

# NOTICE

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The new DHHS mask directives for Victoria are in force from 5pm, 31st December 2020 which state you must wear a fitted face mask when you are in public indoor spaces unless you have a lawful reason not to.

Many Business Personnel are unaware of the risks of discriminating against people with **lawful medical exemptions\*** from wearing masks.

*Please familiarise yourself with the following points:*

1. A person who is affected by a relevant medical condition, including problems with their breathing, a serious condition of the face, a disability or a mental health condition as not required to wear a mask.
2. A person does not need a medical certificate stating that they have a lawful reason for not wearing a face mask. If they have a lawful reason for not wearing a face mask, they do not need to apply for an exemption or permit.
3. Some people who have had experiences of trauma are unable to wear a face mask due to psychological impact. This is a valid reason not to wear a face mask.
4. Medically exempt conditions include: Asthma, Emphysema, ADHD, PTSD, Anxiety, panic disorders, Vertigo, hearing problems, breathing difficulties, allergies and many more.
5. **Business owners are NOT responsible** for people who cannot wear masks.
6. **No one is required to disclose their personal medical information to anyone** unless they provide consent. Ref: Privacy Act 1988  
<https://www.legislation.gov.au/Details/C2014C00076>
7. **The Disability Discrimination Act 1992**  
<https://www.legislation.gov.au/Details/C2018C00125>. Ref: Section 24 - it is unlawful for a person who, whether for payment or not, provides goods or services, or makes facilities available, to discriminate against another person on the grounds of the other person's disability.
8. **The Equal Opportunity Act prohibits discrimination** against people with a medical condition or a disability in the area of goods and services.
9. **Signs saying "No Mask, No Entry" are in breach of section 6 & 24 of the Commonwealth Disability Discrimination Act 1992** and should either be removed from premises or state "except those with lawful medical exemptions" or similar disclaimer.

Ref: Fully updated current DHHS mask directives can be found at  
<https://www.coronavirus.vic.gov.au/face-masks-when-wear-face-mask> &  
<https://www.humanrights.vic.gov.au/resources/faqs-face-masks-and-human-rights/>