

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 71 and 72A

NBL (BENDAT BASKETBALL STADIUM VENUE) 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, Colin John Blanch, Acting Commissioner of Police and State Emergency Coordinator, now give the following directions.

PREAMBLE

1. The purpose of these directions is to facilitate the operation of the **approved training venue** in a manner consistent with limiting the spread of COVID-19.

CITATION

2. These directions may be referred to as the **NBL (Bendat Basketball Stadium Venue) Directions**.

COMMENCEMENT

3. These directions come into effect at the time of signing.

OPERATION

4. These directions apply despite the Closure and Restriction (Limit the Spread) Directions (No 10) or any further directions that I give that 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 10) or any further directions that I give that replace those directions; and

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

DIRECTIONS

NBL ensure compliance with plans

- 6. National Basketball League Pty Ltd must take all reasonable steps to ensure that the **approved plan** is complied with.

Approved training venue

- 7. While a relevant person is present at the approved training venue, the owner, occupier or person apparently in charge of the approved training venue:
 - (a) must not allow, and must take all reasonable steps to prevent, any person entering the approved training venue, unless that person:
 - (i) is a relevant person **participating** in an **authorised training activity** at the venue; or
 - (ii) is a person listed at paragraph 4(c)(i)(B), (C) or (D) of the approved plan performing their respective functions listed in the aforementioned paragraph; or
 - (iii) is acting in compliance with a direction or instruction given by a **relevant officer**; or
 - (iv) is otherwise approved in accordance with paragraph 8(b); and
 - (b) must comply with the approved plan for the approved training venue; and
 - (c) must take all reasonable steps to ensure that any person employed or engaged by them (including any officer, employee, agent or contractor) complies with the approved plan for the approved training venue.
- 8. While a relevant person is present at an approved 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 7(a)(i) to (iii); 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

9. For the purposes of paragraph 8(b) I authorise any police officer acting at or above the rank of Inspector to give the approval referred to in that paragraph.

DEFINITIONS

10. **Approved plan** means the Bendat Basketball Stadium Quarantine Training Venue Plan version 1 dated December 2020 or any other plan approved in writing by me or a person authorised by me for that purpose for the conduct of approved training activities.
11. **Approved training venue** means the Bendat Basketball Stadium located at 201 Underwood Avenue, Floreat.
12. **Authorised training activity** means training and related exercise and physical conditioning undertaken in connection with playing or preparing to play basketball in the NBL, including:
- (a) individual training, group or full squad training, drills or exercises; and
 - (b) any activity that is reasonably necessary or incidental to the training programme of a NBL player, including, for the avoidance of doubt, physiotherapy, sports medicine or meetings.
13. **NBL** means the National Basketball League competition run by the National Basketball League Pty Ltd
14. **Participating** means:
- (a) undertaking or engaging in; or
 - (b) organising.
15. **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.

16. **Relevant direction** means:

- (a) the NBL Team (Perth Wildcats) Directions; or
- (b) any other direction issued by me for the purpose of the 2020-21 Hungry Jack's NBL Season.

17. **Relevant officer** has the same meaning that it has in the Controlled Border for Western Australia Directions.

18. **Relevant person** means a person the subject of a relevant direction.

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.



Colin John Blanch

Acting Commissioner of Police and State Emergency Coordinator

(2 January 2021 1638 hours