

# REOPENING NSW

## REOPENING STARTS AT 70%

## FURTHER REOPENING AT 80%

## FULLY REOPENED 1 DECEMBER 2021

### What only **fully vaccinated** people can do

COVID-Safe check-ins and proof of vaccination required for staff and customers in most settings • Staff in regional local government areas (LGAs), (excluding Greater Sydney, Blue Mountains, Wollongong, Shellharbour and the Central Coast) only need to prove one vaccine dose and a booking for a second dose • Density limits of 1 person per 4 square metres (sqm) for indoor areas and 1 person per 2 sqm for outdoor areas apply to some activities listed below • COVID-19 Safety Plans apply

### What **everyone** can do

Density limits of 1 person per 2 sqm indoor and outdoor areas apply to most activities listed below



### Masks and QR codes

- > Masks required for all staff and customers in all indoor settings including on public transport, planes and in airports (except children under the age of 12)
- > Masks no longer required in outdoor settings (except for front-of-house hospitality staff)
- > COVID Safe check-ins and proof of vaccination required for staff and customers

- > Masks required for all staff and customers in all indoor settings including on public transport, planes and in airports (except children under the age of 12)
- > Masks no longer required in outdoor settings (except for front-of-house hospitality staff)
- > COVID Safe check-ins and proof of vaccination required for staff and customers

- > Masks required only for public transport, planes and airports, and indoor front-of-house hospitality staff
- > Masks no longer required in outdoor settings (including for front-of-house hospitality staff)
- > Proof of vaccination no longer required by Public Health Order



### Visiting family and friends

- > Up to 5 visitors allowed in your home at any one time (visitor limits don't apply for children under the age of 12)
- > Small outdoor gatherings and recreation permitted for up to 20 people (2-person limit for people who are not fully vaccinated)
- > Visitors to residents in aged care facilities and disability homes permitted in line with their policies

- > Up to 10 visitors allowed in your home at any one time (visitor limits don't apply for children under the age of 12)
- > Small outdoor gatherings and recreation permitted for up to 20 people (2-person limit for people who are not fully vaccinated)
- > Visitors to residents in aged care facilities and disability homes permitted in line with their policies

- > No limit to number of visitors in your home
- > No limit to number of people for informal outdoor gatherings and recreation
- > All visitors to residents in aged care facilities and disability homes permitted in line with their policies



### Exercise and recreation

- > Gyms, indoor recreation and sporting facilities (excluding indoor swimming pools) reopen with density limits and up to 20 people in classes
- > Community sports not permitted

- > Gyms, indoor recreation and sporting facilities reopen with density limits and up to 20 people in classes
- > Indoor swimming pools reopen for lessons only
- > Community sports permitted for fully vaccinated staff, spectators and participants

- > No person limit in gyms, indoor recreation and sporting facilities, density limits apply
- > Indoor swimming pools reopen
- > Community sports permitted for all staff, spectators and participants
- > Indoor recreation facilities for children such as play centres reopen



### Schools

- > Schools reopen with Level 3 COVID-19 safety measures (visit [education.nsw.gov.au](https://www.education.nsw.gov.au))

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- > All year groups return to face-to-face learning

People under the age of 16 who are not fully vaccinated are allowed unaccompanied in their workplaces and all outdoor settings, but must be with a fully vaccinated member of their household in hospitality venues (unless collecting takeaways), entertainment facilities, major recreation facilities and places of worship. For the latest information visit [nsw.gov.au](https://www.nsw.gov.au)

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### Shopping and personal services

- > Non-critical retail reopens with density limits (people who are not fully vaccinated can only access non-critical retail via Click & Collect)
- > Personal services (including hairdressers, spas, beauty and nail salons, tattoo and massage parlours) reopen with density limits for up to 5 clients

- > Non-critical retail reopens with density limits (people who are not fully vaccinated can only access non-critical retail via Click & Collect)
- > No person limit for personal services (including hairdressers, spas, beauty and nail salons, tattoo and massage parlours) reopen with density limits
- > Intimate services (including strip clubs, sex on premises and sex services) reopen with density limits of 1 person per 4sqm

