

The government of SA has declared **masks** **NOT** mandatory in primary or secondary schools

28th July 2021

How to find and read the current “Directions” regarding masks

1. Go to [covid-19.sa.gov.au](https://www.covid-19.sa.gov.au)
2. Go to the menu tab choose: **Directions**
<https://www.covid-19.sa.gov.au/emergency-declarations>
3. Then choose: **Activities**
4. Open the latest PDF or Word document for:
 - 1) **General Direction:** Emergency Management (Activities—General No 3) (COVID-19) Direction 2021
 - 2) **Associated Direction:** Emergency Management (Activities—Associated Direction No 6) (COVID-19) Direction 2021

Following are screenshots of relevant content with in the mentioned documents

Emergency Management (Activities—General No 3)

Which came into effect at 7:16 pm Wednesday 21 July 2021

South Australia

Emergency Management (Activities—General No 3) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

Part 8—Masks

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| 18 | Masks for high risk settings |
| 19 | Masks for personal care services |
| 20 | Masks for health care services |
| 21 | Masks for passenger transport services |
| 22 | Masks for shared indoor public places |
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You'll find Part 8 on pg 26 of this document

Part 8—Masks

18—Masks for high risk settings

- (1) A person must not enter or remain in a high risk setting unless the person is wearing a face mask (covering mouth and nose).
- (2) In this clause—
high risk setting has the same meaning as in the *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021* (or a direction made in substitution for that direction).

19—Masks for personal care services

A person must not provide a personal care service unless the person is wearing a face mask (covering mouth and nose).

20—Masks for health care services

- (1) Subject to subclause (2), a person must not enter or remain in premises used for the purposes of any health care service unless the person is wearing a face mask (covering mouth and nose).
- (2) Subclause (1) does not apply to a person who is an in-patient at a health care service.

21—Masks for passenger transport services

A person must not board or remain in a vehicle used for a passenger transport service, unless the person is wearing a face mask (covering mouth and nose).

22—Masks for shared indoor public places

- (1) Subject to this clause, a person must not enter or remain in an enclosed public place unless the person is wearing a face mask (covering mouth and nose).
- (2) Subclause (1) does not apply at a primary or secondary school (including in relation to staff at the school).
- (3) People participating in any proceedings in a court or tribunal (whether as parties, advocates, witnesses, judicial or tribunal officers or staff of the court or tribunal) must remove their mask as directed by court or tribunal.

Note—

For the avoidance of doubt, subclause (1) does not apply to a person working at an office building, unless the person's work involves face-to-face interaction with members of the public.

See also clause 14 in Part 4 of this direction.

23—Masks for public places

- (1) Subject to this clause, a person must not enter or remain in a public place unless the person is wearing a face mask (covering mouth and nose).
- (2) Subclause (1) does not apply at a primary or secondary school (including in relation to staff at the school).
- (3) People participating in any proceedings in a court or tribunal (whether as parties, advocates, witnesses, judicial or tribunal officers or staff of the court or tribunal) must remove their mask as directed by court or tribunal.
- (4) A mask is not required to be worn outdoors if the physical distancing principle is complied with.

Note—

For the avoidance of doubt, subclause (1) does not apply to a person working at an office building, unless the person's work involves face-to-face interaction with members of the public.

See also clause 14 in Part 4 of this direction.

So you can read that this legal document clearly states that clause (1) **does not** apply to schools.

Emergency Management (Activities—Associated Direction No 6)
Which came into effect at 12:01 am Wednesday 28 July 2021

South Australia

Emergency Management (Activities—Associated Direction No 6) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

3—Restrictions prescribed

I declare the whole of the State to be a declared area that is subject to **level 3 restrictions**.

