



COVID-19

COMPLETE GUIDE

FOR STRATA MANAGERS, STRATA OWNERS
& SUPPLIERS



strata
community
association®
NSW

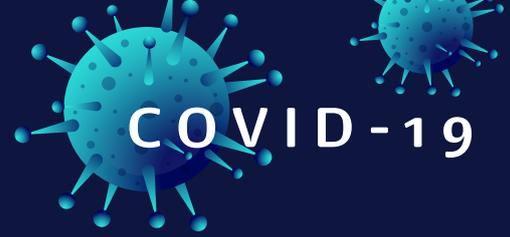
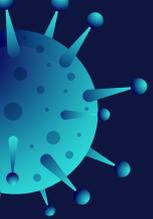


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Preface

A Shift in Normality

Since our last Guide update, a semblance of familiarity has crept back into our lives as Public Health Orders have started to ease restrictions imposed due to COVID-19.

Many of us are back working in the office, our kids back at school and our family and friends able to socialise at an increased level!

Strata Community Association (NSW) has never been busier! We continue to collaborate with State and Federal Government to implement innovative strategies, we've advocated changes in regulation, and presented plans and launched research initiatives to educate and most importantly support our members in the industry.

We've taken great strides in projects that we launched earlier this year, specifically working towards a Professional Standards Scheme, funding research into the impacts of defects across the state and advocating for amendments to Strata regulation to help our members deal with the impact of coronavirus.

Introduction

Strata Community Association (NSW) is the peak industry body for Strata and Community Title Management in New South Wales. Membership includes Strata Managers, support staff, committee members and suppliers of goods and services to the industry.

SCA (NSW) has in excess of 3,000 members who help oversee, advise or manage a combined property portfolio with an estimated replacement value of over \$400 Billion. SCA (NSW) proudly fulfils the dual roles of a professional institute and consumer advocate.

Our Work in Crisis

On behalf of SCA (NSW), we stand behind our members, our stakeholders, and our community as we tackle the outbreak day-by-day to ensure we deliver the most up to date information available.

We would like to extend our thanks and gratitude to all those involved in stymieing the threat and spread of the virus and providing vital care and support to those affected.

We hope the information provided here can be used as a reference for members as a preliminary source tool and will be updated as often as possible.

We have collated information from several Government and health agencies, organisations, associations and communities to ensure that our members are receiving up to date information where possible, and to help disseminate the ideal policies and procedures for strata during this trying time.

Hyperlinks are added in blue throughout the document for convenience.

Section 1: Advice for SCA (NSW) Members and Strata Managers

Owners Corporation Responsibilities

Owners corporations must take appropriate steps to ensure the safety of owners and residents.

Owners corporations and community associations should make their own risk assessment to determine if facilities should remain open.

If the measures above can't be implemented, public health advice would be to close the facilities for the safety of residents and staff.

Failure to do so puts owners corporations at risk of legal liability claims.

Owners corporations and community associations must develop communication strategies to meet the needs of diverse communities.

Particular attention should be given to more vulnerable residents such as the elderly, disabled, and anyone who may not use the internet.

The New Normal

In response to the impact of COVID-19 on strata and community schemes, the NSW Government has made temporary changes to the law to give schemes the flexibility they need to function.

From Friday, 5 June 2020, strata and community land laws have been changed so owners corporations and community associations can:

- meet and vote at general and committee meetings electronically
- provide an alternative to affixing the common seal so documents can be validly executed with electronic signatures
- have more time to hold the first annual general meeting for new schemes and to determine how to reimburse money transferred from one fund to another.

These laws will be in place for six months to help strata and community associations manage their responsibilities during COVID-19.

Meetings and Voting

As of 5 June 2020, new strata schemes now have 6 months in which to hold their first annual general meeting.

Electronic voting and meetings

All strata schemes and community associations can now meet and vote electronically at general and committee meetings.

Previously, strata schemes could only meet and vote electronically if the owners corporation or strata committee had adopted a resolution to allow it. Community schemes laws did not provide for electronic voting.

For some owners, using technology to participate in meetings and voting will be unfamiliar.

To ensure these owners are not excluded or disadvantaged, the scheme's secretary must take reasonable steps to ensure all owners can participate in and vote at meetings.

This requirement applies to strata schemes that haven't previously authorised electronic voting and to all community schemes. It doesn't apply to strata schemes that have previously resolved to allow electronic voting. They are unaffected by these changes.