- > Non-critical retail reopens to all, density limits apply
- > No person limit for personal services (including hairdressers, spas, beauty and nail salons, tattoo and massage parlours), density limits apply
- > Intimate services (including strip clubs, sex on premises and sex services) reopen with density limits of 1 person per 4sqm



### Restaurants and hospitality

- > Hospitality reopens with density limit for up to 20 people per booking (takeaway only for people who are not fully vaccinated)
- > No singing indoors
- > Drinking indoors must be seated, but drinking outdoors may be seated or standing
- > Dancing permitted outdoors, dancing indoors not permitted (except at weddings)

- > No person limit in hospitality settings, density limits apply (takeaway only for people who are not fully vaccinated)
- > No singing indoors
- > Dancing is permitted indoors and outdoors
- > Drinking indoors and outdoors may be seated or standing

- > No person limit in hospitality settings, density limits apply
- > Singing and dancing is permitted indoors and outdoors
- > Drinking indoors and outdoors may be seated or standing



### Constructions and renovations

- > Construction sites returned to maximum daily workforce numbers on 27 September
- > Occupied construction reopens (including cleaning, maintenance, renovations to buildings and other indoor trade works)

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### Working from home

- > Employers allow staff to continue to work from home, if reasonably practicable
- > Employers require staff who are not fully vaccinated to work from home, if reasonably practicable

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- > Employers require staff who are not fully vaccinated to work from home, if reasonably practicable

- > Employers allow staff to work from home at their discretion

People under the age of 16 who are not fully vaccinated are allowed unaccompanied in their workplaces and all outdoor settings, but must be with a fully vaccinated member of their household in hospitality venues (unless collecting takeaways), entertainment facilities, major recreation facilities and places of worship. **For the latest information visit [nsw.gov.au](https://nsw.gov.au)**

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### Events and entertainment

- > Major recreation facilities (including stadiums, theme parks, and race courses) reopen with density limits for up to 5000 people, or by exemption
- > Entertainment facilities (including cinemas and theatres) reopen with density limit or 75% fixed seated capacity
- > Information and education facilities (including art galleries, museums and libraries) reopen with density limits
- > Ticketed and seated outdoor public gatherings permitted for up to 500 people with density limit
- > Amusement centres and nightclubs remain closed

- > Major recreation facilities (including stadiums, theme parks, and race courses) reopen with density limits for up to 5000 people, or by exemption
- > Entertainment facilities (including cinemas and theatres) reopen with density limit or 75% fixed seated capacity
- > Information and education facilities (including art galleries, museums and libraries) reopen with density limits
- > Outdoor public gathering permitted for up to 200 people
- > Ticketed and seated outdoor public gatherings permitted for up to 500 people with density limit
- > Amusement centres and nightclubs remain closed

- > No person limit for major recreation facilities (including stadiums, theme parks and race courses), density limits still apply
- > Entertainment facilities (including cinemas and theatres) reopen for the greater of 100% seating capacity, or the density limit
- > Information and education facilities (including art galleries, museums and libraries) reopen for the greater of 100% seating capacity, or the density limit
- > No person limit for ticketed and seated outdoor public gatherings. COVID-19 Safety Plans required for attendance over 1000
- > Amusement centres and nightclubs reopen with density limits of 1 person per 4sqm



### Weddings and religious services

- > Weddings ceremonies permitted with density limit for up to 50 people (5-person limit for people who are not fully vaccinated)
- > Wedding receptions permitted with density limit for up to 50 people (not permitted for people who are not fully vaccinated), eating and drinking must be seated, and dancing is permitted
- > Funerals permitted with density limit for up to 50 people (10-person limit for people who are not fully vaccinated) and eating and drinking must be seated
- > Places of worship reopen with density limit and singing not permitted

