EMERGENCY MANAGEMENT ACT 2005 (WA)
Section 71 and 72A
CLOSURE AND RESTRICTION (AFL TRAINING) MODIFICATION DIRECTIONS


On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 a.m. on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the Emergency Management Act 2005 (WA) (Act) (State of Emergency). The State of Emergency applies to the State of Western Australia.

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 (AFL Training) Modification Directions.

COMMENCEMENT
3. These directions come into effect at 12.01 a.m. on 18 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. 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.

6. For the avoidance of doubt, nothing in these directions in any way affects the operation of any approval given to an approved Fremantle player or an approved West Coast Eagles player under paragraph 27(r) of the Quarantine (Closing the Borders) Directions and any such direction will continue to apply according to its terms.

APPROVAL

7. 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:

(a) it involves only West Coast Eagles relevant persons and takes place at a specified West Coast Eagles venue for the purposes of an authorised training activity; or

(b) it involves only Fremantle relevant persons and takes place at a specified Fremantle training venue for the purposes of an authorised training activity.

DIRECTIONS

Certain Activities Not Prohibited

8. Notwithstanding paragraphs 8, 9 and 10 of the Closure and Restriction (Limit the Spread) Directions (No 3), and subject to paragraph 9 of these directions:

(a) a Fremantle relevant person may participate in an authorised training activity at a specified Fremantle venue; and

(b) a West Coast Eagles relevant person may participate in an authorised training activity at a specified West Coast Eagles venue.

9. Any person who participates in an authorised training activity must comply with paragraphs 10(c) and 16.3 of the protocol.
Certain Venues Permitted to Open

10. Notwithstanding paragraph 11 of the Closure and Restriction (Limit the Spread) Directions (No 3):

(a) the owner, occupier or person apparently in charge of a specified Fremantle venue is permitted to open that venue to Fremantle relevant persons for the purposes of allowing an authorised training activity to occur at the venue; and

(b) the owner, occupier or person apparently in charge of a specified West Coast Eagles venue is permitted to open that venue to West Coast Eagles relevant persons for the purposes of allowing an authorised training activity to occur at the venue.

11. The owner, occupier or person apparently in charge of a specified Fremantle venue must not allow any person to enter the venue unless that person is a Fremantle relevant person.

12. The owner, occupier or person apparently in charge of a specified West Coast Eagles venue must not allow any person to enter the venue unless that person is a West Coast Eagles 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 AFL football, including:

(a) individual, group or full squad training, drills or exercises;

(b) practice matches;

(c) one on one coaching or training of an approved Fremantle player or of an approved West Coast Eagles player;

(d) gym training sessions or gym-based activities including those using fixed equipment; and

(e) any activity that is reasonably necessary or incidental to the training and related exercise which forms an ordinary part of the training programme of an AFL footballer, including physiotherapy or sports medicine, whether involving shared equipment or otherwise and provided that where the training, or related exercise or physical conditioning is undertaken at any time prior to 12.01 am
on 25 May 2020, it must not be undertaken in such a way that it involves any participant intentionally coming into bodily contact with another person.

**DEFINITION OF SPECIFIED VENUES**

14. **Specified venue** means a specified Fremantle venue or a specified West Coast Eagles venue.

15. **Specified Fremantle venue** means that part of the Fremantle Football Club training facility located 31 Veterans Parade, Cockburn Central that consists of the oval, private gym facilities and any ancillary facilities.

16. **Specified West Coast Eagles venue** means that part of the West Coast Eagles Football Club training facility located at Mineral Resources Park, 42 Bishopsgate St, Lathlain that consists of the oval, private gym facilities and any ancillary facilities.

**OTHER DEFINITIONS**

17. **Ancillary facilities** means:

   (a) change room facilities;

   (b) bathroom and toilet facilities to the extent that these are not available within the change room 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:

       (i) the parts of the venue referred to in subparagraphs (a) – (c) of this definition;

       (ii) the oval and private gym facilities.

18. **Approved club staff** means a person who appears on the list referred to in paragraph 6(b)(i) of the protocol and who has been approved by me as State Emergency Coordinator or a person authorised by me for that purpose.

19. **Approved Fremantle player** means a person who is contracted to play football for the Fremantle Football Club and who is training in preparation for the resumption of the 2020 AFL season.
20. **Approved West Coast Eagles player** means a person who is contracted to play football for the West Coast Eagles Football Club and who is training in preparation for the resumption of the 2020 AFL season.

21. **Club** means each of the Fremantle Football Club and the West Coast Eagles Football Club.

22. **Coach** means a person who coaches or trains AFL football players.

23. **Fremantle relevant person** means:
   (a) an approved Fremantle player;
   (b) a coach of an approved Fremantle player or players;
   (c) a support officer;
   (d) approved club staff;
   (e) any person whose presence is necessary or reasonably incidental to conducting the authorised training activity at the specified Fremantle venue or enabling the specified Fremantle venue to be open for the purposes of carrying out the authorised training activity at the venue, including personnel involved in facilities management; or
   (f) 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.

24. **Participate** means to:
   (a) undertake or engage in;
   (b) organise; or
   (c) attend.

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

26. **Protocol** means Return to Play Protocol 2020 Toyota AFL Season Short Stay Play Model Version 1, 13 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.
27. **Re-opening requirements** have the same meaning as is given to that term in the Closure and Restriction (Limit the Spread) Directions (No 3).

28. **West Coast Eagles relevant person** means:

   (a) an approved West Coast Eagles player;
   
   (b) a coach of an approved West Coast Eagles player or players;
   
   (c) a support officer;
   
   (d) approved club staff;
   
   (e) any person whose presence is necessary or reasonably incidental to conducting the authorised training activity at the specified West Coast Eagles venue or enabling the specified West Coast Eagles venue to be open for the purposes of carrying out the authorised training activity at the venue, including personnel involved in facilities management; or
   
   (f) 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.

29. **Support officer** means a person who is appropriately trained and qualified to provide support to AFL football players and their coaches.

**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  

17 May 2020  19:40 hours