4—Quick reference table

Without derogating from this direction or the *Emergency Management (Activities—General No 3) (COVID-19) Direction 2021*, the following table summarises the restrictions imposed by this direction:

Level 3: Medium restrictions	<ul style="list-style-type: none">• 1/4 density• No communal consumption facilities• Seated food and beverage consumption only• CMP: events of more than 1 000 people and outdoors only• Shisha ban• Masks for high risk settings• Masks for personal care services (except for the person receiving the service)• Masks for health care services (except for the person receiving the service)• Masks for passenger transport services• Masks for indoor fitness facilities (except while exercising)• Restrictions on dancing and singing• Sports spectator restrictions
Additional restrictions	<ul style="list-style-type: none">• Private activity cap: 10 (including residents of residential premises)• Private activity cap: 50 (only for Weddings and Funerals outside residential premises)• Masks for shared indoor public places (except bridal parties during ceremonies)• 1/8 density (indoor fitness facilities)• No team, club or competitive sport except training

Refer back to previous document for what a “high risk setting” refers to.
This does not include schools

The previous document stated that *high risk setting* has the same meaning as for cross-border travel:

high risk setting has the same meaning as in the *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021* (or a direction made in substitution for that direction).

So lets check the cross border travel definition:

1. Go back to www.covid-19.sa.gov.au
2. Go to menu tab: **Directions**
3. Choose: **Cross Border Travel**
4. Open latest PDF or Word document for **Current Direction**
 - 1) **General:** Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021
 - 2) **Associated:** Emergency Management (Cross Border Travel—Associated Direction No 34) (COVID-19) Direction 2021

Emergency Management (Cross Border Travel—General No 2)

Which came into effect at 00.01 am on 11 July 2021

South Australia

Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

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high risk setting means each of the following:

- (a) a residential aged care facility;
- (b) a disability care facility;
- (c) a prison, correctional facility, training centre or other place of custody;
- (d) any of the following areas within a public or private hospital:
 - (i) an emergency department;
 - (ii) an intensive care unit;
 - (iii) a respiratory ward;
 - (iv) an oncology ward;
- (e) health care services provided in any of the Aboriginal communities listed in Schedule 1 or any other Aboriginal community controlled health service;

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So a school is not considered a “*high risk setting*”, therefore any reference to a school being such goes against the current definition.

So why are school children “having” to wear a mask?

It appears that **SA Health** is communicating with schools and instructing them that masks are a **requirement**.

An example communication from a school to parents 27th July 2021:

It is important to highlight the **fact that mask wearing is now a new requirement by SA Health** that has been mentioned in the media and students in Secondary schools **will be required to wear masks whilst indoors**, whilst congregating i.e. in the canteen line and when on school buses and public transport. Staff in Primary and Secondary schools will also be required to wear masks when they are not teaching or interacting with students.

In selected cases, some staff and students may be exempted from wearing masks for medical or other health related conditions. Please ensure that provide a mask for ~~your~~ to wear tomorrow. If you are not able to do so the College has a limited supply of masks available. Either cloth or surgical masks can be worn by the students.

For guidance on how to wear a face mask and disposal of face masks, please visit SA Health’s website <https://www.sahealth.sa.gov.au/>.

As we transition back to schooling, it will take time for all of us **to adjust to the new requirements stipulated by the health authorities.**

So since the government has not made it a requirement for children to wear masks at school, **under what authority** does SA Health claim to make such a “**requirement**”? Is there any legal standing?

Let's visit SA Health

www.sahealth.sa.gov.au

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/about+covid-19/protecting+yourself+and+others+from+covid-19/face+masks>

Mask use

Masks are required as follows:

Mandatory

- [health care services](#)
- [passenger transport services](#)
- [high risk settings](#)
- [airports and airplanes](#)
- [people in quarantine](#)
- [personal care](#)
- [indoor public places.](#)

Required as policy

- [childhood education services.](#)

Strongly recommended

- [indoor workplaces](#)
- [adult learning environments.](#)

We've already ruled out that *high risk settings* is not applicable to primary and secondary schools, nor is *indoor public places*.

So schools are following a SA Health "policy" or recommendation. It is not part of the state direction.

Required

Schools

From Wednesday 28 July 2021, these mask requirements will apply to education settings across South Australia until advised otherwise:

- Students in Year 8 and above should wear masks indoors
- Adults should wear masks indoors, except when teaching or engaging with students
- Masks should be worn in staff and meeting rooms when present with other adults, and not eating or drinking
- Masks should be worn on school buses and public transport
- All adult visitors to sites, including Early Childhood Education and Care, should wear masks.

The following exemptions from face mask use apply:

- Primary school students and students under the age of 12 do not need to wear masks
- Students who attend a disability setting do not need to wear masks
- Early Childhood Education and Care staff and children do not need to wear masks
- Masks do not need to be worn when teaching or engaging with students
- Students or staff who have a medical condition, such as problems with their breathing, a serious skin condition on the face, a disability, or a mental health condition, do not need to wear masks.