- > Weddings ceremonies permitted with no person limit (5-person limit for people who are not fully vaccinated)
- > Wedding receptions permitted with no person limit (not permitted for people who are not fully vaccinated), eating and drinking allowed while standing, and dancing is permitted, density limits still apply
- > Funerals permitted with no person limit (10-person limit for people who are not fully vaccinated) and eating and drinking allowed while standing, density limits still apply
- > Places of worship reopen for people who are not fully vaccinated with density limits and singing not permitted

- > Weddings permitted with no person limit, eating and drinking allowed while standing and dancing permitted, density limits still apply
- > Funerals permitted with no person limit, and eating and drinking allowed while standing, density limits still apply
- > Places of worship open with singing permitted, density limits still apply



### Travel and transport

- > People from Greater Sydney, including the Blue Mountains, Wollongong, Shellharbour and the Central Coast, can travel for holidays within their LGA but not to Regional NSW for recreation
- > Travel holidays between regional LGAs are permitted (Central Coast, Wollongong, Shellharbour and Blue Mountains not permitted)
- > Carpooling permitted (members of your household only for people who are not fully vaccinated)
- > Caravan parks and camping grounds reopen (including people who are not fully vaccinated)

- > No distance limits for travel
- > Travel holidays between Greater Sydney including Central Coast, Wollongong, Shellharbour, Blue Mountains and Regional NSW permitted (not permitted for people who are not fully vaccinated)
- > Carpooling permitted (members of your household only for people who are not fully vaccinated)
- > Caravan parks and camping grounds remain open (including people who are not fully vaccinated)

- > Travel holidays between Greater Sydney including Central Coast, Wollongong, Shellharbour, Blue Mountains and Regional NSW permitted (not permitted for people who are not fully vaccinated)
- > Carpooling permitted for all
- > Caravan parks and camping grounds remain open (including for people who are not fully vaccinated)

People under the age of 16 who are not fully vaccinated are allowed unaccompanied in their workplaces and all outdoor settings, but must be with a fully vaccinated member of their household in hospitality venues (unless collecting takeaways), entertainment facilities, major recreation facilities and places of worship. **For the latest information visit [nsw.gov.au](https://nsw.gov.au)**

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# COVID-19

## Proof of COVID-19 vaccination

### What you need to know

As we reopen NSW, persons aged 16 and over will only be permitted to enter certain venues or settings if they are fully vaccinated or have a medical exemption. In some venues, children under 16 will have to be accompanied by a fully vaccinated member of their household to enter.

There are several options to show proof of COVID-19 vaccination. More detail can be found at [nsw.gov.au](https://nsw.gov.au)

#### Which settings will require proof of full COVID-19 vaccination?

Anyone aged 16 or over will need to be fully vaccinated (or have an exemption) to enter most venues including hospitality venues, non-critical retail stores, personal services, sporting, recreation and entertainment facilities and events. Critical retail such as supermarkets or pharmacies will still be accessible for people who are not fully vaccinated.

#### How can customers, staff and visitors show proof of their COVID-19 vaccination status?

Once fully vaccinated (two doses) with an approved COVID-19 vaccine, there are several options to access and share proof of COVID-19 vaccination:

- [COVID-19 digital certificate](#) can be accessed through the Express Plus Medicare mobile app or Medicare online account through myGov. The COVID-19 digital certificate can be added to a smartphone wallet or similar. Visit Services Australia for instructions
- Printed version of the COVID-19 digital certificate or immunisation history statement (available through myGov)
- COVID-19 digital certificate can also be added to a Service NSW app and shared as part of a QR check-in. Visit [nsw.gov.au](https://nsw.gov.au) for details.

#### For people without a Medicare card:

- Call the Australian Immunisation Register on 1800 653 809 and ask for an immunisation history statement to be posted. It can take up to 14 days to arrive
- Add a COVID-19 digital certificate to a smartphone wallet or similar using the Individual Healthcare Identifiers service (IHI service) through myGov
- An immunisation history statement can be accessed from My Health Record. Visit Services Australia for instructions.

#### For people without a smartphone or online access:

A COVID-19 digital certificate or immunisation history statement can be accessed via myGov to download and print. Alternatively, call the Australian Immunisation Register to request a copy in the post.

