

Monday 23 March 2020

**Closure of Queensland Brothels**

Due to the emerging COVID-19 situation, the Queensland Health, Chief Health Officer has ordered that all non-essential entertainment venues of any kind to close from midday today.

Brothels unfortunately fall into this category. See attached order.

The PLA will continue to keep you updated on this situation if there are any changes.

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

## Non-essential Business Closure Direction

*Public Health Act 2005 (Qld)*

Section 362B

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

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

### Preamble

1. This Public Health Direction should be read in conjunction with, and in addition to, the Public Health Direction titled Mass Gatherings Direction (No 2) made on 21 March 2020. All business or undertakings that continue to operate must comply with the Mass Gatherings Directions (No 2).

### Citation

2. This Public Health Direction may be referred to as the Non-essential Business Closure Direction.

### PART 1 — DIRECTION - NON-ESSENTIAL BUSINESS OR UNDERTAKING

3. These directions apply from Monday, 12pm on 23 March 2020 until the end of the declared public health emergency, unless they are revoked or replaced.
4. A person who owns, controls or operates a non-essential business or undertaking in the State of Queensland must not operate the business or undertaking during the period specified in paragraph 3, including operating at private residence.

### Definitions

For the purposes of this Public Health Direction:

5. Subject to paragraph 6 and 7 below, a **non-essential business or undertaking** means:
  - (a) Registered and licensed clubs, licensed premises in hotels (excluding bottle shops and off license attached to these venues);
  - (b) Gyms, fitness centres and indoor sporting centres;
  - (c) Cinemas, gambling venues including casinos, nightclubs, theatres and entertainment venues of any kind;

- (d) Restaurants, cafes, fast-food outlets, food courts (together **retail food services**) except for provision of food or drink by way of provision of takeaway or hotel room service;
- (e) Theme parks;
- (f) A place where persons congregate for the purpose of worship or fellowship, including weddings and baptisms;
- (g) Funerals except where the gathering does not exceed one person per 4 square metres and social distancing, including keeping 1.5 metres between people, can be accommodated.

6. A **non-essential business or undertaking** does not include:

- (a) Retail food services at an airport that are reasonably necessary for the normal business of the airport;
- (b) Provision of food or drink by or on behalf of an employer to employees or contractors that is reasonably necessary for the employer's normal operations;
- (c) Provision of food or drink by a school, university, educational institution or childcare facility that is reasonably necessary for the normal business of the facility;
- (d) Provision of food or drink at a disability or aged care facility that are reasonably necessary for the normal business of the facility.

7. Additional requirements for the **provision of takeaway** are as follows:

- (a) social distancing, including keeping 1.5 metres between people must be accommodated, implemented and monitored by employees or contractors of the retail food service provider;
- (b) gathering for the purposes of ordering or collecting must not exceed one person per 4 square metres;
- (c) the retail food service provider may only operate to the extent they are not promoting or facilitating persons consuming takeaway food or drink on or adjacent to their premises –

*Example: tables and chairs should be removed and all reasonable steps taken by the retail food service to direct persons from gathering to consume takeaway food or drink on or adjacent to, the relevant premise.*

## PART 2 - PENALTIES

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

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

Failure to comply with public health directions

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

Maximum penalty—100 penalty units.

Dr Jeannette Young  
Chief Health Officer

23 March 2020