

Public Health Act 1997

DIRECTION UNDER SECTION 16

(Mask wearing at events – No. 3)

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, commencing on 18 September 2021 –

- (a) if 1000 or more persons are permitted to attend an event, whether in an indoor area or outdoor area, the organiser of the event must inform each person attending the event that the person is required to wear a fitted face covering while attending the event; and
- (b) a person attending an event referred to in paragraph (a) must wear a fitted face covering while he or she is attending the event, including while queuing for, or entering or exiting from, the event; and
- (c) paragraph (b) does not apply in respect of the following persons:
 - (i) a child who –
 - (A) has not attained the age of 12 years; or
 - (B) is undertaking primary education, whether at school or as part of home education, within the meaning of the *Education Act 2016*;
 - (ii) a person who 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
- (d) paragraph (b) does not apply to a person in 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) if the person is a performer at the event, while the person is performing at the event;
 - (vii) if the event is a sporting event, the person is on the field of play, or in an interchange area connected to the field of play, at the event and the person is -
 - (A) an athlete playing or competing at the event; or
 - (B) a team runner working at the event; or
 - (C) an umpire or referee who is working at the event, or is at the event in anticipation of being required to work at the event;
 - (viii) the person is requested to remove the fitted face covering, by a person in authority at the premise to ascertain or confirm the identity of the person;
 - (ix) the person is in a personal vehicle;
 - (x) the person may lawfully remove, or is lawfully required to remove, the fitted face covering; and
- (e) a person attending an event referred to in paragraph (a), other than a person to whom paragraph (c), (d)(vi) or (d)(vii) applies, must carry a fitted face covering while he or she while he or she is attending the event; and

- (f) 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) **person in authority** 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
 - (iii) **premises** has the same meaning as in the Act; and
 - (iv) **team runner**, in relation to a sporting event, means a person who is permitted to run onto the field of play at the event to pass on instructions from the coach to a player; and
- (g) the direction, given by me on 10 September 2021 and entitled *Mask wearing at events – No. 2*, is revoked.

Dated: 16 September 2021

Signed: 

Director of Public Health