Electronic voting and meetings are new for all community schemes and required new laws ensuring:

- community associations can vote by teleconference, videoconference, email or other electronic means
- certain motions can be voted on before the meeting using pre-meeting electronic voting
- schemes can hold elections electronically for committees.

Technology and the secretary's responsibilities

At a minimum, the secretary should ensure the technology chosen:

- is accessible to all lot owners
- doesn't incur unreasonable expenses for individual lot owners to use
- has easy to follow instructions readily available.

Committee secretaries should consider the size of the scheme and the type of owners when deciding how to ensure participation.

For example, in a smaller scheme a simple teleconferencing (phone) meeting may be suitable. Larger schemes will most likely need video conferencing platforms, voting websites, and other options.

Are electronic meetings mandatory for all schemes?

No. The new laws simply provide schemes with the option to meet and vote validly by electronic means.

Some schemes may be able to continue holding meetings in person and paper ballots for voting, as long as they follow public health advice about physical distancing and hygiene.

The new laws also allow for meeting notices and other documents to be served by email, rather than hard copy, reducing points of contact.

Matters that can be dealt with in electronic meetings

Under the new laws, all strata and community schemes can adopt any resolution by electronic means.

Schemes may also decide to adopt a resolution to continue to meet and vote electronically after the temporary regulations expire.

Document Execution and Lodgement

Strata and community schemes give formal approval to documents by physically affixing the scheme's common seal. Due to meeting in person restrictions, and many strata management offices being closed, this hasn't been practical for many schemes.

Representatives of schemes can now sign and witness documents electronically to give formal approval instead of affixing the seal.

The scheme's representatives who sign and witness documents will need to provide additional details to confirm their identity and relationship to the scheme. This includes the name of each signatory and witness and their relationship to the scheme.

If the person signing is the managing agent for the owners corporation or association, they will need to provide their name and licence number.

If the managing agent is a corporation, the law enables an officer of that corporation to sign on behalf of the owners corporation or association. Officers who can sign include:

- the president,
- chairperson or other principal officer of the corporation, and
- any member of staff authorised by the president, chairperson or other principal officer.

Officers signing on behalf of a managing agent that is a corporation will need to provide their name and the licence number of the corporation.

Authorised representatives who sign documents instead of affixing the common seal need to do so in each other's presence. Witnessing can be done by an audio-visual link.

Common Areas

Use of common areas should generally be limited to:

- access to and from your home (including moving in or out)
- avoiding injury or illness or to escape risk of harm
- emergencies or emergency assistance

Shared facilities can open as long as restrictions are in place including physical distancing and hygiene. Most importantly, only one person per four square metres is allowed in each space.

These facilities can include:

- swimming pools, saunas and spas
- barbeques
- gyms
- rooftop gardens
- indoor recreation rooms (for example, games rooms)
- outdoor or indoor playgrounds

These facilities can be open for residents (as they aren't a facility open to members of the public). However, facilities need to operate safely and comply with physical distancing and hygiene measures.

If an owners corporation temporarily closes facilities on the common property, a notice of closure must be posted so all residents are aware.

The common property must still be maintained and in good condition.

Cleaning

The following document is the Australian Government Department of Health Cleaning guide. We highly encourage all cleaners, caretakers, Building Managers and Strata Managers to reference this when discussing cleaning plans.

It can be found [here](#).

If Committees are concerned, ask your cleaning company to:

- Increase number of cleans, length of clean, what gets cleaned; and
- Send you their Coronavirus cleaning plan that outlines how they are handling the situation.

Buildings Operating at Capacity

With the devastating effects the COVID-19 pandemic is having on our health systems, the housing sector, unemployment rates and the economy in general are in a downturn. Less documented are the effects that the pandemic will have on the Strata Sector and specifically the residents that live within multi-residential properties.

There are thousands of apartment complexes in NSW where continued operation and resident support and protection is needed because of the heavy use of common areas and resident interaction in high density living.

Since lockdown measures were implemented, there has been enormous strain on all building infrastructure, waste and recycling management, cleaning demand, water/electricity/gas usage and facilities.

Due to the unforeseen nature of COVID-19, many Owners Corporation's would not have budgeted adequately for these additional expenses.

However, any reduction in continued operation will have a snowballing effect for all residents and owners alike.

