrounds open.

- From the later of 28 September and when average daily cases in metropolitan Melbourne over the previous 14 days are between 30–50 cases or lower and subject to public health advice, the **Second Step** will allow: up to 5 people from a maximum of 2 households to meet outdoors for social interaction (infants under 12 months old not included in the cap); childcare and early educators re-open; schools to have staged return to onsite learning for Prep to Grade 2, VCE/VCAL and specialist schools in Term 4; outdoor personal training allowed with up to 2 people per trainer; outdoor pools reopen; and places of worship remain closed but outdoor gatherings (not ceremonies) of up to 5 people plus 1 faith leader, proximate to a place of worship are allowed.
- From the later of 26 October and when average daily cases over the previous 14 days is less than 5 new cases (state-wide average) with less than 5 cases with an unknown source, the **Third Step** will: remove the curfew; remove all restrictions on reasons to leave home or distance from home; increase public gatherings to up to 10 people outdoors; allow a 'household bubble' with up to 5 visitors from another nominated household at a time (infants under 12 months of age not included in the cap); potential staged return to onsite learning for Grade 3 to Grade 10 based on public health advice; hospitality to operate with predominately outdoor seating and a group limit of 10 (subject to density limits); retail to re-open; hairdressing open with safety measures (other beauty/personal care services closed); real estate allowed private inspections by appointment only and auctions allowed outside subject to gathering limits; no person limit for shopping; outdoor contact and non-contact sport for those 18 years or younger, outdoor non-contact sport only for adults with gathering and density limits, outdoor skateparks open, outdoor fitness for up to 10 people; up to 10 people (including the couple, 2 witnesses and a celebrant) for weddings; up to 20 people for funerals (not including infants under 12 months of age or people required to conduct the funeral); outdoor religious gatherings of up to 10 people plus a faith leader, facilities open for private worship for households or social bubbles; intrastate travel allowed across areas in the Third Step (not to areas with higher restrictions); outdoor venues and events allowed subject to pre-approved plans; and accommodation open with caps per the social bubble.
- From the later of 23 November and when there have been no new cases for 14 days (state wide), the **Last Step** will consist of: public gatherings of up to 50 people to outdoors; up to 20 visitors at a time to the home; potential staged return onsite learning for Grade 3 to Grade 10 based on public health advice (if has not occurred in the Third Step) return to onsite learning for all adult education; for hospitality, group limits of 20 people (and seated service) with a cap of 50 per venue, outdoor dining subject to density limits; all retail to open; real estate to operate (with safety measures and record-keeping); no restrictions on exercise, facilities to open subject to safety measures and organised contact sports resume for all ages (limitations for spectators); weddings allowed up to 50 people (including the couple, 2 witnesses and celebrant, with a limit of 20 people in a private residence; funerals allowed up to 50 people (not include infants under 12 months of age or people required to conduct the funeral), with a limit of 20 people in a private residence; public worship (not including private ceremonies) can resume in both outdoor and indoor settings subject to density quotient; intrastate travel allowed; indoor and outdoor venues open with density quotient and patron caps; staged return to events with seated spectators; large events treated on an individual basis; accommodation open.
- When there are no new cases for 28 days (state-wide), no active cases (state-wide) and no outbreaks of concern in other states or territories, **COVID Normal** will consist of: no restriction on public gatherings; no restriction on visitors to homes; onsite learning for schools; phased return to onsite work for workers who have been working from home; no restrictions on hospitality but record-keeping of patrons to continue; no restrictions on community sports or spectators; no limits for weddings, funerals or religious ceremonies (organisers required to keep records of attendees); state border controls activated in case of outbreaks; and entertainment venues open with safety measures and record-keeping.
- The First Step does not apply to regional Victoria. The remaining steps are similar to that of metropolitan Melbourne except for the timeframes and the following:

- From 14 September, the **Second Step** involves: schools to have staged return to onsite learning for all students in Term 4; outdoor exercise and recreation allowed with no time or frequency limits; outdoor playgrounds and pools to open intrastate travel not allowed unless for a permitted purpose.
- Move to the **Third Step** when there are less than 5 new cases based on regional average over last 14 days and no cases with unknown source (regional total last 14 days): no restrictions on reasons to leave home or distance to travel; intrastate travel allowed across Third Step area.
- From the later of 23 November and when there are no new cases for 14 days (state-wide), the **Last Step** allows intrastate travel.
- Will move from the last step to **COVID Normal** when there are no new cases for 28 days (state-wide), no active cases (state-wide) and no outbreaks of concern in other states or territories. Restrictions as per metropolitan Melbourne.
- On 15 September, [announced](#) that regional Victoria had reached a 14-day average of 3.6 cases with no mystery cases and will to move to the Third Step from 17 September.

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Queensland

- From 2 May, as well as established essential reasons, people can leave their home for recreation purposes within 50km of their home including going for a drive, picnics, visit a national park, go fishing, boating or jet-skiing. This can be done with people who you normally live with or one person you do not live with, or more than one person if you need assistance from more than one carer. From 10 May, people can have up to 5 visitors from the same household or 2 visitors from different households.
 - On 8 May, announced further plans to ease restrictions. **Stage 1**, from 16 May, includes gatherings in homes (maximum 5 visitors allowed from separate households); gatherings up to 10 people for outdoor, non-contact activity; personal training; pools (indoor and outdoor); public spaces and lagoons; parks, playground equipment, skate parks and outdoor games; libraries, weddings; attending national or state parks; places of worship and religious ceremonies; funerals (maximum 20 indoors and 30 outdoors); and recreational travel within 150 kms of your region for day trips or 500kms within the outback; retail shopping; dining in restaurants, cafes, pubs and registered clubs (maximum 10 people or 20 for locals in the outback and no bars or gaming in the outback), open homes and auctions; and beauty therapy and nail salons.
 - **Stage 2** (initially from 12 June and brought forward to 1 June): 20 people for gatherings indoors and outdoors (including homes), plus indoor gyms, health clubs, yoga studios, personal training, non-contact indoor and outdoor community sports, pools, parks, playground equipment, skate parks, outdoor gyms, hiking and camping in national parks, museums, art galleries, historic sites, weddings and places of worship; retail shopping, cafes and restaurants etc as per stage 1 – for maximum of 20 people (50 people for outback), plus indoor cinemas, outdoor amusement parks, zoos, arcades, tourism experiences, concert venues, theatres, arenas, auditoriums, stadiums and spas, open homes and auctions, beauty therapy, nail salons, tanning, tattoo parlours and spas; a maximum of 50 people for funerals, recreational travel, camping and accommodation including caravan parks and unlimited travel and overnight stays within Queensland (except biosecurity areas or restricted areas).
 - Announced on 15 June, from 16 June funerals may be attended by up to 100 people; unlimited travel and overnight stays for all of Queensland (including school holidays); up to 20 patrons per room or predefined area (indoors or outdoors) for dining in or seated drinks in restaurants, pubs, registered or licensed clubs, RSL clubs, hotel and casinos (no gaming).
 - Announced on 21 June, from 27 June Queensland stadiums can have spectators up to 25 per cent of their capacity, with a maximum of 10 000 and with seating plans of segmented zones.
 - **Stage 3** (from 3 July): a maximum of 100 people permitted for private gatherings, weddings and funerals; a maximum number of people at museums, art galleries, libraries and historic sites determined by the 1 person per 4 square metre rule; resumption of sport, recreation and fitness activities including competition and physical contact on field of play; indoor sports facilities can open subject to the 1 person per 4 square metre rule; outdoor sports facilities open with physical distancing (off the field of play); all businesses can reopen with a maximum number of customers determined by the 1 person per 4 square metre rule (venues below 200 square metres can have one person per 2 square metres, up to a maximum 50 people); saunas and bathhouses, casinos, gaming and gambling venues, nightclubs, and food courts; public health rules will remain including

physical distancing, 4 square metres per person when indoors, hand hygiene, respiratory hygiene, frequent environment cleaning and disinfection and must have a COVID safe plan; the lesser of up to 25 000 spectators or 50 per cent capacity for Major Sports Facilities; concert venues, theatres and auditoriums open with up to 50 per cent capacity or 1 person per 4 square metre (whichever is greater).

