

COVID-19 POLICY FOR MEMBERS AND GUESTS

1. STATEMENT OF INTENT

- 1.1 The Delta variant of COVID-19 is highly infectious and has had a devastating impact in Australia and around the world. It is expected to remain in the community for the foreseeable future.
- 1.2 When Members, Guests, Workers, Officers and other visitors attend the Club, they are very likely to have interactions with other persons from different households and areas of the community. This makes the Club susceptible to the spread of COVID-19.
- 1.3 As a community-orientated organisation, the Club's main priority is, and will always be, the safety of its Workers, Officers, Members, Guests and the community which it serves.
- 1.4 The Club is committed to doing everything that is reasonable and necessary to provide a safe working environment for its Workers and Officers and to protect its Workers, Officers, Members, Guests and the local community from contracting or spreading COVID-19.
- 1.5 The Club believes that vaccination against COVID-19 is the best protection against COVID-19 and that vaccination is critical to minimising the risk of transmission and consequences of COVID-19. The Club has already implemented a mandatory vaccination policy for its Workers and Officers.
- 1.6 The purpose of this policy is to outline the Club's requirements for its Members and Guests to be Fully Vaccinated against COVID-19 in order to access the Club's Premises.

2. APPLICATION OF THIS POLICY

- 2.1 Except to the extent that any contrary intention is expressed, this policy:
 - (a) binds all Members;
 - (b) binds all Guests who are over sixteen (16) years of age;
 - (c) must be read in conjunction with:
 - (i) the Club's constitution and by-laws;
 - (ii) the Club's privacy policy; and
 - (iii) any Public Health Order which may be applicable to the Club from time to time.
- 2.2 Capitalised terms used in this policy are defined in clause 8.
- 2.3 This policy will have full effect on being approved by the Board by way of by-law. A copy of the policy will be posted on the Club noticeboard and on the Club's website.
- 2.4 This policy may be updated, revised or rescinded by the Club at any time.

3. ACCESS TO THE PREMISES

- 3.1 Unless they have been granted an exemption by the Club in accordance with clause 4 of this policy, all Members and all Guests over sixteen (16) years of age must not enter or remain on any part of

the Premises unless that person:

- (a) has been Fully Vaccinated; and
- (b) produces to the Club acceptable evidence from the Australian Immunisation Register that they are Fully Vaccinated.

3.2 Acceptable forms of evidence of vaccination from the Australian Immunisation Register include:

- (a) an online immunisation history statement;
- (b) a COVID-19 digital certificate.

3.3 All Members and Guests over sixteen (16) years of age must carry or otherwise have ready access to a copy of one of the forms of evidence identified in clause 3.2 of this policy and must produce that evidence to a Worker or Officer of the Club, a police officer or any other authorised officer on request.

3.4 If a Member or Guest over sixteen (16) years of age is unable to produce one of the forms of evidence identified in clause 3.2 and is not granted an exemption under clause 4, they must leave the Premises immediately and not return until such time as they are able to comply with this policy.

3.5 The requirement to be Fully Vaccinated to access the Premises is an ongoing requirement and extends to any additional doses of an Approved Vaccine which are subsequently recommended by the ATAGI.

4. **EXEMPTIONS**

4.1 The Club recognises that in very limited circumstances, a Member or Guest may be unable to receive an Approved Vaccine and may need to be granted an exemption to the requirements in clause 3 of this policy because:

- (a) they have a temporary or permanent Medical Contraindication which prevents them from receiving any of the available Approved Vaccines; or
- (b) some other exceptional and legally protected grounds apply which prevent them from being Fully Vaccinated.

Medical Contraindications

4.2 Any Member or Guest who seeks an exemption on the grounds that they have a Medical Contraindication must provide the Club with:

- (a) a Medical Contraindication Certificate that has been issued to them. For the avoidance of doubt, an ordinary medical certificate will not suffice;
- (b) an online immunisation history statement from the Australian Immunisation Register; or
- (c) a COVID-19 digital certificate from the Australian Immunisation Register,

which notes their Medical Contraindication to each of the Approved Vaccines.

