EMERGENCY MANAGEMENT ACT 2005 (WA)

Section 71 and 72A

CLOSURE AND RESTRICTION (WESTERN FORCE TRAINING)
MODIFICATION DIRECTIONS


Pursuant to my powers as a police officer under section 71 of the Act, and the powers given to me under section 72A of the Act to give other directions to all persons in Western Australia to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19, on 17 May 2020, I gave the Closure and Restriction (Limit the Spread) Directions (No 3).

Pursuant to the same powers, I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, now give the following directions.

PREAMBLE

1. The purpose of these directions is to exempt certain gatherings from being prohibited gatherings, to enable certain specific activities to occur that would otherwise be prohibited activities and to enable certain places to be open for the purposes of enabling people to engage in those specific activities.

CITATION

2. These directions may be referred to as the Closure and Restriction (Western Force Training) Modification Directions.

COMMENCEMENT

3. These directions come into effect at 11.59 p.m. on 24 May 2020.
MODIFICATION AND OPERATION

4. These directions are intended to apply despite the Closure and Restriction (Limit the Spread) Directions (No 3) and to the extent of any inconsistency between them, these directions prevail.

5. These directions are intended to enable certain gatherings, authorise certain activities and enable certain affected places to be opened notwithstanding the Closure and Restriction (Limit the Spread) Directions (No 3). They are not intended to limit in any way the holding of a gathering, the carrying out of an activity or the opening of a venue in any manner that can lawfully be done under the Closure and Restriction (Limit the Spread) Directions (No 3).

6. For the avoidance of doubt, a person who participates in an authorised training activity, or opens to the public a specified venue, will not breach the Closure and Restriction (Limit the Spread) Directions (No 3) if they do so in compliance with these directions.

7. For the avoidance of doubt, nothing in these directions in any way affects the operation of any direction or approval given to a relevant person under the Quarantine (Closing the Borders) Directions and such direction or approval will continue to apply according to its terms.

APPROVAL

8. For the purposes of paragraph 12 of the Closure and Restriction (Limit the Spread) Directions (No 3), a gathering is not a prohibited gathering if it involves only relevant persons and takes place at a specified venue for the purposes of an authorised training activity.

DIRECTIONS

Certain Activities Not Prohibited

9. Notwithstanding paragraphs 8, 9 and 10 of the Closure and Restriction (Limit the Spread) Directions (No 3), and subject to paragraph 10 of these directions, a relevant person may participate in an authorised training activity at a specified venue.

10. Any person who participates in an authorised training activity must comply with:

   (a) paragraphs 3.6, 3.7 and 3.8 of the guidelines; and
(b) the requirements for "hygiene measures" for Level B2 specified in the table of standards.

Certain Venues Permitted to Open

11. Notwithstanding paragraph 11 of the Closure and Restriction (Limit the Spread) Directions (No 3) and to the extent that a specified Western Force hire venue is an affected place, the owner, occupier or person apparently in charge of a specified Western Force hire venue:

(a) is permitted to open that venue to relevant persons for the purposes of allowing an authorised training activity to occur at the venue; and

(b) must not allow any person to enter the venue whilst the authorised training activity is being undertaken unless that person is a relevant person.

12. Notwithstanding paragraph 11 of the Closure and Restriction (Limit the Spread) Directions (No 3) and to the extent that a specified Western Force venue is an affected place, the owner, occupier or person apparently in charge of a specified Western Force venue:

(a) is permitted to open that venue to relevant persons for the purposes of allowing an authorised training activity to occur at the venue provided that paragraph 4.2 of the guidelines is complied with; and

(b) must not allow any person to enter the venue unless that person is a relevant person.