#### For people with a medical exemption:

If you have a medical reason for not receiving the COVID-19 vaccination, speak to your medical practitioner about getting your medical contraindication added to your immunisation history.

**Penalties may apply for making or presenting a fake form of proof of vaccination.**

# COVID-19

## COVID-19 vaccinations and your business

### What you need to know

As we work together to keep the community safe from COVID-19, there are key considerations a business will have around vaccination of its staff and customers.

**This guidance has been prepared to assist businesses and is not a substitute for legal advice.**

#### Keeping your business and employees COVID safe

Businesses are required to keep their premises safe and minimise the risk of infection and transmission of COVID-19 in the workplace.

Employers should continually assess the health and safety risks to their employees in their particular industry given the changing risk profile.

#### Can I direct my employees to get vaccinated against COVID-19?

You can direct your employees to get vaccinated where mandatory vaccination is included in a NSW Public Health Order or it would be lawful and reasonable to do so for work health and safety reasons.

#### When will a direction be reasonable?

- “Reasonable” situations will need to be assessed on a case-by-case basis and depend on a range of factors including the nature of the workplace, the role of the employee, and the likelihood of exposure to COVID-19 in the workplace. An example is if your employees’ roles require them to have close contact with people who are vulnerable to the health impacts of COVID-19.
- One of the key things to do is to conduct a comprehensive work, health and safety risk assessment. Detailed guidance on how to assess whether it would be reasonable for you to require your employees to be vaccinated is available at the [Fair Work Ombudsman](#) website.
- Vaccination directions should generally not be issued to employees who for medical reasons cannot be vaccinated, or due to their age, as this could be unlawful discrimination.
- You should consider whether there is a requirement to consult staff (e.g. under an enterprise agreement or work, health and safety laws).
- If you wish to encourage or incentivise your employees to get a COVID-19 vaccine, you should review the guidance issued by the [Therapeutic Goods Administration](#) about promoting COVID-19 vaccines and incentivising individuals to get vaccinated.

# COVID-19

## COVID-19 vaccinations and your business

### What you need to know

#### Can I ask my employees for proof of vaccination?

- Employers can generally ask their employees to provide proof of COVID-19 vaccination or evidence of a medical contraindication to receiving a COVID-19 vaccine if collecting such information is reasonably necessary for managing work, health and safety risks. A NSW Public Health Order may also expressly authorise some employers to request that information and require their employees to comply with such a request.
- Such information is “health information” or “sensitive information” under the various privacy laws that may apply to employers, so should be stored in a secure manner, not kept for longer than necessary and only used for the purpose(s) for which it was collected.

#### Can I refuse unvaccinated patrons entry to my premises?

- Public Health Orders may require certain businesses to take reasonable steps to prevent unvaccinated patrons entering their premises. Exemptions will apply to persons who cannot be vaccinated for medical reasons or because of their age to ensure that they are treated fairly.
- Businesses that are not covered by a NSW Public Health Order may choose to refuse entry to unvaccinated patrons as long as they comply with their obligations under anti-discrimination and privacy laws. Businesses should not refuse entry to patrons who cannot be vaccinated for medical reasons or because they are in an age group that has not had access to vaccination for very long (i.e. - under 16s).
- When asking to see proof that a patron has been vaccinated or has a valid reason for not being vaccinated, businesses should generally inform patrons (either by a notice or verbally) why they are asking for that information (i.e. to manage work health and safety risks and to comply with any applicable NSW Public Health Order), whether a NSW Public Health Order requires them to answer that question, and who might be provided access to any record made of their responses.
- If any business records are kept that identify the vaccination status of patrons, businesses should ensure the information is stored in a secure manner, not kept for longer than necessary and only used for the purpose(s) for which it was collected.
- Businesses may wish to place signage indicating vaccinated and medically or age exempt patrons are welcome.

#### Further Guidance

<a href="#">Public Health Orders</a>	<a href="#">National Cabinet</a>	<a href="#">Fair Work Australia</a>
<a href="#">Office of the Australian Information Commissioner</a>	<a href="#">ATAGI clinical guidance</a>	

# COVID-19

## Vaccination compliance and obligations

### What businesses need to know

As NSW reopens, it is important that businesses are prepared to welcome back customers in a COVID Safe way and that new compliance obligations are understood.