- From 10 July, any person travelling from New South Wales, Western Australia, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory may enter Queensland subject to completing and signing a border declaration and undertaking to present for a COVID-19 test if they develop symptoms. Any person that has been in a declared COVID-19 hotspot during the past 14 days, including Victoria, must not enter Queensland (some exceptions apply). On 29 July, it was announced that from 1 August, people who have been in 34 local government area hotspots across greater Sydney in the past 14 days will not be able to enter Queensland. Persons entering the state to perform essential activities and Queensland residents are exempt but must complete 14 days quarantine upon arrival. On 5 August, it was [announced](#) that the hotspot areas were extended to all of New South Wales and the Australian Capital Territory, except for essential workers and for residents of a specific Tweed Shire border zone, to apply from 8 August.
- From 1am on 20 August, entrance to Queensland is possible by road, rail or air from a hotspot without an exemption for essential health care if it cannot be provided in the hotspot. Border zone residents can cross the border for any purpose.
- People must complete a Queensland Border Declaration Pass before entering Queensland, and this will include agreeing to get tested for COVID-19 if they develop symptoms within 14 days of arrival. Those entering will need to quarantine within 14 days if they: have been in a [COVID-19 hotspot](#); have or had COVID-19 or COVID-19 symptoms; or, are a Queensland or New South Wales border zone resident who travelled outside the borders zone in New South Wales.
- People who have been in a COVID-19 hotspot within the last 14 days will be turned away from entering Queensland, except people needed in Queensland for essential activities. Those who have been in a hotspot in the last days will only be allowed to enter if they: usually reside or are moving to Queensland; are a border zone resident; need to comply with an order to attend a Court or Tribunal or give an effect to orders of a Court or Tribunal; have to fulfil an arrangement or obligation relating to shared parenting or child contact; have to assist with a law enforcement investigation; need to complete an [essential activity](#); are a student at a higher education institution or boarding school and entering Queensland for study (including parents or guardians accompanying students who are minors); or are entering to received essential health care, or to provide support to a person receiving essential health care.
- From 8am on 22 August, extra restrictions on activities were imposed, including: limitations on gatherings in specified [Local Government Areas](#) in greater Brisbane to a maximum of 10 people in homes and public spaces; restriction of visitors to residential aged care and disability accommodation facilities; and restricting visitors in public and private hospitals. For the rest of the state, gatherings in homes and public spaces were reduced to a maximum of 30 people.
- As at 24 August, the only people allowed to enter Queensland by road are truck drivers; workers related to the transport of freight and logistics; people performing essential activities; and border zone residents.

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South Australia

- On 3 May, the easing of restrictions included reopening public parks and playgrounds and resumption of cross-border kidney transplants.
- From 11 May (with some restrictions further eased on 22 May), **stage 1** (subject to 1 person per 4 square metres and 10 people maximum) allows: regional travel, Uni and TAFE face-to-face tutorials; outdoor dining for restaurants and cafes (maximum of 20 people – 10 inside and 10 outside); community, youth and RSL halls; auctions and inspections; local government libraries; sporting training (outdoor only); funerals (20 indoor / 30 outdoor maximum); worship, weddings and ceremonies; pools (20 swimmers per pool limit and 1 swimmer per lane); and campgrounds and caravan parks.
- From 1 June (brought forward from 8 June), **stage 2** (subject to 1 person per 4 square metres and maximum 20 people per room, area or group), up to 80 people allowed for: cinemas and theatres; seated dining (including alcohol if seated at a table, with or without food); galleries and museums; beauty, nails, tattoo, massage (no-therapeutic), driving instruction lessons, gyms and indoor fitness; funerals (50 person maximum); non-contact outdoor sport (competition); and non-contact indoor sport (training and competition) and indoor recreation activities. From 25 June, contact outdoor sport competition and contact indoor sport (training).
- From 19 June, **Step 2 Plus** allowed public gatherings up to a maximum of 300 people at a venue (with any separate room or area having a maximum of 75 people); dance and fitness classes in larger rooms can have up to 20 people (subject to a density requirement of 1 person per 7 square metres) and a maximum of 10 people for smaller room subject to 1 person per 4 square metres.
- From 29 June, **Step 3** is a simplified principle-based approach (except for some high-risk activities) and will require social distancing requirements being reduced to 1 person per 2 square metres, with no maximum for outside activities. Most activities/businesses will be permitted including those already permitted as well as good courts (on-site consumption now allowed), nightclubs and music festivals, gaming rooms/facilities in pubs and clubs, casinos, contact indoor sport (competition), spas, saunas and bathing, standing hospitality and indoor play centres. Amusement arcades and amusement parks.
- As at 20 July, Victorian residents, other than essential travellers, are not permitted to travel to South Australia (essential travelers living in cross border communities can enter South

Australia but cannot travel further than 50 kilometres into South Australia. Travellers from the Australian Capital Territory and New South Wales, other than essential travellers, will be required to self-quarantine for 14 days and submit for COVID-19 testing on the first day of entry and on the 12th day of arrival. Travellers from the Northern Territory, Queensland, Tasmania and Western Australia are able to enter South Australia without restriction.

- From 29 July South Australians will no longer be able to return to South Australia from Victoria (aside from essential travellers); a cap of 100 people for funerals (including wakes) and weddings; a cap of 50 for gatherings in private homes; and to be considered for cross border community travel to and from Victoria, people must reside within 40 kilometres of the border (previously 50 kilometres).
- On 3 August, it was announced that from 5 August gatherings at homes will be limited to 10 people and food and drink service must be seated at all cafes, restaurants and licensed venues.
- From 14 August, up to 10 visitors are allowed at residential premises (in addition to those who live there but capped at a total of 20 people. Gatherings at a private place (other than at a private residence) are restricted to 100 people or less (indoor or outdoor) and the 1 person per 2 square metres density requirement applies. From 21 August, businesses and activities across a number of sectors must have a COVID Marshal. These include: hospitality; gyms and fitness centres, indoor and outdoor sports clubs; public swimming pools; social and community clubs; religious or faith-based ceremonies; supermarkets and hardware stores; distribution centres; and businesses or activities that are required to have a COVID Management Plan.
- From 21 August, cross-border community members at the South Australian/Victorian border with an approved travel status do not need to apply for approval to enter South Australia if they are agricultural/primary industry workers with a property close the border (40km), or are undertaking year 11 or 12 high school education at a secondary school (and those providing transport to and from school). Travellers from Victoria, other than approved categories of Essential Travellers are not permitted to travel to South Australia.
- Cross-border community residents from New South Wales can enter within 50km for Essential Travel activities, and no quarantine is required. They must self-quarantine for 14 days if they have travelled more than 50km into New South Wales. If entering from New South Wales, people must not travel further than 50km over the border into South Australia. Travellers from the Northern Territory, Queensland, Tasmania and Western Australia are able to enter South Australia without restriction. Travellers from the Australian Capital Territory and New South Wales, who are not essential travellers, will be required to self-quarantine for 14 days and submit for COVID-19 testing on their 1st and 12th day of arrival.
- On 15 September, released an updated [Emergency Management \(Cross Border Travel \(COVID-19\) Direction](#), listing the Australian Capital Territory as 'low community transmission zone' meaning travellers from there will be able to enter South Australia without restriction and no longer be required to self-quarantine for 14 days.

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Western Australia

- From 27 April, **Phase 1** allows indoor and outdoor non-work gatherings of up to 10 people; outdoor personal training without shared equipment; recreation activities in compliance with travel restrictions and the 10-person rule (such as private picnics in the park, fishing, boating, hiking and camping); home opens and display villages open (in compliance with 10-person rule and appropriate record keeping and hygiene practices occur).
- From 18 May, **Phase 2** allows indoor and outdoor non-work gatherings of up to 20 people; weddings and funerals up to 20 people inside or 30 people outside; cafes and restaurants with meal service, including within pubs, bars, clubs, hotels and casino of up to 20 patrons; regional travel restrictions relaxed; non-contact community sports of up to 20 people; outdoor or indoor fitness classes with minimal shared equipment (20 people maximum); public pools (1 outdoor and 1 indoor) permitted to open (20 people maximum); places of worship; community facilities and libraries allowed to reopen (20 people maximum); businesses looking to reopen will need to complete and official COVID Safety Plan.
- From 6 June, **Phase 3** allows non-work indoor and outdoor gatherings of up to 100 people per single undivided space, up to 300 people in total per venue over multiple spaces; weddings and funerals of up to 100 people; food and licensed premises may operate with only seated service, food courts can reopen with seated service; all beauty services can resume; saunas, spa and massage may reopen; gyms, health clubs and indoor sport centres can offer normal range of activities; contact sport and training; playgrounds, skate parks and outdoor gym equipment permitted to be used; zoos, cinemas, galleries, museums and concert venues permitted to open (with limits of 100 people indoors and 300 people total per venue); travel permitted throughout the state (excluding access into remote Aboriginal communities).
- From 27 June, **Phase 4** allows: all existing gathering limits and the 100/300 rule removed; gathering limits only determined by the reduced 1 person per 2 square metre rule (the 2 square metre rule will only include staff at venues that hold more than 500 patrons); removal of seated service requirements at food businesses and licensed premises; no requirement to maintain a patron register at food businesses and licensed premises; alcohol can be served as part of unseated service arrangements; all events permitted except for large scale multi-stage music festivals; unseated performances permitted at venues such as concert halls, live music venues, bars, pubs and nightclubs; gyms operating unstaffed (but regular cleaning must be maintained); the casino gaming floor reopening under agreed temporary restrictions; and for major sport and entertainment venues, a 50 per cent capacity rule will apply.
- Depending on infection rates locally, **Phase 5** was initially planned to be introduced on 18 July, however, it has been delayed several times and now has a tentative start date of 24 October. It will result in the removal of the 1 person per 2 square metre rule; it is also likely to see the removal of all gathering restrictions, other COVID-related rules introduced by the WA Government, and the 50 per cent capacity limit for major venues (other than Western Australia's hard border and access to remote Aboriginal communities).

- Phase 6 timing and details will be announced in time and may include removal of WA's hard border and travel restrictions for remote Aboriginal communities. When an indicative date for the removal of borders is set, it will be contingent on locally required infection rates in the eastern states.
- As at 22 July, travellers are not able to enter Western Australia unless exempt (as outlined in the [Quarantine \(Closing the Border\) Directions](#)). Exempt travellers who have been in or transited through Victoria or New South Wales must quarantine for 14 days at a quarantine centre (for Victoria) or self-quarantine (for New South Wales). Arrivals from Victoria or New South Wales will also be required to submit to a mandatory COVID-19 test. From 31 July, exempt travellers entering Western Australia from Queensland, South Australia, Tasmania, the Northern Territory and the Australia Capital Territory must self-quarantine (will be directed to quarantine in a hotel quarantine for 14 days following arrival if a suitable premises for self-quarantine is not available).