So SA Heath have taken it upon themselves to deem authority over mask wearing by our children, and together with the media have appeared to have simply claimed authority.

It is clearly not a requirement under the direction of the police commissioner under the [Emergency Declaration](#). So by what authority does SA Heath justify such a “requirement”?

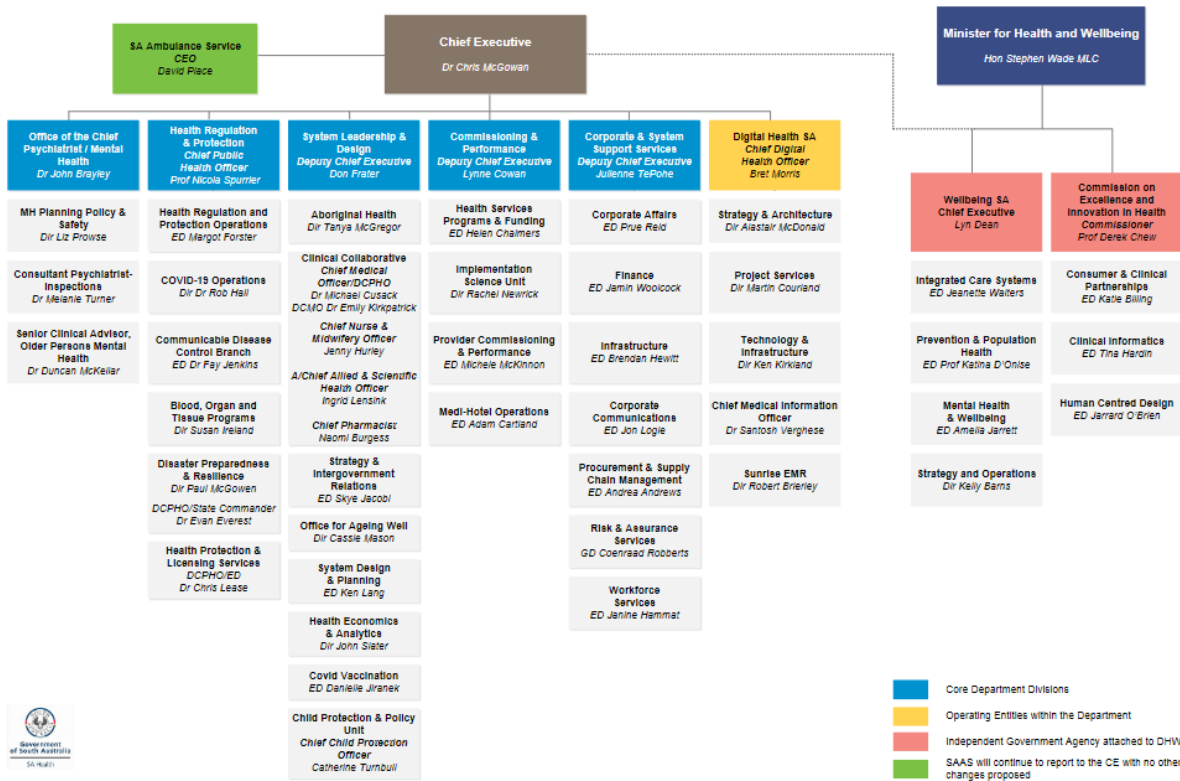
Lets start writing to find out.

Take Action:

Write to [SA Health](#) and find out the source of their claimed “authority” to make these requirements/mandates for our children to wear a mask at school.

Department for Health and Wellbeing Organisational Chart

July 2021



Dept of Health & Wellbeing:

Chief Executive: **Dr Chris McGowan**

Office of the Chief Psychiatrist / Mental Health: **Dr John Brayley**

Health Regulation & Protection Chief Public Health Officer: **Prof Nicola Spurrier**

Minister for Health & Wellbeing: **Hon Stephen Wade MLC**

Wellbeing SA Chief Executive: **Lyn Dean**

See contacts next page

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SA Commissioner of Police: **Grant Stevens**

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Minister for Education: **John Gardner**

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