With more residents working from home and others following self-isolation measures, it's likely that buildings will see a spike in water and utility consumption, as well as other services.

In preparation, managers and Committees should consider how they will manage:

- Additional cleaning and garbage services
- Increased water and utility bills
- Likelihood of increased expenses for plumbing maintenance

Repairs, Maintenance and Deliveries

Schemes may approve essential repairs and maintenance but must consider the welfare of residents if they engage tradespeople or other contractors to work within the scheme:

- residents should be advised of the date, time and timeframe for work being done
- schemes must ensure contractors follow hygiene practices
- interact with contractors outside, where possible
- residents need to maintain social distancing of 1.5 metres between themselves and workers

Renovations and non-essential work

It makes sense for owners corporations and lot owners to delay renovations or non-essential work where it is possible to do so.

Most residents are now at home, and renovations can impact other residents more than usual.

Owners who have already started renovations must consider the welfare of other residents by limiting noise or other disturbances and ensuring contractors follow hygiene practices.

By-laws and new COVID-19 measures introduced by a scheme may restrict when people can access the property for renovation purposes.

If disputes arise and an agreement cannot be reached, you can apply for mediation with Fair Trading.

Should maintenance workers be wearing masks?

Workers at strata schemes don't need to wear a mask if they are well.

Workers may need to wear a mask if they are near an elderly or unwell resident.

[NSW Health](#) provides advice on masks.

Waste disposal

Owners corporations should consider the impact of more residents being at home for longer periods and the impact on waste management.

Where appropriate, arrangements should be made to increase the frequency of waste disposal services.

Fire inspections

Owners corporations still have legal obligations to ensure an annual fire safety inspection is completed.

If a person has COVID-19, a fire safety inspection of their lot must be deferred until the resident has obtained medical clearance.

Owners corporations can only access a lot with the occupier's consent or under an order from NCAT, unless it is an emergency.

Owners corporations should plan ahead for fire safety inspections to ensure adequate time in case there is a delay in obtaining access.

Increased deliveries and concierge services

With people staying home, there will be more deliveries to many buildings.

Large buildings may require additional concierge services.

All residents, including those who may not have access to the internet, must be advised of any restrictions placed on usual access and delivery times.

Be mindful of the needs of self-isolated, disabled or vulnerable residents who are unable to access deliveries made to communal areas such as foyers.

Cashflow Management

With no government stimulus available for Owners Corporations, the ongoing financial administration of your strata property is 100% reliant on strata levy contributions made by owners.

We expect there to be increased cash flow issues that will need adaptive financial solutions and we are committed to working with you to develop strategies to address these- such as deferring non-essential work, smoothing cashflow, instalment payments and facilitating alternative arrangements and budget and services reviews.

The need for a steady and predictable cashflow for your Owners Corporation to meet ongoing and increased expenses has never been greater.

So What Assistance is There?

The Federal and State Governments have announced numerous stimulus packages that are available to both individuals and businesses that have been impacted by Owners that are facing financial hardship, these include:

- Job Keeper Payments
- Job Seeker Payments
- Credit Flow for Small and Medium Business

- Payroll Tax Changes
- Deferral of Parking Space Levy for 6 months
- Deferral of rents for 6 months for commercial tenants with less than 20 employees in all Government-owned properties.
- Licence, registration and permit fees will be automatically waived for 12-months on new applications and renewals lodged by eligible businesses and individuals
- Emergency Cleaning Packages
- Small Business Support Grant
- Instant Asset Write Off Increase

Short Term Rental Accommodation

Changes to strata laws

On Friday, 10 April 2020, strata laws changed to help owners corporations manage short-term rental accommodation.

Owners corporations can adopt by-laws banning short-term rentals in lots which are not the host's principal place of residence.

This means owner-occupiers can still rent out a room while they are there as host, or the whole property while they are away temporarily.

This is the first stage of the NSW Government's new regulations on short-term rental accommodation.

A Code of Conduct for short-term rental has been deferred until later in 2020.

Travel and premises restrictions

The Federal Government has mandated all international arrivals must complete 14 days of quarantine at pre-booked hotels.

Restrictions on travel within NSW have been lifted, including for the purposes of a holiday.

However, the Public Health Order still affects holiday rentals and holiday homes by imposing limitations on the number of persons who can be on the premises, unless they are all members of the same household.