References

- Media Statement, Government of Western Australia, 26 April 2020: <https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/04/Cautious-easing-of-restrictions-thanks-to-WAs-COVID-19-progress.aspx>
- Media Statement, Government of Western Australia, 18 August 2020: <https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/08/Cautious-approach-to-Phase-5-and-the-2020-Perth-Royal-Show.aspx>
- Western Australian Government, Department of Premier and Cabinet, updated 16 September 2020: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/covid-19-coronavirus-travel-wa>
- Western Australian Government, Department of Premier and Cabinet, updated 16 September 2020: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/covid-19-coronavirus-business-and-industry-advice#phase-two>
- Western Australian Government, Department of Premier and Cabinet, updated 16 September 2020: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/covid-19-coronavirus-wa-roadmap>

Tasmania

- From 11 May 2020, funerals increase from 10 to 20 attendees; aged care visits are allowed one visits per week and no more than two visitors; national parks and reserves open to resident for exercise within 30km of their home; and TasTAFE campuses and training facilities open for invited small groups of students only attending practical learning and assessment sessions.
- From 18 May, **stage 1** will allow indoor and outdoor gatherings of up to 10 people (except visitors to households, which is capped at 5 people) including real estate, small religious gatherings and weddings (funerals can have 30 people if outdoor); restaurants and cafes in all settings open and able to seat 10 people at a time (seated table service only with physical distancing); border controls remain – domestic travelling Tasmanian residents excepted and may quarantine in their principle residence; community and local government facilities and libraries allowed to open for up to 10 people; park exercise equipment and playgrounds, pools, boot camps, skate parks and sports training open for up to 10 people; parks can used for activities not related to exercise (such as picnics); vulnerable and ill people are encouraged to stay home and protect their health and working from home is encouraged where possible. From May 25 aged care visits allowed with two visitors once a

day and from 13 June racing resumes (subject to a review and risk-assessment by Public Health).

- From 5 June, **stage 2** involves gatherings increasing to 20 people at a time for non-work gatherings indoor or outdoor; visitor numbers to households of 10 people (indoor and outdoor) in addition to residents of the household; funerals up to 50 people (indoors or outdoors); weddings with up to 40 attendees (indoors or outdoors); religious ceremonies of 40 attendees (indoors or outdoors); restaurant and café gatherings of up to 40 people; pubs, clubs and bars able to serve drinks only (without food ordered) to seated patrons of up to 40 people; cinemas of up to 40 people; theatres and concert venues (40 audience plus 20 performers); zoos and wildlife parks (40 people); museums, galleries and historic sites (80 people); unlimited accommodation (except for rented holiday houses/short-stay accommodation (limited to 20 guests); camping and caravan parks open; open homes and auctions can resume with 20 people; border controls to remain; gyms and boot camps up to 20 people; day spas open; park exercise equipment and playgrounds open for up to 20 people; outdoor community sport with up to 20 athletes/personnel (as guided by AIS framework level B for rebooting sport); indoor sport and recreation, including pools with up to 20 people; community and local government facilities, betting shopfronts, health clubs, fitness and wellness centres, yoga and barre, dance studios, cheerleading, gymnastics, outdoor amusement parks, arcades and play centres, function centres all allowed 20 people; national parks and reserves (including campgrounds) opened and no limit on how far people may travel within Tasmania for trips or for exercising; lifting of restrictions on launching recreational boats (and permitted to stay in one's boat overnight) beauty and personal care services will not have gathering restrictions but the 1 person per 4 square metre rule applies; and vulnerable people encouraged to stay home and protect their health.
- As announced on 12 June that from 17 June outdoor and indoor gatherings can have up to 80 people (where venue capacity and spacing allows; 20 people are able to visit a home; the easing of restrictions under stage 3 initially announced as taking affect from 13 July brought forward to 26 June, and subject to public health advice and state of play regarding the virus in other jurisdictions.
- From 12 noon on 26 June, **stage 3** maintains limits of 20 people at any one time for gatherings in households or shacks (not including residents of the household); the number of people permitted at business/activities (other than households) determined by the density of the area (with a maximum density limit of 1 person per 2 square metres), up to a maximum of 250 people for undivided space in an indoor premises and 500 people in an undivided space outdoors. These limits will not apply to: airports and premises used for public or commercial transport; disability or aged care facilities; prisons, correctional facilities, youth justice centres; courts or tribunals; parliament; supermarkets, grocery stores, retail stores or markets; shopping centres, office buildings, factories mining sites or construction sites; schools, universities, education institutions, childcare facilities, child and family centres; premises that deliver services and support to disadvantaged community members; indoor and outdoor spaces where people are transiting through; or emergency services. Business allowed to reopen include: indoor amusement parks, play centres, arcades; saunas, spa baths, flotation tanks and bath houses; garage sales, car boot sales, second-hand goods sales; strip clubs; casinos and gaming venues; zoos; stadiums; markets and food vans at markets; food courts (now include dine-in); and night clubs. Patrons must be seated in premises where alcohol is sold (meaning activities that re not seated like pool and dancing are not permitted). Sports, exercise and recreation are permitted (subject to relevant gathering limits) including full contact training; full competition sport (contact and non-contact); and use of change rooms and other shared facilities. Local Government recreational spaces and facilities to be re-opened by local councils as soon as possible.
- As at 17 August, border restrictions are in place, requiring all non-essential travelers arriving in Tasmania to enter quarantine for 14 days. Non-Tasmanian residents (who are not classified as essential travelers) who have spent time in [high-risk areas as an 'Affected](#)

Region or 'Affected Premises' in the 14 days prior to arrive will not be permitted to enter Tasmania.

- From 20 August, all non-essential travellers must have prior approval from the State Controller to enter Tasmania. If approval is granted, non-essential travellers are required to undertake 14 days of quarantine in government-designated accommodation. Tasmanian residents who are not classified as essential travellers are required to quarantine for 14 days at their primary residence. Most essential travellers who have spent time in a high-risk location also require pre-approval from the State Controller to enter the state, and must undertake a clinical assessment including a COVID-19 test on arrival. Essential travellers approved to enter the state and who pass the clinical assessment are not required to quarantine in a government approved facility. Essential travellers who have not spent time in affected regions or premises in the 14 days prior to arrival are not required to quarantine but must undertake health screening on arrival and comply with conditions for essential travellers.

References

- Media Release, Government of Tasmania, 30 April 2020: http://www.premier.tas.gov.au/releases/premiers_economic_and_social_recovery_advisory_council
- Media Statement, Tasmanian Premier, 30 April 2020: <https://coronavirus.tas.gov.au/media-releases/the-four-safeguards-to-rebuilding-a-stronger-tasmania>
- Media release, Tasmanian Government, 12 June 2020: <https://coronavirus.tas.gov.au/media-releases/tasmania-reaches-zero-active-cases-and-brings-forward-easing-of-restrictions>
- Tasmanian Government, current restrictions, accessed 8 September 2020: <https://coronavirus.tas.gov.au/families-community/current-restrictions>
- Tasmanian Government, Coming to Tasmania, accessed 8 September 2020: <https://coronavirus.tas.gov.au/travellers-and-visitors/coming-to-tasmania>

Australian Capital Territory

- On 1 May, announced that restrictions would be eased from 2 May. These included allowing families to visit each other, with 2 adults plus children able to visit family members outside of people they live with, travel restrictions eased so that residents can travel outside of the ACT to visit family and friends in small groups and maintain physical distancing.
- From 8 May, **stage 1: step 1.1** allowed all indoor and outdoor gatherings, including in homes, to have a maximum of 10 people (including children); weddings can have 10 guests (excluding the person/s conducting the ceremony); indoor funerals can have 20 guests and outdoor services can have 30 guests (both excluding the person/s conducting the ceremony); religious ceremonies and places of worship can have up to 10 people attend (excluding the person/s conducting the service); outdoor bootcamps and other personal fitness training (non-contact) can be held with a maximum of 10 people (excluding the trainer) – there is no sharing of equipment; and real estate open houses and auctions can occur with a maximum of 10 people, excluding staff.
- From 16 May **stage 1: step 1.2** allowed up to 10 people to gather in restaurants and cafes; playgrounds and outdoor fitness stations; parks, dog parks, skate parks and outdoor barbeques; nature reserves and national parks; non-contact, outdoor community and social sport; pools; libraries; community centres, facilities or youth centres; auction houses; hairdressers and barbers to seek and record customer details; and people should work from home where possible.