**This guidance has been prepared to assist businesses and is not a substitute for legal advice.**

#### What do I need to do to prepare for reopening my business?

- Make sure you are using the latest COVID-19 Safety Plan for your industry by visiting [nsw.gov.au](https://nsw.gov.au)
- Educate your customers and staff on COVID-19 safe behaviours and vaccination requirements. Download posters from [nsw.gov.au](https://nsw.gov.au) to display in your premises
- Know your staff vaccination requirements under the Public Health Orders. You are responsible for ensuring they get vaccinated if required.

#### Am I responsible for ensuring only vaccinated staff, customers and visitors attend my business?

Businesses are responsible for taking reasonable steps to prevent unvaccinated people entering your premises. For example having prominent signs stating requirements, Service NSW QR codes, staff checking vaccination status upon entry and only accepting valid forms of evidence of vaccination, or medical exemption.

#### What proof of vaccination can I accept from my staff and customers?

Only the following three forms of evidence of vaccination (or medical exemption) should be accepted:

- A COVID-19 digital certificate displayed through the Medicare App, Service NSW App or equivalent smartphone wallet
- Printed version of the COVID-19 digital certificate or immunisation history statement
- Successful completion of a Service NSW QR check-in that includes vaccination confirmation.

**Penalties may also apply for anyone making or presenting a fake form of proof of vaccination.**

#### How will compliance be monitored and are there penalties for non-compliance?

Authorised officers will monitor businesses re-opening, particularly those that have vaccination requirements, for example hospitality, retail, gyms and personal services (e.g. hair, beauty).

Penalties may apply for individuals and businesses who don't comply.

- Individuals: On the spot fines of \$1,000 may apply for not complying, or for using fraudulent evidence of vaccination or check-in.
- Businesses: On the spot fines of \$5,000 may apply for not complying with the Public Health Order vaccination requirements.

Further penalties including closure of businesses, and higher fines for individuals and businesses may apply for significant breaches.

# COVID-19

## Contact tracing and isolation rules

### What businesses need to know

As NSW commences reopening at 70% full vaccination rates, COVID-19 will continue to circulate in the community. This is why it's important that business owners and managers know the updated advice for testing, isolation and contact tracing.

**This advice may be updated by NSW Health as case numbers and evidence changes.**

#### What if a staff member tests positive for COVID-19?

Whether they are vaccinated or unvaccinated they must self-isolate for 14 days and follow the advice from NSW Health. You are encouraged to refer to your COVID Safety Plan and risk assessment approach for further instructions on notifying other staff.

#### What are my obligations as a business owner if I have multiple employees test positive for COVID-19?

Businesses **must** inform NSW Health if 3 or more employees test positive for COVID-19 in a 7 day period. Further advice regarding actions required will be provided by NSW Health.

#### What if a COVID-19 positive person visits my business?

NSW Health guidelines (*Contact Risk Assessment for Community and Workplace Settings*) will enable businesses to assess workplace risk if a COVID-19 case is identified, and confirm actions to be taken. Refer to the guidelines at [health.nsw.gov.au](https://www.health.nsw.gov.au)

The Service NSW QR Code check-in system will remain in place and will be used to notify people who were in the same venue as a positive case. Encourage your customers to follow the advice given to them by NSW Health.

#### How can I reduce interruptions to my business due to COVID-19?

Businesses can reduce the risk of closure or staff going into isolation by implementing rigorous COVID-19 Safety Plans that reduce the risk of transmission.

Other proactive steps businesses can take include:

- Ensuring staff are vaccinated
- Implementing regular onsite testing programs for workers or in-home testing kits (when approved by the TGA)
- Ensuring all workers and patrons check in via the Service NSW QR code
- Maintaining COVID safe behaviours including mask wearing, physical distancing and indoor capacity limits (1 person per 4sqm)
- Improving indoor ventilation or filtration.