Section 2: Advice for Owners and Occupiers

Self-Isolation

People who arrive in Australia by aircraft from overseas or by vessel from a port outside of NSW must enter into a quarantine arrangement for 14 days as directed by NSW Police.

You must still self-isolate according to the [NSW Health guidelines](#) if you:

- have or are suspected to have COVID-19
- are living with someone suspected to have COVID-19
- have been in close contact with a confirmed case of COVID-19

Affected residents and anyone living with them must stay within their lot except in the event of an emergency or need for medical care.

In those limited circumstances, if you must leave, you should wear a surgical mask, and stay at least 1.5 metres away from others.

More information on self-isolation is available at nsw.gov.au.

We encourage all Owners to notify the Committee or Building Manager if you are in self-isolation as a precautionary measure and to reach out if you are left without any support and need something like groceries.

Should I disclose to the Owners' Corporation or Building Manager that I have been infected with COVID-19?

There are mandatory reporting requirements to health authorities but there is no requirement for a resident to disclose their condition to the owners corporation.

Residents and owners corporations must consider the welfare of other residents, visitors and contractors visiting the scheme.

Many owners corporations encourage residents to disclose this information so precautions can be taken including providing additional hygiene measures, issuing advice to other residents to comply with precautionary measures and to manage and protect contractors.

If a person discloses their condition, an owners corporation must respect the person's privacy and not disclose the individual's identity.

Precautions that can be taken in your building

It is recommended that all Committees work on the basis that there may be someone infected within the building and take any necessary precautions.

Individuals are urged to take a large amount of responsibility in following government guidelines.

- Install hand sanitiser at all lifts, reception areas, etc. We understand supply is hard to get now and are working on finding solutions / suppliers for our clients
- If possible, use knuckles or elbows to press elevator buttons and to open doors
- Install signs in the lifts, lobbies, etc. SCA (NSW) are working on providing a comprehensive infographic for all members.
- Ensure all roll information is up to date. Give notices in the mailbox, under the door, via email, etc. that outlines what precautions are being put in place by the Owners' Corporation (hand sanitiser, extra cleaning, signs in the lifts).

Socialising in the Strata Scheme

Social gatherings outside and inside the home are limited under the Public Health Orders.

Visit the NSW Government [COVID-19 website](#) to read the most up-to-date rules on gatherings and physical distancing, including in areas such as lifts, communal laundries, stairwells, and car parks.

You can download a [printable poster](#) for elevators to assist with physical distancing.

Visitors

Take extra care when visiting vulnerable people and continue to practise physical distancing and good hygiene.

If you're feeling unwell don't visit other people at home, even if your symptoms are mild.

Depending on your scheme, additional or new measures may be taken to help reduce risks to other residents. For example, the owners corporation could set up a central point for receiving deliveries or implement preventative measures for tradespeople.

Residents must be informed of any new or changed procedures and information about them should be displayed on the scheme's noticeboard.

Personal trainers can visit as long as they follow Public Health Orders and physical distancing rules.

Hygiene

Owners corporations must consider cleaning common areas more frequently.

In particular, frequent points of contact such as door handles, handrails, light switches, lift buttons, and garbage chutes and rooms must be disinfected more regularly.

Strata managers, committees and contract cleaners must have procedures in place to ensure cleaning practices conform with the Department of Health's [environmental cleaning and disinfection-principles for COVID-19](#).

Speak with the strata managing agent or strata committee if you're concerned about common area hygiene.

SCA (NSW) urges all members to be patient and accommodating of policies Committees create to help protect you and your neighbours.

Technology for Strata:

Working from home may be a new experience for many of you, but thankfully there are plenty of apps and information out there to help you stay connected with your colleagues. We're sharing this list from SCA (QLD):

Technology to run meetings

Keep on track with team meetings run through [Zoom](#), [Webex](#), [Microsoft Teams](#) and [Go To Meeting](#). You can also use [Skype for Business](#).

Technology to keep up to date and collaborate

Email is probably the least responsive way to get through this crisis, especially when it comes to working together as a team. This is because anything you attach creates versions which can quickly become out-of-date and all require uploading and downloading to be edited, which is time-consuming. Enhance your daily team stand-ups with collaboration tools like [Slack](#) which is essentially a chat room for your business and allow the conversations to continue and decisions to be made.