- From 30 May, **stage 2: step 2.1** allows a maximum of 20 people in homes (including residents of the household) and for gatherings of more than 20 people made up exclusively of people from the same 2 households, beauty therapy, tanning or waxing services, nail salons, spa and massage parlours, tattoo and body modification parlours; gyms, health clubs, fitness or wellness centres – small group supervised sessions and no unsupervised free weight training or use of other gym equipment; yoga, barre, Pilates and spin facilities; galleries, museums, national institutions and historic places; outdoor amusement/attractions such as zoos; choirs, bands and orchestras; caravan parks and campgrounds; parks and nature parks (excluding Namadgi National Park) indoor sporting centres; low contact indoor and outdoor sport including activities (one parent per minor); restaurants, cafes and other licensed venues; weddings; places of worship and religious ceremonies; boot camps and personal training; pools' community centres, facilities or youth centres; and funerals (50 people indoors and outdoors); universities and vocational training providers to increase face-to-face learning where possible.
- On 12 June, announced that from 12 noon 19 June, Step 2.2 would allow all outdoor and indoor gatherings up to a maximum of 100 people with the 1 person per 4 square metre rule; cafes, restaurants, bars and other licenced venues to seat up to 100 people per enclosed space (excluding staff) and will be able to serve alcohol without a meal to seated patrons; cinemas, movie theatres, indoor amusement centres, arcades, concert venues, outdoor/indoor play centres and betting agencies allowed to reopen; gyms, health clubs and fitness centres will have greater flexibility to reopen free weight rooms and conduct circuit training; and a return to full-contact training for all sports.
- From 12 noon, 17 July a return to full-contact competition for sport, dance and martial arts.
- Initially planned for 10 July, movement to Stage 3 will instead be based on the outcome of check points for easing restrictions. A check point conducted on 22 July assessed that the public health risk required continuing the pause of movement to stage 3, with the next checkpoint to occur on 6 August. On 6 August, following a public health risk assessment (check point) moved to Step 3.1, with changes taking effect from 10 August. Stage 3.1 allows for 1 person per 4 square metres of usable space applies to a maximum 100 people in each indoor and outdoor space. No limit on household visits Reopening of: casinos and gaming in clubs; food courts (dine-in); steamed-based services (such as saunas); strip clubs, brothels and escort agencies; and 24 hour gyms (with a maximum 25 people when unstaffed). Bars, pubs and clubs are able to continue to serve alcohol to seated patrons with no limit on the size of group bookings. Community sport can have a maximum of 100 spectators for each indoor or outdoor space (where the 1 person per 4 square metre rule can be observed. All venues must develop and follow a [COVID Safety Plan](#).
- Following a public health risk assessment (check point) on 20 August, the decision was made to remain at Step 3.1 of Canberra's Recovery Plan with some minor amendments made on 2 September, including that: venues, facilities and businesses can have up to the lesser of 100 patrons in each indoor and outdoor space, or 1 person per 4 square metres per usable space; the cap of 100 spectators for each indoor or outdoor space for community sport excludes staff and participants (including sporting activities taking place at a swimming pool); and usable space defined under the Public Health Direction as the space that people can freely move around in, not including stages and similar areas, restrooms, changerooms and similar areas, areas occupied by fixtures, fittings and displays, and staff only areas and areas closed off or not being used. Following the 3 September checkpoint, it was decided to remain at Step 3.1.
- As at 16 September, anyone from [COVID-affected areas](#) is strongly discouraged from travelling to the Australian Capital Territory. People who have been in Victoria, the Greater Sydney Area (excluding transit through Sydney airport) and [COVID-affected areas of Queensland](#) are advised not to visit or work in high-risk settings such as aged care facilities, hospitals and correctional facilities, for a period of 14 days after leaving the Greater Sydney Area. Anyone travelling into the Australian Capital Territory from Victoria will be denied entry unless they are granted an exemption. Australian Capital Territory residents will be able to return home, however, they must quarantine for 14 days after leaving Victoria and notify

ACT Health of their intention to return. Entry to the Australian Capital Territory from Victoria is only possible by air through Canberra airport.

- Following a checkpoint on 17 September, smaller sized venues, facilities and businesses are able to return to their pre-COVID-19 capacity from 18 September, subject to a maximum of 25 people across the whole venue (including staff). Venues may exceed the 25-person cap if they are able to follow the 1 person per 4 square metre space rules (up to a maximum of 100 people per each indoor and outdoor space. Future consideration (timing to be confirmed) given to: professional events to be ticketed and spectators to be seated; sporting and entertainment venues with tiered patron seating can have up to 25 per cent of seating capacity; likely removal of 100 person cap from all indoor and outdoor gatherings; consideration of the removal of the 25 person cap when gyms are not staffed; and highest-risk activities and settings including mass gatherings (e.g. festivals), larger conferences and conventions; and nightclubs.

References

- Media Statement, ACT Government, 1 May 2020: https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/barr/2020/joint-statement-chief-minister-and-deputy-chief-minister
- Media Statement, ACT Government, 12 June 2020: https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/barr/2020/next-stage-of-canberras-recovery-plan-choose-local,-to-support-our-locals
- ACT Government, updated 20 August 2020: https://www.covid19.act.gov.au/_data/assets/pdf_file/0007/1610944/CV_Roadmap_Recovery-plan_Ease_Restrictions_20August20.pdf
- ACT Government, as at 4 September 2020: <https://www.covid19.act.gov.au/community/canberra-recovery>
- ACT Government, updated 4 September 2020: <https://www.covid19.act.gov.au/resources/canberra-recovery-plan>
- ACT Government, updated 14 September 2020: <https://www.covid19.act.gov.au/what-you-can-do/faqs-changes-to-restrictions>
- ACT Government, Travel advice, updated 16 September 2020: <https://www.covid19.act.gov.au/community/travel#Travelling-to-the-ACT-from-within-Australia>
- ACT Government, updated 18 September 2020: <https://www.covid19.act.gov.au/what-you-can-do>

Northern Territory

- **Stage 1** (from 1 May): people can exercise outdoors with other people such as yoga and bootcamp; participate in non-contact, non-collision outdoor sports such, as athletics, golf, tennis, swimming, shooting, archery, badminton, geocaching, paddling and lawn bowls; gather with people in outdoor areas, including markets, weddings and funerals; conduct and attend outdoor religious gatherings; visit parks and reserves including campgrounds that are accessible without needing to enter a restricted rear biosecurity zone; swim in lagoons at the waterfront, rivers and natural pools outside the biosecurity zones; fishing, boating, sailing with other people; attend a public swimming pool, water park or recreational lake for swimming or water sports; use a skate park, outdoor public playground or outdoor gym equipment; conduct or attend a real estate open house inspection or a real estate auction; have visitors to your home; shop at your leisure.

- **Stage 2** (from 15 May): activities must be undertaken in less than 2 hours, and include serve and consume food or beverages in a shopping centre food court; operate and attend restaurants and cafes; operate and attend a bard, sports or RSL club (alcohol allowed with the consumption of food), gaming activities excluded; take part in organised training activities for sporting clubs and teams; operate or attend an indoor market; operate or attend a beauty therapy salon for non-facial services; operate or attend a yoga, Pilates, Zumba, barre, or dance studio; operate or attend physical training activities indoors; operate and attend a gymnasium; visit a public library, toy library of indoor playground; operate and attend a place used for religious worship; attend an art gallery, museum, public memorial, public historic site, zoo or wildlife facility.
- **Stage 3** (from 5 June): operate all license gaming activities; resume officiating, participating and supporting the playing of team sports; attend cinemas, theatres, concert halls, music halls, dance halls, nightclubs or other entertainment venues in approved configuration; attend an amusement venue; attend a bar without food being consumed; operate and access all previously restricted services at beauty therapy and cosmetic services; operate and access all previously restricted services at tattoo, body art and piercing facilities; attend an amusement park, community centre, recreation centre or play centre; attend an arena, stadium, sporting facility including community and sporting competitions with spectators in approved seating configuration (if above 500 people the event will require a separately approved COVID-19 Safety plan; all businesses, facilities and services previously restricted can resume ensuring adherence to key principles. Major events will be approved on a case by case basis.
- As at 23 July, anyone arriving in the Northern Territory must complete a Border Entry form and provide evidence of their application upon arrival. Those intending to travel from a [declared COVID-19 hotspot](#) must undertake 14 days mandatory supervised quarantine at their own expense.

References

- Media Statement, Northern Territory Government, 30 April 2020: <http://newsroom.nt.gov.au/mediaRelease/33205>
- Northern Territory Government, updated 24 August 2020: <https://coronavirus.nt.gov.au/steps-to-restart/roadmap-new-normal>
- Northern Territory Government, Border control and quarantine, updated 14 September 2020: <https://coronavirus.nt.gov.au/travel/quarantine>

Support for businesses

Assistance for businesses from the Commonwealth Government was first [announced](#) on 12 March 2020 that included:

- increases to the instant asset write-off and accelerating depreciation deductions;
- payments of between \$2000 and \$25,000 for small to medium-sized businesses making less than \$50 million in turnover;
- assistance for small business employing trainees and apprentices by supporting 50 per cent of apprentice/trainee wages for 9 months from 1 January 2020 to 30 September 2020.

A **second package** from the Commonwealth Government was [announced](#) on 22 March 2020 that included the following:

- a boost to cashflow of up to \$100 000 to eligible small and medium-sized businesses, and not-for-profits (NFPs) that employ people, with a minimum payment of \$20,000, to keep business operating, pay rent, electricity and other bill and retain staff. This measure is estimated to benefit around 690,000 businesses employing around 7.8 million people, and around 30,000 NFPs (including charities).