DEFINITION OF AUTHORISED TRAINING ACTIVITY

13. Authorised training activity means training and related exercise and physical conditioning undertaken in connection with playing or preparing to play Rugby Union, including:

(a) individual training, drills or exercises;

(b) group training, drills or exercises in which no more than 20 persons including any coach or support officer participate and which otherwise comply with the requirements for "on field activities" for Level B2 specified in the table of standards;

(c) full squad training, provided that it does not occur more than twice each week;
(d) one on one coaching or training of an approved Western Force player;
(e) gym training sessions or gym-based activities, including those using fixed equipment, in which no more than 20 persons including any coach or support officer participate and which otherwise comply with the requirements for "indoor gym activities" for Level B2 specified in the table of standards; and
(f) any activity that is reasonably necessary or incidental to the training and related exercise which forms an ordinary part of the training programme of a Rugby Union footballer, including physiotherapy or sports medicine, whether involving bodily contact or the sharing of equipment or otherwise, provided that where equipment is used, the equipment is cleaned before it is used again after the training.

**DEFINITION OF SPECIFIED VENUES**

14. **Specified venue** means a specified Western Force hire venue and a specified Western Force venue.

15. **Specified Western Force hire venue** means that part of Dorrien Gardens located at Victoria Street and Lawley Street, West Perth that consists of:

   (a) the oval;
   (b) any bathroom and toilet facilities;
   (c) any part of the venue that is reasonably required for the safe operation of the venue, including any part of the premises where plant or equipment required for the proper maintenance of the facilities at the venue is located; and
   (d) those portions of the premises reasonably required for access and egress to the parts of the venue specified in (a) – (c).

16. **Specified Western Force venue** means that part of the Western Force Headquarters located at 203 Underwood Avenue, Floreat that consists of:

   (a) the oval adjoining the carpark of the Western Force Headquarters’ building;
   (b) the private gym facilities;
   (c) any change room facilities;
(d) any bathroom and toilet facilities to the extent that these are not available within the change room facilities;

(e) any part of the venue that is reasonably required for the safe operation of the venue, including any part of the premises where plant or equipment required for the proper maintenance of the facilities at the venue is located; and

(f) those portions of the premises reasonably required for access and egress to the parts of the venue referred to in subparagraphs (a) – (e) of this definition.

OTHER DEFINITIONS

17. **Affected place** has the same meaning as is given to that term in the Closure and Restriction (Limit the Spread) Directions (No 3).

18. **Approved Western Force player** means a person who is contracted to play Rugby Union for the Western Force Club and who is training in preparation for the 2020 Australian domestic Super Rugby competition.

19. **Club** means the Western Force Club.

20. **Coach** means a person who coaches or trains Rugby Union players.

21. **Guidelines** means the Guidelines and Recommended Operating Procedures: Return to Training and Competition Following Cessation or Reduction of COVID-19 Government Restrictions Version 5 dated 15 May 2020 or any variation of that document which is approved by me, as the State Emergency Coordinator, or a person authorised by me for that purpose.

22. **Participate** means to:

   (a) undertake or engage in;

   (b) organise; or

   (c) attend.

23. **Prohibited gathering** has the same meaning as is given to that term in the Closure and Restriction (Limit the Spread) Directions (No 3).

24. **Relevant person** means:

   (a) an approved Western Force player;

   (b) a coach of an approved Western Force player or players;
(c) a support officer;

(d) any person whose presence is necessary or reasonably incidental to enabling the specified venue to be open for the purposes of carrying out the authorised training activity at the venue, including personnel involved in facilities management; or

(e) any person specified in writing by me, as the State Emergency Coordinator, or a person authorised by me for that purpose, as a relevant person for the purposes of this paragraph.

25. **Support officer** means a person who is appropriately trained and qualified to provide support to Rugby Union players and their coaches.

26. **Table of standards** means the table titled Minimum Baseline of Standards for Level A, B, C activities for AUS Professional Rugby dated 22 May 2020 or any variation of that table which is approved by me, as the State Emergency Coordinator, or a person authorised by me for that purpose.

**PENALTIES**

A failure to comply with the conditions and requirements set out above may result in a breach of the Closure and Restriction (Limit the Spread) Directions (No 3), an offence which is punishable by imprisonment for up to 12 months or a fine of up to $50,000 for individuals and $250,000 for bodies corporate.

Christopher John Dawson  
State Emergency Coordinator and Commissioner of Police

24 May 2020 1500 hours