

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 71 and 72A

AFL (POST SEASON TRAINING VENUES) DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

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 sections 67 and 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, 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 limit the spread of COVID-19.

CITATION

2. These directions may be referred to as the **AFL (Post Season Training Venues) Directions**.

COMMENCEMENT

3. These directions come into effect at 3.00 pm on 21 September 2020.

OPERATION

4. These directions are intended to apply despite the Closure and Restriction (Limit the Spread) Directions (No 6) given on 16 September 2020 or any further directions given that amend or replace those directions, and to the extent of any inconsistency between them, these directions prevail.
5. For the avoidance of doubt:
 - (a) these directions 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 6) or any further directions given that amend or replace those directions; and

- (b) nothing in these directions in any way affects the operation of any direction or approval given to a **relevant person** and such direction or approval will continue to apply according to its terms.

DIRECTIONS

Approved Post Season Training Venues

- 6. While a relevant person is present at an **approved post season training venue**, the owner, occupier or person apparently in charge of the venue:
 - (a) must not allow, and must take all reasonable steps to prevent, any person entering the venue, unless that person:
 - (i) is a relevant person **participating** in an **authorised post season activity** at the venue; or
 - (ii) enters the venue in accordance with the **approved post season training venue plan** for the venue; or
 - (iii) is an **ASADA tester** and enters the venue for the purpose of conducting doping control testing in accordance with the **Doping Control Protocol** provided that the ASADA tester has not been outside of Western Australia in the period of 14 days prior to entering the venue; or
 - (iv) is required to enter the venue for the purpose of providing or facilitating the provision of urgent medical treatment to a person at the venue; or
 - (v) is required to enter the venue for the purpose of performing critical maintenance at the venue; or
 - (vi) is an **authorised officer**; or
 - (vii) is otherwise approved in accordance with paragraph 7(b); and
 - (b) must comply with the approved post season training venue plan for the venue; and
 - (c) must take all reasonable steps to ensure that any person employed or engaged by them or employed or engaged by such a person (including any officer,

employee, agent or contractor) complies with the approved post season training venue plan for the venue.

7. While a relevant person is present at an approved post season training venue, a person must not enter the venue unless that person is:
 - (a) a person falling within a category of persons referred to in sub-paragraph 6(a)(i) to (vi); or
 - (b) a person otherwise approved by me or a person authorised by me for that purpose either orally or in writing, and who complies with any terms or conditions to which that approval is subject.

AUTHORISATION

8. For the purposes of paragraphs 7(b), 15 and 18(b), I authorise any **police officer** acting at or above the rank of Inspector to give the approval referred to in those paragraphs.

DEFINITIONS

9. **AFL club** means any AFL club specified as a club in a **relevant approval**.
10. **Approved post season training venue** means any venue specified as an approved post season training venue in a relevant approval.
11. **Approved post season training venue plan** means any plan specified as an approved post season training venue plan in a relevant approval.
12. **ASADA tester** means a person engaged by the Australian Sports Anti-Doping Authority.
13. **Authorised officer** has the same meaning that it has in the Act.

Note: at the time of giving these directions, all police officers are authorised officers.

14. **Authorised post season activity** means one or more of the following activities:
 - (a) individual or group training, drills or exercises; or
 - (b) gym training sessions or gym-based activities; or
 - (c) physiotherapy or sports medicine; or
 - (d) group or club meetings relating to the business of an **AFL club**, including any administrative task associated with such a meeting.

15. **Doping Control Protocol** means the Australian Sports Anti-Doping Authority's Doping Control Protocols during COVID-19 – AFL Testing Missions including the Addendum dated 9 July 2020 or any variation of that document approved in writing by me or a person authorised by me for that purpose.
16. **Participating** means:
- (a) undertaking or engaging in; or
 - (b) organising; or
 - (c) attending.
17. **Police officer** means a person appointed under Part I of the *Police Act 1892 (WA)* to be a member of the Police Force of Western Australia.
18. **Relevant approval** means:
- (a) the Approval for AFL Team (Fremantle Football Club) (No 2); or
 - (b) any other approval issued under paragraph 27(r) of the Quarantine (Closing The Border) Directions that is approved in writing for the purposes of this paragraph by me or a person authorised by me for that purpose.
19. **Relevant person** means a person the subject of a relevant approval.

PENALTIES

A failure to comply with these directions may be 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
Commissioner of Police and State Emergency Coordinator

21 September 2020 1356 hours