- Employers will receive a payment equal to 100 per cent of their salary and wages withheld (up from 50 per cent), with the maximum payment being increased from \$25,000 to \$50,000, with the minimum payment being increased from \$2,000 to \$10,000. Additional payments to be introduced during the July–October 2020 period;

Fact sheet: [Fact sheet - Cash flow assistance for businesses](#)

- increasing the instant asset write-off threshold from \$30,000 to \$150,000 and expanding access to include businesses with aggregated annual turnover of less than \$500 million (up from \$50 million) until 30 June 2020;

Fact sheet: [Fact Sheet - Delivering support for business investment](#)

- temporary increase in the threshold at which creditors can issue a statutory demand on a company and the time companies have to respond to statutory demands they receive;

Fact sheet: [Fact sheet - Providing temporary relief for financially distressed businesses](#)

- the introduction of a 15-month investment incentive that will accelerate depreciation deductions for businesses with turnover of less than \$500 million. These businesses will be able to deduct 50 per cent of the cost of an eligible asset on installation, with existing depreciation rules applying to the balance of the asset's cost;

Fact sheet: [Fact Sheet - Delivering support for business investment](#)

- following the initial support to businesses employing trainees and apprentices, where a small business is not able to retain an apprentice, the subsidy will be available to a new employer that employs that apprentice. Employers will be reimbursed up to a maximum of \$21,000 per eligible apprentice or trainee;

Fact sheet: [Fact sheet - Cash flow assistance for businesses](#)

- support of \$1 billion to regions most significantly affected by the Coronavirus outbreak. These funds will be available to assist during the outbreak and the recovery. In addition, assistance has been provided to the airline industry by providing relief from a number of taxes and Government charges estimated to total up to \$715 million;

Fact sheet: [Fact sheet - Assistance for severely affected regions and sectors](#)

- a guarantee of 50 per cent to SME lenders to support new short-term unsecured loans to SMEs.

Fact sheet: [Fact sheet - Supporting the flow of credit](#)

References

<https://treasury.gov.au/coronavirus/businesses>

<https://treasury.gov.au/coronavirus>

On 29 March 2020, the Commonwealth Government also [announced](#) a range of short-term interventions within commercial and residential rental markets that involved a moratorium on evictions of both residential and commercial tenancies for the next 6 months, in cases where tenants are unable to meet their rental commitments due to the impact of coronavirus. The Government also encouraged commercial tenants and landlords to engage in discussions, supporting the survival of businesses and continuation of tenancies, including:

- tenants and landlords are encouraged to agree on rent relief or temporary amendments to the lease;
- the reduction or waiver of rental payment for a defined period for impacted tenants;
- the ability for tenants to terminate leases and/or seek mediation or conciliation on the grounds of financial distress;
- commercial property owners should ensure that any benefits received in respect of their properties should also benefit their tenants in proportion to the economic impact caused by coronavirus;

- landlords and tenants not significantly affected by coronavirus are expected to honor their lease and rental agreements; and
- cost-sharing or deferral of losses between landlords and tenants, with Commonwealth, state and territory governments, local government and financial institutions to consider mechanisms to provide assistance.

On 7 April 2020, the Commonwealth Government further announced that principles agreed on 3 April by the Commonwealth and state and territory governments would be implemented as a [mandatory Code of Conduct \(the Code\)](#) imposing a set of good faith leasing principles for application to commercial tenancies (retail, office and industrial), between landlords and tenants. The Code will be given effect through relevant state and territory legislation or regulation. The Code comes into effect on a date following 3 April 2020, with the specific date to be defined by each jurisdiction. The code will coexist with and complement these specific implemented state and territory laws and regulations.

The Code applies to:

- small and medium sized businesses (annual turnover of up to \$50 million); and
- businesses eligible for the purpose of the Commonwealth Government's [JobKeeper](#) programme.

The Code aims to manage the cashflow and financial risk on a proportional basis, seeking to appropriately balance the interests of commercial tenants and landlords. Key overarching principles include:

- landlords and tenants share a common interest in working together, to ensure business continuity and to facilitate the resumption of normal trading activities following the end of the COVID-19 pandemic;
- landlords and tenants required to discuss relevant issues, to negotiate appropriate temporary lease terms and work towards mutually satisfactory outcomes;
- landlords and tenants will negotiate in good faith;
- landlords and tenants will act in an open, honest and transparent way and provide sufficient and accurate information relevant to negotiations, to achieve outcomes consistent with the Code;
- arrangements agreed upon will take into account the impact of the COVID-19 pandemic on the tenants, specifically its revenue, expenses and profitability, and be proportionate and appropriate;
- parties will cooperate with each other in their respective dealings with other stakeholders (such as government, financial institutions and utility companies); and
- all premises and cases are different, and leases must be dealt with on a case-by-case basis.

The Code also outlines 12 leasing principles, to be applied as soon as possible on a case-by-case basis. They include:

- landlords must not terminate lease because of non-payment of rent during the COVID-19 pandemic period (or reasonable subsequent recovery period).
- tenants must remain committed to terms of their lease (subject to negotiated amendments). Failure to abide by substantive terms of leases will forfeit tenants' protections provided under the code.
- landlords must offer tenants proportionate reductions in rent payable (by way of waivers or deferrals) of up to 100 per cent of the usual amount, based on the reduction in tenant's trade. Waivers must be no less than 50 per cent of total reduction in rent payable. Regard must also be given to the Landlord's financial ability to provide reductions. If negotiated terms require repayment this must be down over an extended period and not commence until the earlier of the lease expiring or the pandemic ending. No fees, interest or other charges should be

applied to waived rent and no fees, charges nor punitive interest may be charged on deferrals.

- deferrals must be amortised over the balance of the lease or within 24 months (whichever is greater).
- any reductions in statutory charges received by landlords (e.g. land tax, council rates) or insurance will be passed on to tenants in proportion as under the terms of the lease.
- landlords must not draw on a tenant's security for non-payment of rent.
- tenants should be provided the option to extend their lease for an equivalent period of the rental deferral or waiver.
- a freeze on rent increases for the duration of the pandemic and reasonable recovery period.
- landlords must not apply prohibitions or levy penalties should tenants reduce opening hours or cease trade during the pandemic.

Should landlords and tenants fail to reach an agreement on lease arrangements, the matter should be referred and subjected (by either party) to applicable state or territory commercial leasing dispute resolution processes for binding mediation.

References

<https://www.pm.gov.au/media/national-cabinet-statement>

<https://www.pm.gov.au/sites/default/files/files/national-cabinet-mandatory-code-ofconduct-sme-commercial-leasing-principles.pdf>

<https://www.pm.gov.au/media/update-coronavirus-measures-070420>

On 2 April 2020, the Early Childhood Education and Care Relief package was [announced](#), designed to ensure around 1 million families receive free child care during the COVID-19 pandemic and to support the early childhood education and care sector during the crisis.

From 6 April 2020, the Government will pay 50 per cent of services' fee revenue up to the existing hourly rate cap (based on a point in time at 2 March 2020, before parents started withdrawing children in large numbers due to the pandemic), so long as services:

- remain open unless closed on public health advice or for other health and safety reasons;
- do not charge fees to families (including out of pocket or 'gap' fee);
- prioritise care for children of essential workers, vulnerable and disadvantaged and previously enrolled children;
- continue to record the attendance of children; and
- comply with all other provider obligations including National Quality Framework and other relevant conditions of approval under Family Assistance Law.

The payment will be made directly and automatically to early childhood education and care services on a weekly basis and will be based on the number of children who were in care during the fortnight leading into 2 March (where attending services at the time or not).

- The Government will also make payments of higher amounts in exceptional circumstances, such as where greater funding is required due to an increase in enrolments to meet demand to address the needs of essential workers or vulnerable children.

The new system is initially for a period of 3 months and will be reviewed after 1 month, and an extension considered after 3 months.

The subsidy will be paid in lieu of the usual Child Care Subsidy (CSS) and Additional Child Care Subsidy (ACCS) payments and means testing will not apply to the new payment.

Up to and including 5 April 2020, services can waive the gap fees for families due to the impact of COVID-19, which can be backdated to 23 March 2020. Services should encourage families who have recently ceased their enrolment to re-enrol—enrolment will ensure families maintain CSS eligibility for when the regular child care system is reinstated.

The payments are designed to complement the [JobKeeper](#) payment and providers will also be eligible to receive the JobKeeper for eligible employees.

From 13 July 2020, the CCS and ACCS will return, along with new transitional measures designed to support the sector and parents as they move back to the previous arrangements. JobKeeper will cease from the sector from 20 July 2020, with all approved early childhood education and care services receiving a Transition Payment of 25 per cent of free revenue or the existing hourly rate cap (whichever is lower) in the relevant reference period. This replaces the JobKeeper Payment.