Technology to share documents

There is a myriad of apps to support document sharing. [Dropbox](#) is easy-to-use and free to setup and [Google Drive](#) is very popular too. If you're a Microsoft user, now might also be the time to explore [OneDrive](#), which is part of your Office365 account. Each will allow you to upload and/or create documents and share them with others in your team, who – depending on your permissions – can also edit or comment.

Technology for team projects

Check out tools like [Monday](#), [Asana](#), [Trello](#) or [Basecamp](#). Your team will be able to see updates in real time, share links to files and they're all easier and much more visual, which means you can see where things are at a glance even on your phone.

Technology for team training

Use [Zoom](#) to organise webinars – you can share your screen and run through slides or PowerPoints and even record proceedings. If you need to record videos for training, check out [Loom](#). You can use it on any website and record both your actions and your own face, so it's a great way to step people through processes.

Section 3: Communication and Support

This unprecedented situation presents us with an opportunity to pull together and support our communities in an hour of need.

Our advice is to keep the communications concise and consistent, and make sure your messaging is clear.

The long-term effects of isolation, particularly for the most vulnerable groups, will be acute, so we would encourage safe community engagement to ensure we combat loneliness.

Social Implications

Strata Managers and Building Managers are being asked to deal with circumstances that few will have

experienced before or had appropriate training in.

As people come to terms with the new normal with many facing added pressures, such as job loss and economic hardship, strata communities will likely see spikes in undesirable behaviour as people grapple with anxiety and uncertainty.

Strata Managers and Building Managers may be confronted with:

- Angry, aggressive or coercive language or behaviour from those people who are under extreme financial pressure
- Experience overseas shows that the instances of domestic violence increases as restrictions on movement are enforced
- With everyone at home, noise complaints and other by-law breaches will increase – many schemes may already be dealing with this
- Self-harm and suicides are also likely to increase

SCA (NSW) has a zero-tolerance policy for aggressive language or behaviour that intends to cause emotional or physical harm.

Managers and Committees are encouraged to circulate communications policies to residents that promote calm and considerate interaction between people.

The onus is on every individual within strata communities to treat each other with kindness, respect and patience during this trying time.

Counselling

For any person experiencing distress during COVID-19, there are a range of support services, including online and over-the-phone counselling – see our resources section below.

If you need emergency assistance phone 000 for police, ambulance or fire services.

More information on health and mental health services during COVID-19, can be accessed [here](#).

Section 4: SCA (NSW) – Our Response

The strata ecosystem is more critical now than ever and the commerce of strata must continue to protect the safety of our residents.

In communities where the virus hits, it is deepening the consequences of operational cutbacks, pushing many of the burdens onto Building Managers and Strata Companies with reduced staff or minimal resources.

This is not a time to step back, it is a time to step up for our communities and members, and we are doing everything we can to ensure strata titled complexes are continuing to operate.

Our key focus is on the impact to our members, their employees, our stakeholders, and the impact on SCA (NSW) meetings and events, as well as the proximity in which many of our members reside.

Fair Trading understands this presents a problem for larger schemes in the current environment and is reviewing the situation.

Section 5: Common Questions and Answers

Strata Specific Questions:

We have scheduled major works - should we continue?

SCA (NSW) is concerned about the huge decreases to maintenance and repair works on apartment buildings under the current lockdown restrictions. If strata communities cancel ongoing maintenance or planned work, they impact not only on the workflow of strata ecosystems, they can cause long-term effects on the building and amenities and will cost far more money to fix in the long run.

The strata ecosystem is more critical now than ever and the commerce of strata must continue to protect the safety of our residents.

It is vital that work that needs to be done, is done; particularly essential repairs and maintenance so that buildings remain safe and in good condition for their residents.

Can our building have contractors onsite?

Tradespeople can work on apartment buildings under the current restrictions, as maintenance and repair works are falling under essential services and are therefore permitted. Tradespeople need to employ strict protocols and risk assessment and management plans in place to deal with COVID-19 because it's all about the safety of their clients and their employees.

We highly encourage all building managers, caretakers, facilities managers, or strata managers to communicate with any contractors, trades etc. and advise of the following:

- Ask them to avoid close personal contact with any one on site
- Sanitize hands and equipment if they are coming on site before and after conducting their duties
- If they have been overseas or are feeling unwell, contact immediately and postpone the works – they should not attend the site
- Bring their own pens/pencils if any signatures etc. are required
- Avoid shaking hands

Can residents suspected or confirmed of having COVID-19 be restricted from using a lift?

