Public Health Act 1997

DIRECTION UNDER SECTION 16
(Masks at Hospitals – No. 4)

I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the Public Health Act 1997 ("the Act"), in order to manage the threat to public health posed by the notifiable disease known as COVID-19 ("the disease"), direct that—

(a) a person who enters, or remains on, the premises of a hospital must wear a fitted face covering while the person remains on those premises; and

(b) paragraph (a) does not apply in respect of the following persons:
   (i) a patient at the hospital;
   (ii) a child who has not attained the age of 12 years;
   (iii) a person who—
      (A) holds a medical certificate, or other documentation by a medical practitioner, within the meaning of the Acts Interpretation Act 1931, that certifies that the person has a physical, or mental health, illness, condition or disability that makes the wearing of a fitted face covering unsuitable; and
      (B) produces a legible copy of the medical certificate, or other documentation, if requested to do so by a person in authority; or
   (iv) a person who—
      (A) holds an exemption, or is a person within a class of persons specified in an exemption, from the requirements of paragraph (a) that is given by the Director of Public Health or his or her delegate; and
      (B) produces a legible copy of the exemption if requested to do so by a person in authority; and
(c) paragraph (a) does not apply to a person in the following circumstances if the person wears a fitted face covering as soon as is practicable after the relevant circumstances end:

(i) the person removes the fitted face covering to communicate with a person who is deaf, or has impaired hearing, and visibility of the mouth is essential for the communication;
(ii) the wearing of the fitted face covering would create a risk to the health or safety of the person;
(iii) the person removes the fitted face covering to enable clear enunciation, or visibility of the mouth, as part of his or her employment or training;
(iv) the person is orally consuming food, drink or medicine;
(v) the person is undergoing medical care, or treatment, that is unable to be provided while the person wears a fitted face covering;
(vi) the person is requested to remove the fitted face covering, by a person in authority, to ascertain or confirm the identity of the person;
(vii) the person may lawfully remove, or is lawfully required to remove, the fitted face covering;
(viii) an emergency where it is not practicable or safe to wear the fitted face covering;
(ix) the person is working or studying in an indoor or outdoor space where there are no other persons present;
(x) such other circumstances that are specified in an exemption, from the requirements of paragraph (a), that is given by the Director of Public Health or his or her delegate; and

(d) a person required to wear a fitted face covering under paragraph (a), other than a person to whom paragraph (b) applies, must carry a fitted face covering while he or she remains on the premises of a hospital; and

(e) in this direction –

(i) fitted face covering means a covering, other than a shield, that fits securely around the face and is designed, or made, to be worn over the nose and mouth to provide protection against infection; and
(ii) **hospital** includes the following, within the meaning of the *Health Service Establishments Act 2006*:
   (A) public hospitals;
   (B) private hospitals;
   (C) day-procedure centres; and

(iii) **operator**, of a hospital, means a person who owns, controls or operates the hospital; and

(iv) **patient**, at a hospital, means a person seeking medical care or treatment at the hospital who has been admitted to the hospital for that care or treatment; and

(v) **person in authority**, in relation to a hospital, includes —
   (A) an authorised officer within the meaning of the Act; and
   (B) an authorised officer within the meaning of the *Emergency Management Act 2006*; and
   (C) a person nominated by the operator of the hospital as a person in authority for the purposes of this direction; and

(f) the direction, made by me on 19 August 2021 and entitled *Masks at Hospitals – No.3*, is revoked.

Dated: 26 August 2021

Signed: [Signature]

Director of Public Health