Fact sheet: [COVID-19 information sheet for child care providers up to 5 April 2020](#)

Fact sheet: [COVID-19 information sheet for child care providers from 6 April 2020](#)

Department of Education website: <https://dese-interim.govcms.gov.au/news/coronavirus-covid-19>

<https://www.dese.gov.au/covid-19/childcare>

<https://www.dese.gov.au/news/transition-arrangements-end-early-childhood-and-care-relief-package>

State governments have announced adjustments to payroll tax and other measures to assist businesses, including:

- **New South Wales:** waiving payroll tax for businesses with payrolls of up to \$10 million for 6 months, bringing forward the next round of payroll tax cuts by raising the threshold limit to \$1 million in 2020–21, waiving a range of fees and charges for small businesses including bars, cafes, restaurants and tradies, \$250 million to employ additional cleaners of public infrastructure, such as transport, deferral of gaming tax for clubs, pubs and hotels, and lotteries tax for 6 months (conditional on these funds retaining staff), deferral of the parking space levy for 6 months, and deferral of rents for commercial tenants with less than 20 employees for 6 months in all Government-owned properties, allowing eligible small businesses struggling to cope with the COVID–19 shutdown to apply for grants of up to \$10 000 (such as having between 1–19 employees, a turnover of more than \$75 000, having payroll below \$900 000) to use for unavoidable business costs such as utilities, overheads, legal costs and financial advice.
- Commercial tenants (with turnover of less than \$50 million and eligible for the JobKeeper program) significantly impacted by COVID-19 will have increased protection from evictions; commercial landlords will be offered land tax concession of up to 25 per cent for the 2020 calendar year if they pass savings on to their tenants through a reduction in rent; a further land tax referral for three months will also be offered to landlords who successfully claim the land tax concession; landlords must negotiate rent relief agreements with tenants in financial distress; terminations of leases for non-payment are banned and there is a freeze on rent increases.
- **Victoria:** full payroll refunds for the 2019-20 financial year for small and medium businesses with payroll of less than \$3 million, government to pay to all outstanding supplier invoices within 5 business days, liquor licensing fees for 2020 to be waived for affected venues and small businesses.
- Commencing 29 March 2020 the [COVID-19 Omnibus \(Emergency Measures\) Act 2020](#) introduced a temporary ban on most residential evictions, a pause in rental increases for six months, and a rental assistance fund set up for renters facing hardship due to COVID-19; tenants and landlords who struggle to strike a deal over rent reductions will be given access to a fast-tracked dispute resolution service; a 25 per cent tax reduction for landlords who provide rent relief to tenants impacted by COVID-19 (any remaining land tax can be deferred until March 2021); evictions for the non-payment of rent and rental increases will be banned for 6 months for commercial tenancies for small and medium-sized businesses who have an annual turnover of under \$50 million per year and have experienced more than a 30 per cent reduction in turnover.

- On 15 April, [announced](#) it would be setting up a fund for renters facing hardship due to COVID-19, providing renters with relief payments of up to \$3000, paid directly to tenant's agent, lessor or landlord to contribute to the tenant's rental payments. To be eligible, renters will need to have registered their revised agreement with Consumer Affairs Victoria or gone through mediation, have less than \$5000 in savings, have household income of less than \$1903 per week, and still be paying at least 30 per cent of their income in rent.
- On 10 July, announced a Business Support Package which included \$5000 cash grants to support businesses during the renewed restrictions available to all areas under Stage 3 restrictions; a fund for the night time economy to support hospitality businesses; mental health support for business owners; funds for regional tourism operators to cover the cost of refunds; a fund for small businesses in Melbourne's CBD faced with a large and sustained shock to their trading environments. Businesses with payrolls up to \$10 million can defer their liabilities for the first half of the 2020/21 financial year.
- On 3 August, announced that businesses in regional Victoria can apply for cash grants of \$5000 and increased the amount to \$10 000 that business in Melbourne and Mitchell Shire can apply for if subject to restrictions for longer.
- On 20 August, [announced](#) the extension of the ban on evictions and rental increases until 31 December (except in specific circumstances), and additional measures that require commercial landlords to provide rent relief in proportion with the fall in turnover experienced by eligible tenants. On the 4 September this was again extended, to 28 March 2021.
- On 13 September, [announced](#) the [Business Resilience Package](#) to help businesses impacted by ongoing restrictions and to prepare for COVID Normal business. The package includes the third round of the Business Support Fund, which provides cash grants of \$10 000 for businesses with an annual payroll less than \$650 000; \$15 000 for businesses with annual payroll between \$650 000 and \$3 million; and \$20 000 for those with annual payroll between \$3 million and \$10 million. To be eligible, businesses must: be receiving the JobKeeper payment; employ people; and have had an annual payroll of less than \$10 million in 2019–20.
 - The package also includes grants of up to \$30 000 (depending on venue capacity and location) for licensed hospitality businesses; grants of up to \$20 000 to help alpine businesses pay service charges to Alpine Resort Management Boards; a voucher program to assist sole traders and small businesses in building their digital capacity; a package to help Victorian exporters get their products to market and establish new trade channels; payroll tax deferrals for the 2020–21 financial year for businesses with payrolls up to \$10 million; bringing forward stamp duty discounts for commercial and industrial property for all of regional Victoria; defer the planned increase to the landfill levy for 6 months; waving of the 25 per cent of the Congestion Levy this year (with the outstanding balance deferred); liquor license fee waivers for 2021; and waving of the Vacant Residential Land Tax for vacancies in 2020.
- On 14 September, [announced](#) the Outdoor Eating and Entertainment Package, providing funding to councils and businesses to make widespread outdoor dining safe and practical for summer, with the changes to take effect in the Third step of Victoria's roadmap to reopening. The package includes grants of up to \$5000 will go towards helping hospitality businesses with a payroll of less than \$3 million purchase items such as umbrellas, outdoor furniture, screens and other equipment as well as training, advertising and other supports that businesses will need to take care culture outdoors. Small and medium businesses will be able to apply for grants to pay for equipment, convert spaces like rooftops and courtyards into hospitality zones and remodel internal layouts to allow for the better flow of patrons. The Sole Trader Support Fund will provide grants of up to \$3000 to eligible sole traders working in sectors of the economy that will continue to be affected by restrictions, such as retail, accommodation and food services, creative media, hairdressing, gyms, events, education and training who operate from a commercial

premises or location as a tenant in a sector of the economy that is restricted, heavily restricted or not opening under the Second Step of the Roadmap.

- **Queensland:** deferral of payroll tax for 6 months, grants of up to \$7500 (excl. GST) to support new equipment purchases, immediate payroll tax refunds for business and deferrals for eligible businesses until the end of 2020 (all small and medium businesses with payroll up to \$6.5 million will be eligible, as will large businesses affected by COVID-19), relief for businesses renting government premises, a \$500 electricity bill rebate for small and medium businesses consuming less than 100 000 kilowatt hours, and liquor licencing fees waived for businesses affected by shutdowns.
 - Subject to legislation passing parliament, commercial and retail property owners will receive a three-month rebate of land tax for 2019–20, followed by a 3-month deferral of land tax for 2020–21 if they agree to provide rent relief for tenants affected by COVID-19 or if due to the downturn they are unable to secure a tenant they will receive land tax relief to meet their financial obligations (such as debt and repayments).
 - Announced on 15 August, Market Diversification and Resilience grants of up to \$7500 available for equipment purchases, staff training, marketing and promotion for commercial, charter and aquaculture fisheries business affected by COVID-19. Successful applicants will need to contribute at least 25 per cent of the projects total cost.
- **Western Australia:** one-off grants of \$17,000 to small businesses, the \$1 million payroll tax threshold brought forward by 6 months to 1 July 2020, payroll tax waived for 4 months (1 March 2020 to 30 June 2020) for certain small and medium-sized businesses with annual wages less than \$7.5 million, small businesses to receive a one-off \$2500 credit for Synergy and Horizon Power customers (as of 31 March 2020) that consume less than 50 megawatt hours (MWh) per annum as well as charities, waiving a range of licence fees for small and medium-sized businesses in COVID–19 impacted industries for 12 months, liquor licence renewal fees waived for 2020 and refunds provided for businesses that have already paid, benefitting around 5500 businesses, business can apply for late payment penalties to be waived for transfer duty, landholder duty, vehicle licence duty or land tax, no power or water disconnections for small businesses.
 - On 23 April 2020, the [*Commercial Tenancies \(COVID–19 Response\) Act 2020*](#) established a code of conduct for commercial landlords and tenants and introduced a moratorium on evictions for small commercial tenancies, restrict penalties for tenants who do not trade or reduce trading hours, prohibit charging interest on rent arrears, and introduced a dispute resolution process. Parts 2 and 3 of the Act are deemed to have come into operation from 30 March 2020.
 - [*The Residential Tenancies \(COVID-19 Response\) Bill 2020*](#) introduced a moratorium on residential evictions for six months (except in limited circumstances), prohibited rent increases during the emergency period, any fixed term tenancy agreements due to expire during the emergency period will continue as periodic agreements, and exempted renters from the obligation to undertake repairs if they are unable to due to COVID-19 related financial hardship or a lawful restriction on movement.
- **South Australia:** one-off payment to eligible welfare recipients, homeowners and tenants, a payroll tax waiver for up to 6 months for businesses with an annual payroll up to \$4 million (and payroll tax deferral for businesses with an annual payroll of over \$4 million), land and liquor licensing fees for 2020–21 for affected venues and small businesses, grants for businesses and community organisations impacted to support employment and assist with retraining.
 - Commercial and private residential tenants will have protection against evictions and other prescribed actions (termination of lease, seeking damages, enforcing guarantees, requiring payment of interest on unpaid rent) in cases of extreme financial hardship for six months from 30 March 2020.
 - Until the end of September 2020, eligible landlords can receive up to a 25 per cent reduction on their 2019–20 land tax liability for those affected by COVID-19 restrictions (provided they pass on the full benefit in land tax relief to impacted tenants).