- 4.3 To the extent that a Member or Guest seeks an exemption on the grounds that they have a Medical Contraindication which is temporary, the expiry date recorded for their Medical Contraindication on the evidence they produce under clause 4.2 must not have passed.

Other Grounds

- 4.4 Any Member or Guest who seeks an exemption to the requirements in clause 3 of this policy on any grounds other than a Medical Contraindication must provide suitable evidence in support of the grounds on which they seek an exemption.

Consideration and Determination of Requests for Exemptions

- 4.5 The Club reserves the right to make such enquiries as it considers appropriate to verify the authenticity of any evidence provided to the Club by a Member or Guest in support of their request for an exemption under this clause 4 and the Member or Guest must cooperate fully with such enquiries.
- 4.6 The Club will consider any requests for an exemption under this clause on a case-by-case basis and may have regard to:
- (a) the legitimacy of the grounds on which the Member or Guest is seeking an exemption;
 - (b) the adequacy of the evidence and supporting documentation provided to the Club;
 - (c) whether the grounds on which the Member or Guest is seeking an exemption are temporary or permanent;
 - (d) the risks of exposure for the Member or Guest and other people who work at or have dealings with the Club, including any vulnerable persons with whom the Member or Guest may interact;
 - (e) whether the risks of exposure to the Member or Guest and other persons at the Club can be mitigated by making any reasonable adjustments that do not cause unjustifiable hardship to the Club; and
 - (f) the purpose and scope of this policy.
- 4.7 The Club will, in its sole discretion:
- (a) in the case of a Member or Guest who is seeking entry into the Premises – either grant or refuse a Member or Guest entry; or
 - (b) in the case of a Member or Guest who is already on the Premises – allow the Member or Guest to remain on the Premises or request that they leave the Premises immediately.
- 4.8 If the Club approves the Member or Guest's request for an exemption, the Club may impose additional control measures on the Member or Guest which it considers reasonable to minimise the risk of transmission of COVID-19. Those controls will depend upon the circumstances of the case but may include measures such as requiring the Member or Guest to wear a face mask at all times that they are on the Premises, to be seated at all times they are on the Premises or to be seated near an open window while they are in the Premises.
- 4.9 If a Member or Guest's request for an exemption is:

- (a) approved by the Club, the Member or Guest must comply with any additional control measures and conditions which are imposed by the Club upon them;
- (b) not approved by the Club, the Member or Guest must comply with the requirements of clause 3 of this policy.

5. TREATMENT OF INFORMATION PROVIDED TO THE CLUB

- 5.1 The Club recognises that information about an individual's vaccination status and Medical Contraindications and other information about an individual's background or circumstances for seeking an exemption under clause 4 of this policy is sensitive information for the purposes of the *Privacy Act 1988* (Cth).
- 5.2 The Club will handle any personal information which it holds in accordance with the Club's privacy policy.
- 5.3 The Club will not keep any copies of any evidence that it sights from a Member or Guest under clause 3 or 4 of this policy.
- 5.4 The Club will make a record of:
 - (a) the fact that it has sighted evidence from a Member or Guest;
 - (b) if the evidence sighted is evidence provided under clause 4.4 – the name of the person who has certified or signed that evidence;
 - (c) the date on which that evidence was sighted; and
 - (d) the name of the person who sighted that evidence,but will not otherwise record any of the information contained in any of the evidence that it sights from a Member or Guest under clause 3 or 4 of this policy.
- 5.5 The Club will not disclose a Member or Guest's sensitive information to a third party without the Member or Guest's consent, except to the Club's advisers unless the Club is required or authorised to do so by law (including in accordance with clause 6.5 of this policy).

6. NOTIFICATION OF DIAGNOSIS WITH COVID-19

- 6.1 This clause applies to a Member or Guest who has tested positive for COVID-19 and who had attended any part of the Premises within at least:
 - (a) two (2) days before they got sick; or
 - (b) two (2) days before their COVID-19 test,whichever is earlier.
- 6.2 If a Member or Guest has tested positive for COVID-19 and attended any part of the Premises

within the timeframe referred to in clause 6.1 of this policy, they must as soon as reasonably practicable notify the Club:

- (a) the date of their test;
- (b) the date they got sick (if they have had symptoms); and
- (c) the days (and if possible, the times) they were at the Premises

6.3 A Member or Guest can notify the Club of the information required under clause 6.2 of this policy by calling or texting [0419 239 585].