No. They are however required to follow self-isolation rules. The NSW Police are responsible for enforcing those rules.

Visitors, carers, and residents should ensure they enter a lift with only their immediate family or on their own.

Who can I complain to if increased noise or smoke drift becomes a nuisance?

Inform your strata committee or strata manager. These matters are covered by existing by-laws.

Can a community golf course or tennis court be used?

If these are outdoor facilities, they can remain open, provided Public Health Orders are followed.

What can I do if I can't pay my levies on time?

Contact your strata committee and advise them of your situation. You may be able to negotiate a payment plan.

Owners corporations can decide by resolution at a general meeting to provide a payment plan or waive interest charges on arrears for owners who can't meet levy contributions.

Payment plans are limited to a maximum of 12 months.

If you're unable to agree to an arrangement, you can apply for mediation with Fair Trading.

If they can't help you reach an agreement, you can then apply to the NSW Civil and Administrative Tribunal for a decision.

Helpful Resources

[World Health Organisation](#) – Information and guidance from WHO regarding the current outbreak of coronavirus disease (COVID-19) that was first reported from Wuhan, China, on 31 December 2019.

Find the latest information from WHO on where COVID-19 is spreading:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/situation-reports/>

Advice and guidance from WHO on COVID-19

https://www.who.int/docs/default-source/coronaviruse/getting-workplace-ready-for-covid-19.pdf?sfvrsn=359a81e7_6

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

<https://www.epi-win.com/>

[Australian Government – Department of Health](#)– resource page includes what you should know about the virus, situation updates, travel restrictions and resources and fact sheets for travellers, businesses, and others.

Health

Australian Government Department of Health website [here](#)

NSW Health Department: [NSW Health Information](#)

NSW Health fact sheet: [Frequently Asked Questions](#) about COVID-19.

Advice for the [Elderly](#)

Advice for parents with [Children](#)

Advice for People with [Disabilities](#)

[Beyond Blue's](#) new COVID-19 Mental Health Support Service

ReachOut [online youth forums](#) and [online parents forums](#) offering peer support in safe and established online communities.

SANE have an active [online forum](#) focused on unpacking fact from fiction about COVID-19 and providing self-care strategies.

24/7 Support Lines

- Lifeline 13 11 14
- Beyond Blue 1300 22 4636
- Kids Helpline 1800 55 1800
- MensLine 1300 78 99 78
- Suicide Call Back Service 1300 659 467

Visit [Head to Health](#) for links to trusted Australian mental health online and phone supports, resources and treatment options. This useful website also has online programs and forums, as well as a range of digital information resources.

Call the National Coronavirus Helpline on 1800 020 080. It operates 24 hours a day, seven days a week. If you require translating or interpreting services, call 131 450.

Contact your local state and territory health departments for information about your local health system arrangements. Find their information [here](#).

Meeting and Event Specific Resources

[World Health Organisation](#) – Key planning recommendations for mass gathering in the context of the current COVID-19 outbreak.

[PCMA](#) – Global Association of Business Events Leaders information page and resources.

[US Centres for Disease Control and Prevention](#) – Interim Guidance – Get your Mass Gatherings of Large Community Events ready for Coronavirus Disease 2019 (COVID-19)

Workplace and Business Continuity Resources

[Australian Government – Department of Health](#) – Information for Employers

[Safework Australia](#) – Coronavirus (COVID-19) – Advice for PCBU's (persons conducting a business or undertaking)

[McKinsey & Company](#) – COVID-19 Implications for Business

[Associations Now](#) – Article – How to Keep your Association Running if Coronavirus Worsens

[Harvard Business Review](#) – Article – Lead your Business through the Coronavirus Crisis

COVID-19 information in different languages

[SBS – Coronavirus information in your language](#)

Disclaimer:

SCA (NSW) makes no warranty, guarantee, or representation as to the accuracy or sufficiency of the information featured in this Guide. SCA (NSW) is reliant upon what we believe to be reliable and expert sources to provide accurate and sufficient information. The information, opinions, and recommendations presented in this Guide are for general information only and any reliance on the information provided is at your own risk. The Guide should not be considered legal advice.