- **Tasmania:** waiving of payroll tax for the last four months of 2019–20 for hospitality, tourism and seafood industry businesses, introduction of a youth employment payroll tax rebate scheme for young people from 1 April 2020, additional \$5000 grants for businesses that hire an apprentice or trainee. Taxi license fees have been waived for 2020 calendar year. Funding for one-off arts and cultural industry projects such as script development and music recording. Direct funding provided towards critical air freight service for time sensitive freight (such as seafood).
- **Australian Capital Territory:** a 12-month waiver on food business registration and on-licence liquor licencing fees from 1 April 2020, a one-off 6 month payroll tax waiver for hospitality (cafes, pubs, hotels, clubs and restaurants), creative arts and entertainment industries from April to September 2020, deferral of 2020-21 payroll tax (interest free to 1 July 2022) for all ACT business with nation-wide wages of up to \$10 million.
 - Subject to the development and passage of legislation, the implementation of a six-month moratorium on rental eviction for any tenants under financial duress due to COVID-19. A temporary freeze on rental increases and prevent 'blacklisting' as a result of being unable to pay rent, landlords who reduce tenants rent by at least 25 per cent for up to six months will be eligible for a rebate that the Government will match up to 50 per cent of the reduction to a maximum of \$2600 over six month or \$100 per week, parties may also agree to delay or freeze rental payments if a tenant is not earning income.
- **Northern Territory:** eligible businesses will get a grant of \$10 000 for upgrades and a further \$10 000 if they contribute \$10 000 of their own funds. From 1 April 2020, businesses that demonstrate substantial hardship due to the Coronavirus (COVID-19) pandemic will have their payroll tax abolished for 6 months for small to medium-sized businesses, and a deferral for 6 months for large businesses, impacted businesses will also have power, water and sewerage bills cut by 50 per cent for 6 months. The Government will also provide lease relief to commercial tenants by providing extra support to commercial landlords if they assist impacted tenants, with requirements including that landlords negotiate relief for impacted tenants in line with the Code of Conduct for commercial tenancies.

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Support for individuals and households

Assistance for employees and households initially included one-off payments of \$750 to be made from 31 March 2020 to selected income support recipients.

The eligibility was extended to those receiving an eligible payment on any day from 12 March to 13 April 2020. See: [More financial support for people affected by coronavirus](#)

Further assistance for households was [announced](#) by the Commonwealth Government on 22 March 2020:

- temporarily expanding eligibility for income support payments and establishing a new, temporary Coronavirus supplement, paid at \$550 per fortnight from 27 April 2020 for at least 6 months. Both existing and new Jobseeker Payment, Youth Allowance Jobseeker, Parenting Payment, Farm Household Allowance and Special Benefit recipients are eligible:

Fact sheet: [Fact sheet – Payments to support households](#)

Also: [More financial support for people affected by coronavirus](#)

- a second payment of \$750 to social security, veterans and other income support recipients and eligible concession card holders made from 13 July 2020 (individuals who received the first payment of \$750 and remain eligible for the second payment will receive both payments, unless they have received the \$550 Coronavirus supplement in which case they will not be eligible for the second payment);

Fact sheet: [Fact sheet – Payments to support households](#)

This is for those receiving eligible payments on 10 July 2020 and payment will automatically be made. See: [More financial support for people affected by coronavirus](#)

- employees who have been stood down without pay are eligible for benefits provided that they are already in receipt of a benefit or are new income support recipients. They may become eligible (subject to leave arrangements) for the JobSeeker Payment if 'the person's working hours were reduced (including to zero) as a result of the adverse economic effects of the coronavirus known as COVID-19'.

Reference: *Social Security (Coronavirus Economic Response—2020 Measures No. 2) Determination 2020*: <https://www.legislation.gov.au/Details/F2020L00311>

- individuals to access up to \$10 000 of their superannuation in 2019–20 and \$10 000 in 2020–21 without needing to pay tax on the amounts released;

Fact sheet: [Fact sheet - Early Access to Super](#)

- on 12 March, the Government announced a 0.5 percentage point reduction in both the upper and lower social security deeming rates. The Government will reduce these rates by another 0.25 percentage points. As of 1 May 2020, the upper deeming rate will be 2.25 per cent and the lower deeming rate will be 0.25 per cent.

Fact sheet: [Fact sheet - Providing support for retirees to manage market volatility](#)

- a \$1.1 billion package to support more mental health, medicare and domestic violence services to deal with the secondary effects of the health and economic crisis.

Reference: <https://ministers.dss.gov.au/media-releases/5686>

On 30 March 2020 a third stimulus package was [announced](#) including the planned introduction of a JobKeeper payment as well as changes to partner income testing for the JobSeeker payment.

JobSeeker recipients will have their partner's income test threshold temporarily increased to \$79 762 per annum (\$3068 per fortnight). Increasing the amount of people who will be eligible for the JobSeeker payment.

Subsequently on 8 April 2020, both houses of the Commonwealth Parliament passed the [Coronavirus Economics Response Package Omnibus \(Measures No.2\) Bill 2020](#), which included amendments to the *Fair Work Act 2009* (Cth) (the Act) and introduced the JobKeeper payment. These amendments along with the corresponding [eligibility rules](#) outlined the details of the JobKeeper payment. On 9 April 2020 the [Coronavirus Economic Response Package \(Payments and Benefits\) Rules 2020](#) were released.

- The JobKeeper Payment is a flat \$1500 payment (before tax) per eligible employee, paid directly to businesses who then use it to subsidise the payment of their employee's wage and pay directly to eligible employees. It is designed to maintain the employment relationship between employers and employees.
- Affected employers will be able to claim a fortnightly payment of \$1500 per eligible employee from 30 March 2020, for a maximum of 6 months. Businesses will receive the first payments in the first week of May. The JobKeeper scheme ends on 27 September 2020.
- Eligibility is dependent on employers having suffered a substantial decline in the projected GST turnover compared to a relevant comparison period's turnover. For entities with a turnover of over \$1 billion, the reduction must be at least 50 per cent, for entities registered with the Australian Charities and Not-For-Profit Commission the reduction must at least 15 per cent, and for other entities at least 30 per cent.
- Full-time workers; part-time workers, sole traders, long-term casual employees (casuals who have been with their employer for 12 months or more and were employees of the business as of 1 March 2020), not for profit entities, New Zealanders on 444 visas, and migrants who are eligible for JobSeeker Payment or Youth Allowance (Other) will be eligible for the subsidy.
- Employees who have been stood down by their employer since 1 March 2020 will be eligible.
- Under the 'one in, all in' principle, if an employer decides to participate in the JobKeeper scheme then they must ensure that all eligible employees are covered (including employees still working for the employer and those that have been stood down).
- If workers ordinarily received \$1500 or more income per fortnight before tax, they will continue to receive regular income according to the prevailing workplace instrument, the JobKeeper Payments will subsidise part or all of their income.
- The payment is a minimum of \$1500 per fortnight, before tax.
- Employees may be eligible for both JobSeeker and JobKeeper payments if they have been stood down. However, they would need to report their JobKeeper income to Services Australia, and are likely to no longer be eligible for income support as a result of receiving the JobKeeper Payment
- Superannuation payments will not be made on the JobKeeper Payment, it will be up to employers if they want to pay superannuation or any additional wage paid because of JobKeeper Payments.
- Amendments repealed core provisions of Part 6-4C of the Act by authorising an employer who qualifies for the JobKeeper scheme to:
 - give a JobKeeper enabling stand down direction to an employee, this can also include a reduction in work hours;
 - direct an employee to perform different duties than they usually perform;
 - direct employees to work at a different location than they usually would;
 - make an agreement in relation to the days or times when an employee is to perform work; and
 - make an agreement in relation to when an employee takes annual leave (including at half pay).
- Directions given by an employer will not apply if the direction is unreasonable in all of the circumstances. Directions in relation to the duties performed by the employee or the location

of work, will not apply unless the employer reasonably believes the direction is necessary to continue the employment of one or more employees.

- Disputes regarding the operation of this Part of the Act including JobKeeper enabling directions or flexibility agreements may be dealt with by the Fair Work Commission. Information regarding [JobKeeper disputes](#) can be found on the Fair Work Commission website.
- The temporary changes to the Act will be repealed on 28 September 2020. Further information regarding the JobKeeper payment can be found on the [Australian Tax Office](#) and [Services Australia](#) websites.
- Following the release of the Commonwealth Treasury's [review](#) of the JobKeeper payment, on 21 July the Government [announced](#) it was extending the payment until 28 March 2021 for eligible businesses continuing to be significantly impacted by COVID-19.
- To be eligible for JobKeeper Payments from 28 September 2020, businesses and not-for-profits will still need to demonstrate that they have experienced a decline in turnover of: 50 per cent for those with an aggregated turnover of more than \$1 billion; 30 per cent for those with an aggregated turnover of \$1 billion or less; or 15 per cent for Australian Charities and Not for profits Commission-registered charities (excluding schools and universities). This is based on actual GST turnover rather than projected.
 - From 28 September 2020, businesses and not-for-profits will be assessed with reference to actual GST turnover in the June and September quarters 2020 in order to be eligible from 28 September 2020 to 3 January 2021.
 - From 4 January 2021, businesses and not-for-profits will need to have met the relevant decline in turnover test in each of the June, September and December quarters 2020 to be eligible from 4 January 2021 to 28 March 2021
- From 28 September 2020 to 3 January 2021, the JobKeeper Payment rates will be:
 - \$1200 per fortnight for all eligible employees who, in the 4 weeks of pay periods before 1 March 2020, were working in the business or not-for-profit for 20 hours or more a week on average, and for eligible business participants who were actively engaged in the business for 20 hours or more per week on average in the month of February 2020; and
 - \$750 per fortnight for other eligible employees and business participants.
- From 4 January 2021 to 28 March 2021, the JobKeeper Payment rates will be:
 - \$1000 per fortnight for all eligible employees who, in the 4 weeks of pay periods before 1 March 2020, were working in the business or not-for-profit for 20 hours or more a week on average and for business participants who were actively engaged in the business for 20 hours or more per week on average in the month of February 2020; and
 - \$650 per fortnight for other eligible employees and business participants.
- On 21 July 2020, the Government also [announced](#) that it would be making changes to the social safety net for people impacted by COVID-19 from 25 September to 31 December 2020, including:
 - adjusting the Coronavirus Supplement to \$250 a fortnight;
 - increasing the income free area for JobSeeker Payment and Youth Allowance (other) to \$300 a fortnight, with this payment being reduced by 60 cents in the dollar on amount earned over \$300 a fortnight;
 - the reinstatement of the following means tests:
 - asset testing for all payments for both existing and new recipients (ongoing);
 - the liquid assets waiting period (LAWP) for all payments applying to new recipients (ongoing); and
 - the JobSeeker Payment partner income test taper rate will increase from 25 cents to 27 cents for every dollar of partner income earned over \$1165 per fortnight, ensuring that an eligible person with no income can receive the JobSeeker Payment

and Coronavirus Supplement provided their partner earns less than \$80,238.89 per annum.

