

Funeral Protocol

As at 30 April 2020

Audience

The audience for this document is any individual, family, group or organisation that would like more than 10 people plus three funeral officials in attendance at a funeral in Queensland.

Purpose

The purpose of this document is to assist individuals, families, groups or organisation to understand the current restrictions and what is required by the Chief Health Officer of Queensland to consider an exemption to the current restrictions.

Why have we changed the way funerals can occur?

The world is in the midst of a COVID-19 pandemic. COVID-19 is a disease that can cause mild symptoms to more severe illness that affects the lungs and can cause death. Currently, there is no vaccine or treatment for COVID-19, so preventing the spread of the disease is crucial.

What are we doing to stop the spread of COVID-19?

COVID-19 can be spread between people in the community when an infected person coughs or sneezes near others. It can also be spread if an infected person has coughed or sneezed onto a surface that might be used by others (like a door handle or mobile phone) and then another person touches their face after touching the contaminated surface.

The way to protect yourself and others from COVID-19 is:

- **social distancing:** keeping 1.5 m away from another person, especially when they are coughing or sneezing;
- **limiting exposure:** isolating sick people, quarantining people who have been in close contact with someone who has had COVID-19, no shaking hands/hugging/kissing, and limit face touching;
- **good hygiene:** hand washing, throwing used tissues in the bin, covering the mouth and nose when sneezing and coughing; or sneezing and coughing into elbow or shoulder, and wiping down commonly used surfaces (door handles, toilet flushes, mobile phones etc).

In March 2020, to further reduce the spread of COVID-19, rules on gatherings of people were also agreed by National Cabinet.

What is the guidance for funerals in Queensland?

In Queensland, Directions are made by the Chief Health Officer under section 362B of the *Public Health Act 2005*.

The *Non-essential business, activity and undertaking Closure Direction* (Direction) provides for restrictions on funerals. This document is available at: <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers>.

Under this Direction, funerals (not wakes or similar gatherings) can occur where they are attended by a maximum of 10 people with no more than one person per 4 square metres, except if an exemption is granted on compassionate grounds by the Chief Health Officer. A maximum of three (3) people can conduct the funeral service in addition to the 10 attendees.

This Protocol is a guide as to how funeral exemption decisions under the Direction are considered by the Chief Health Officer.

The protocol

- An exemption to the number of people attending a funeral service (not wakes or similar) can be made on compassionate grounds. The Chief Health Officer may consider granting an exemption for up to **20** people plus three funeral attendants.
- In addition to compassionate grounds, the Chief Health Officer can take into consideration COVID-19 transmission risks, the nature of the funeral ceremony and any other relevant considerations.
- In considering a request for a funeral exemption, the Chief Health Officer will take into account human rights considerations and the proper balance between this and the importance of the public health purpose of the Direction.
- Any exemptions granted will be subject to the following conditions and any other conditions the Chief Health Officers considers appropriate in the circumstances.

Conditions

✓	Conditions
	Retain a register of people who attend the funeral, including current contact details. The purpose of this is to assist Queensland Health with contact tracing, in the event that becomes necessary.
	The venue must be of sufficient size and layout (e.g. spacing of chairs) to allow for social distancing to be implemented, including 1.5 metres between attendees and 4 square metres per person.
	Attendees, including the person conducting the funeral service, must at all times observe social distancing principles, including 1.5 metres between attendees and 4 square metres per person.
	People 65 years of age and over (Aboriginal and Torres Strait Islander people 50 years and over) with one or more chronic diseases, and those 70 years and over, or people severely immunocompromised, such as with cancer, are strongly advised not to attend for their safety.
	Attendees, including the persons conducting the funeral service, must be advised of and acknowledge they understand and voluntarily assume the risks involved.
	The exemption applies only for the venue for which the application is made.
	Attendees who arrive from overseas must have undertaken the required 14-day period of self-quarantine.
	Attendees who are arriving from interstate must obtain a Queensland entry permit and undertake a period of self-quarantine if required by the Border restrictions Direction.
	No-one who is unwell should attend.

✓	Conditions
	No-one who has been in contact in the last 14 days with a known case of COVID-19 should attend.
	Attendees must wash their hands with soap and water or sanitize their hands when entering and exiting the venue.
	If anyone becomes unwell in the 14 days after attending the funeral, they should contact 13Health or their General Practitioner.

How to apply for an exemption

Requests for an exemption can be lodged at <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/contact>

You may be contacted by a Queensland Government employee to clarify details of your request.

At a minimum, requests should include the following information:

- your contact details including telephone number and email address
- details of the deceased
- place of the funeral
- date of the funeral
- requested exemption (the number of people you would like to attend the funeral)
- reason for requesting the exemption
- information about steps you will take to:
 - limit risk of exposure travelling to the funeral, at the funeral, and returning home
 - maintain social distancing
 - support good hygiene.

Penalties for non-compliance

The person submitting the exemption request will be responsible for compliance.

A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the Direction. This includes any conditions of the exemption determined by the Chief Health Officer under the Direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

- A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.
- Maximum penalty—100 penalty units.