6.4 The notification requirements in clause 6.2 have the intended purpose of allowing the Club to take steps to notify SafeWork NSW and/or NSW Health and to limit the potential spread of COVID-19. However, the Club acknowledges that there may be limited instances where a Member or Guest is too ill to promptly notify the Club. In those circumstances, the Member or Guest must notify the Club as soon as they are well enough to do so or may arrange for a family member or friend to notify the Club on their behalf.

6.5 If the Club forms the view that a Member or Guest may have contracted COVID-19 at the Premises, or that they attended the Premises while infected with COVID-19, the Club may disclose that information, including the information the Member or Guest provides to the Club under clause 6.2 of this policy, to SafeWork NSW and/or NSW Health in accordance with the Club's obligations under the applicable public health orders.

6.6 A Member or Guest who has tested positive for COVID-19 must self-isolate in accordance with the advice from NSW Health and:

- (a) must not return to the Premises until they have recovered from COVID-19 and been issued with a medical clearance notice releasing them from isolation; and
- (b) must present a copy of the medical clearance notice which has been issued to them for sighting by the Club before they can enter the Premises.

7. **FAILURE TO COMPLY WITH THIS POLICY**

7.1 All Members and Guests over the age of sixteen (16) years must comply with the requirements of this policy.

7.2 Compliance with this policy will be treated as a condition of entry to the Club's Premises. A Member or Guest who has not complied with this policy or who has not been granted an exemption by the Club could be refused access to or removed from the Premises, including being removed from the Premises and/or refused access to the Premises in the future pursuant to section 77 of the *Liquor Act 2007* (NSW) .

7.3 The Club will treat any instances of non-compliance by a Member or Guest on a case-by-case basis but in the case of non-compliance by a Member, may take disciplinary action against the Member under the Club's constitution.

8. DEFINITIONS

8.1 In this policy, the following words and phrases have the following meanings unless the context otherwise requires:

Approved Vaccine	means a vaccine approved (including provisionally approved) by the Therapeutic Goods Administration of the Commonwealth for use in Australia as a vaccine against COVID-19;
ATAGI	means the Australian Technical Advisory Group on Immunisation;
Board	means the Club's board of directors;
COVID-19	means an infection and/or disease caused by the SARS-CoV-2 virus and includes any infection and/or disease caused by any variants of the SARS-CoV-2 virus, irrespective of whether those variants are known to exist at the time this policy is adopted or whether those variants emerge in the future;
Fully Vaccinated	means having obtained the ATAGI's recommended dosage of any Approved Vaccine, including any subsequent or additional doses recommended by ATAGI in the future;
Guest	has the meaning given to it in the <i>Registered Clubs Act 1976</i> (NSW) but also includes a person attending a function in the Club pursuant to section 23 of the <i>Registered Clubs Act 1976</i> (NSW);
Medical Contraindication	means a medical condition which precludes a person from receiving an Approved Vaccine, being a condition recognised by the Therapeutic Goods Administration and ATAGI;
Medical Contraindication Certificate	means a certificate issued by a medical practitioner in the form approved by the NSW Chief Health Officer certifying that because of a specified medical contraindication, the person to whom the certificate has been issued cannot have a COVID-19 vaccine;
Officer	means a director of the Club;
Member	means a person who is a full member, a provisional member, an honorary member or a temporary member of the Club;
Premises	means any place used by the Club in the course of conducting its business including but not limited to the Club buildings at 1 Macquarie St, Taree NSW 2430.

The Club

means the Taree Aquatic Club Ltd (ABN 68 001 050 586) including its sub-clubs and related entities;

Worker

means a person who carries out work in any capacity for the Club including work as an employee, a contractor or subcontractor, an employee of a contractor or subcontractor, an apprentice or trainee, a student gaining work experience, or a volunteer.