- Expanded eligibility criteria for JobSeeker Payment and Youth Allowance (other) will continue, allowing access for permanent employees who are stood down or lose their employment and sole traders, the self-employed, casual workers and contract workers (who meet the income and assets tests) until 31 December 2020.
- On 3 August, in response to new restrictions on movement and business activities coming into effect in Victoria, the Commonwealth Government [announced](#) that affected businesses previously not on JobKeeper can apply based on the prospective impact of further restrictions. Similarly, people who potentially face the loss of their employment can apply prospectively for JobSeeker. Mutual obligation arrangements for Victorian JobSeeker recipients have been suspended. The Commonwealth Government also announced the establishment of a Pandemic Leave Disaster Payment available to eligible Victorians from 5 August. This is a \$1500 fortnightly payment for people needing to isolate for a period of 14 days that will be available to those who do not have leave available. This replaces the Victorian Government's Coronavirus (COVID-19) Worker support payment for those who otherwise may not have accessed Commonwealth payments.
- On 5 August, the Commonwealth Government further [announced](#) childcare measures for Victorian families during the Stage 4 lockdown. With children, except for vulnerable children and those of permitted workers, in metropolitan Melbourne no longer be able to attend childcare for 6 weeks, Melbourne families will receive an additional 30 days (6 weeks) of allowable absence from childcare. Combined with a gap fee waiver, this should ensure families will not be charged fees for keeping their children at home and will therefore not have to withdraw from the system. The increase to allowable absence days means the Commonwealth Government can continue to pay its contribution to service through the Child Care Subsidy (CCS) of up to 85 per cent of the total cost of care. As well, a higher transition payment of 30 per cent of pre-COVID revenue for Melbourne services subject to stage 4 lockdowns and further additional top-up payments for eligible services that receive low CCS payment and experience very low attendance. Parts of regional Victoria under stage 3 lockdown will receive 30 additional absence days and extension of the gap fee waiver and Outside Hours Scholl Care (OSHC) payment. These OHSK services will be paid 15 per cent of their revenue from 6 August in addition to the 25 per cent Transition Payment and CCS.
- On 7 August, additional changes to JobKeeper payment eligibility were [announced](#)
 - From 28 September 2020, businesses and not-for-profits will only be assessed with reference to their actual GST turnover in the September quarter 2020 to be eligible from 28 September 2020 to 3 January 2021.
 - From 4 January 2021, businesses and not-for-profits will need to demonstrate that they have met the relevant decline in turnover in the December quarter 2020 to be eligible from 4 January 2021 to 28 March 2021
 - For employees, the reference date for assessing eligibility becomes 1 July 2020 with effect from 3 August 2020. The reference period for employees regarding their hours worked to determine their tier of payment will be the 2 fortnightly pay periods prior to 1 March 2020 or 1 July 2020.
- On 1 September, the Coronavirus Economic Response Package (Jobkeeper Payments) Amendment Bill 2020 [passed](#) both houses of Parliament. The Bill:
 - confirmed the previously announced reduction in the JobKeeper rate from 28 September to \$1200 a fortnight and to \$1000 from January 2021, with a lower payment rate introduced for employees who worked less than 20 hours a week before the pandemic; and
 - set the reference date for assessing eligibility of employees to 1 July 2020 (with effect from 3 August 2020). The reference period for employees regarding their hours worked to determine their tier of payment will be the two fortnightly pay periods prior to 1 March 2020 or 1 July 2020.

- On 26 August, [announced](#) that from 22 August, Tasmanian workers are eligible for the \$1500 Pandemic Leave Disaster Payment if they cannot work because they need to self-isolate or quarantine for 14 days. Tasmanian workers are eligible for the payment if they are instructed by a health official to stay home from work and have used up any sick leave entitlements and are not receiving income, earnings or salary maintenance from work, the JobKeeper payment or other forms of Australian Government income support.

[Fact sheet: Jobkeeper payment – Information for Employees](#)

[Fact sheet: JobKeeper Payment – Supporting businesses to retain jobs](#)

[Fact sheet: JobKeeper Payment – Information for employers](#)

[Fact sheet: Extension of the JobKeeper Payment \(last updated 10 August\)](#)

<https://treasury.gov.au/coronavirus/jobkeeper/extension>

<https://www.ato.gov.au/general/jobkeeper-payment/employers/your-eligible-employees/>

[The JobKeeper Payment: Three-month review](#)

[Coronavirus Economic Response Package \(Payments and Benefits\) Rules 2020](#)

<https://www.dss.gov.au/about-the-department/coronavirus-covid-19-information-and-support>

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State governments have announced policies providing temporary relief for employees and households, including:

- **Victoria:** the \$1500 Coronavirus (COVID-19) Worker support payment is available to Victorian residents diagnosed with COVID-19 who do not have access to sick leave. This was subsequently replaced by the Commonwealth Government's [Pandemic Leave Disaster Payment](#). People may also qualify for a \$300 test isolation payment if they have symptoms, have taken a COVID-19 test, and do not have paid leave to self-isolate. This was increased on 13 August to \$450. The payment is also available for parents and guardians caring for someone 16 years and under who is self-isolating while waiting for their COVID-19 test results. Anyone living in Victoria can receive the payment. [Announced](#) on 9 August, that all kinder will be free for Term 3, through free sessional kinder support. Further [announced](#) on 17 September that sessional kinder will remain free for most families in Term 4 of 2020 when early childhood services reopen to all Victorian children on 5 October.
- **South Australia:** a one-off boost of \$500 and bringing forward the 2020–21 'Cost of Living Concession' for households receiving the Centrelink JobSeeker Payment. On 25 August, [announced](#) a Paid Pandemic Leave Scheme that will offer payments of up to \$1500 for eligible workers who are required to quarantine, or care for someone required to quarantine, for up to 14 days following a positive COVID-19 test or as a result of a public health directive. A separate upfront payment of \$300 will also be available for eligible workers in an identified COVID-19 cluster who are required to self-isolate while awaiting a COVID-19 test result, are caring for someone who meets the eligibility criteria or as a result of a public health directive. Recipients must be: 17 years or older; a citizen, permanent resident, or holder of necessary visa and work permits; an employee who can demonstrate they would have ordinarily worked and cannot do so as a result of the need to isolate, and does not have sufficient entitlement to necessary paid leave; and is not receiving any other Australian Government payments during the period of self-isolation.
- **Queensland:** a \$200 rebate for all Queensland households to offset the cost of water and electricity bills.

- **Western Australia:** a doubling in the Energy Assistance Payment (EAP) to \$610 for eligible concession card holders (Pensioner Concession Card, Health Care Card, Commonwealth Seniors Health Card or Department of Veterans' Affairs Gold Card) including new eligible applicants until 30 September 2020, with an upfront \$305 credited against their electricity bill from 11 May 2020 and up to a further \$305 credited over the next year; EAP boost payments have been brought forward to this financial year; no households to have their power or water disconnected and no interest charged on deferred bill payments; late payment penalties to be waived for transfer duty, landholder duty, vehicle licence duty or land tax.
- **Tasmania:** a one-off payment of \$250 per adult and \$125 per child up to a maximum \$1000 per household available to low-income persons who are required by Public Health to self-isolate due to COVID-19 risk. From 22 August, this was replaced by the Commonwealth Government Pandemic Leave Disaster Payment.
- **Australian Capital Territory:** committed to implement a six-month moratorium on rental eviction for any tenants under financial duress due to COVID-19; a rent reduction rebate if landlords reduce tenants' rent by at least 25 per cent for up to six months with the government matching 50 per cent of the reduction to a maximum of \$2600; a temporary freeze on rental increases and prevent 'blacklisting' as a result of being unable to pay rent.
- **Northern Territory:** commencement of the [Residential Tenancies Bill 2019](#) has been deferred to allow for further legislative changes in line with local and national responses to COVID-19, further legislative amendments to create longer negotiation periods between tenants and landlords and fairer terms for new leases for demonstrated hardship due to COVID-19; an extension of six months to the [Home Improvement Scheme](#) where homeowners can apply for a \$4000 voucher if they contribute at least \$1000 of their own money or \$6000 if they contribute at least \$2000.

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