

Victoria's Social Distancing and Isolation Laws

In response to the outbreak of novel coronavirus (COVID-19), the Victorian Government and Commonwealth Government have introduced strict new social distancing, isolation and quarantine laws, limiting the amount of contact people have with each other, in order reduce the spread of COVID-19. It is important to know what these new laws are, how to comply with them and how to best protect yourself and others from the virus.

IMPORTANT: These social isolation and quarantine laws are subject to change frequently. This factsheet is up to date as at 5pm on Friday 3 April, 2020. You should check to see if there are any newer versions of this factsheet on the Asylum Seeker Resource Centre (ASRC) website, www.asrc.org.au before relying on this information.

IMPORTANT: Breaking the Australian social distancing laws could have serious consequences for your visa. If you hold a Bridging visa and you break a social distancing law you risk having your Bridging visa cancelled and your current protection visa application refused. If you hold a Temporary Protection Visa (TPV), a Safe Haven Enterprise Visa (SHEV) or a Permanent Protection Visa (PPV) and you break a social distancing law, you risk having your visa cancelled.

What are the new social isolation laws?

The Victorian Government has declared a state of emergency for Victoria in response to the outbreak. This gives them the power to make certain laws. The main law they have created at this point in time are the 'Stay at Home Directions', which is a legal document **ordering** all people to stay in their homes and only leave the house for certain reasons.

These directions currently **apply until midnight on 13 April 2020**. However, these directions may be extended past this date or change before this date.

When can I leave my home?

The law currently states **that all people in Victoria must not leave their home, unless it is for:**

- **Shopping for food or other essential goods and services:** this means you may leave the house to obtain:
 - **Groceries or household items;**

- **Goods and services for medical purposes** (e.g. going to the doctor, or picking up a prescription from a pharmacy);
- Other goods or services provided by:
 - A financial institution (e.g. a bank);
 - A government body or agency;
 - A post office;
 - A pharmacy;
 - A hardware store;
 - A petrol store;
 - A pet store or veterinary clinic;
 - A **retail store that is not prohibited** from operating (e.g. supermarkets).
- **Work and education:** this means you **may** leave your house to go to school, work (paid or unpaid), or to take children to childcare or a school, **only if it is unreasonable for you to work from home**, or for your child to receive education from home.
- **Care or other compassionate reasons:** this means you **may** leave your house:
 - To **meet parenting obligations** (e.g. where custody is shared between parents);
 - To visit your child if they are in a detention facility or hospital;
 - To provide childcare or schooling to a vulnerable child (e.g. those who are victims of family violence);
 - To **attend a residential aged care facility**, if this is not prohibited by the facility you are intending to visit;
 - To **attend a hospital** to provide care or support to a family member, in accordance with the specific hospital's guidelines on visitation;
 - To **attend a funeral or wedding**, where the wedding involves only 5 people or less, or a funeral involving only 10 people or less.
 - To donate blood; or
 - To escape harm or the risk of harm, including harm related to family violence.
- **Exercise:** this means you **may** leave your house to exercise. You must remain 1.5 metres away from any other person while exercising and you can only exercise people you live with or only **one** other person you do not live with. Exercising cannot include sitting down outside having a picnic, sitting down by yourself outside or with others to have conversation or sunbathing.
- **Other reasons:** this means you **may** leave your house:
 - For **emergency purposes**, for example to escape violence or if your house becomes uninhabitable due to fire or flood;
 - Where you are required to go court or a police station;

- To move to a new home or property that you will live at;
- To move outside Victoria, if you ordinarily live outside Victoria;
- To **leave Australia**, for the purpose of leaving the country.

What activities are restricted?

The Victorian Government has decided to close or restrict some businesses, including:

- pubs;
- bars;
- nightclubs;
- entertainment facilities (e.g. cinemas);
- places of worship;
- swimming pools;
- indoor sporting facilities.

If you're unsure about whether an activity is restricted, it is better to be on the safe side and **not** engage in that activity or go to that business. Refer to the 'When can I leave my home?' section above if unsure.

Who is allowed into my home?

During the mandatory stay at home period outlined above, you **must not allow another person to enter your home** unless:

- That person ordinarily lives with you;
- The person is living there in order to self-isolate;
- It is necessary for them to enter for their work or education;
- It is necessary for them to enter to carry out a private inspection of your home;
- It is necessary for them to enter for medical or emergency purposes (e.g. police, paramedics);
- They are required by law to enter your property.

Can I meet people in an outdoor space?

During the mandatory stay at home period outlined above, you **must not arrange to meet with more than one other person** in an outdoor space, unless the other people:

- Ordinarily live with you;
- Are attending a wedding that does not involve more than 5 people;
- Are attending a funeral that does not involve more than 10 people (excluding those necessary for the funeral to take place);

- Are meeting for the purposes of work, education or care or compassionate reasons, and it is necessary for them to meet.

What are the penalties for breaking these new laws?

Breaking these laws could have serious consequences for your visa. If you hold a Bridging visa and you break a social isolation law, or any other law, you risk having your Bridging visa cancelled. If you hold a Temporary Protection Visa (TPV), a Safe Haven Enterprise Visa (SHEV) or a Permanent Protection Visa (PPV) and you break a social distancing law, you risk having your visa cancelled.

Currently, the **fine** for an individual breaking one of these laws is **\$1652**, and **\$9913** for businesses. These fines are issued on-the-spot.

Victorian Police will be enforcing these laws and ensuring they are complied with.

Where can I learn more?

This is a difficult and confusing time and there is a lot of misleading or false information circulating in the community. It is best to **stay up to date with official Government releases or statements**, which will be reported on the news and on social media, and **follow the advice of the authorities directly.**

- For **official updates**, visit: www.dhhs.vic.gov.au/coronavirus.
- To complete a symptoms and risk **self-assessment** (this does not amount to medical advice), visit: <https://www.dhhs.vic.gov.au/coronavirus-self-assessment>.
- To learn more about the virus and how you can best protect yourself and your family, visit: <https://www.dhhs.vic.gov.au/victorian-public-coronavirus-disease-covid-19>.
- For resources on the virus translated into your language, visit: <https://www.dhhs.vic.gov.au/translated-resources-coronavirus-disease-covid-19>.
- You can call the **coronavirus hotline** on 1800 675 398 for further information.
 - If you require a translator, you can call the **Translating and Interpreting Service** (TIS National) on 131 450, and ask for the coronavirus hotline

Disclaimer: This fact sheet provides general information to people seeking asylum in Australia through the onshore protection visa application process and to holders of permanent Protection Visas, Temporary Protection Visas or Safe Haven Enterprise Visas. This fact sheet is not legal advice. You should not rely on this fact sheet to make decisions about your immigration matter. We strongly recommend that you get independent legal advice from a registered migration agent if you have question about your specific circumstances. For information about registered migration agents please visit: <https://www.mara.gov.au>.
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