



Northern Territory of Australia

Public and Environmental Health Act 2011

**COVID-19 Directions (No. 83) 2021:
Directions for low vaccinated communities**

I, Charles Hawkhurst Pain, Acting Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011* (the **Act**), consider it necessary, appropriate or desirable to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020, (the **public health emergency declaration**), by making the following directions:

- 1 These Directions take effect at 12:01 am on 15 November 2021 and remain in force while the public health emergency declaration is in force.

Note for direction 1

These Directions will remain in force during any subsequent extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 In these Directions:

low vaccinated community means a community in the Territory that:

- (a) has a low vaccination rate as determined by the Chief Health Officer from time to time; and
- (b) is published on the website coronavirus.nt.gov.au.

- 3 If these Directions are inconsistent with an advice, order or notice under the *Notifiable Diseases Act 1981*, the advice, order or notice prevails to the extent of the inconsistency.

Example for direction 3

A person may be ordered under the Notifiable Diseases Act 1981 to isolate for longer

than the quarantine period or to undertake a specific course of medical treatment.

- 4 These Directions apply to any person over 12 years of age who enters a low vaccinated community within 14 days of being in any of the following local government areas, localities or places:
- (a) City of Darwin local government area;
 - (b) City of Palmerston local government area;
 - (c) Litchfield local government area;
 - (d) Wagait Shire local government area;
 - (e) Belyuen Shire local government area;
 - (f) the Darwin Waterfront Precinct as specified under section 4 of the *Darwin Waterfront Corporation Act 2006*;
 - (g) Charles Darwin National Park and East Arm, prescribed as Area A for the *Northern Territories Rates Act 2014*, a map of which is attached as a Schedule;
 - (h) the following localities of the Territory:
 - (i) Berrimah;
 - (ii) Northcrest;
 - (iii) the unincorporated Elrundie area;
 - (iv) Dundee Beach;
 - (v) Dundee Forrest;
 - (vi) Bynoe;
 - (vii) Charlotte;
 - (viii) Cox Peninsula;
 - (i) Municipality of Katherine;
 - (j) Town of Alice Springs;
 - (k) any place outside the Territory.

- 5 To avoid doubt, these Directions do not limit a right under section 71(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).
- 6 The person must wear a face mask in accordance with these Directions while the person is in a low vaccinated community.
- 7 A person travelling through a low vaccinated community in or on a vehicle is not required to wear a face mask under these Directions while the person remains in or on the vehicle.
- 8 The face mask must be worn for the lesser of the following periods:
- (a) the period of 7 days after the person enters the low vaccinated community;
 - (b) the period the person remains in the low vaccinated community.
- 9 The face mask must be worn while the person:
- (a) is outside the premises where the person resides; and
 - (b) is within 1.5 m of another person who does not reside at the same premises.
- 10 The face mask must be worn securely over the person's nose and mouth.
- 11 A person is not required to wear a face mask if the person:
- (a) is a child (over 12 years of age) attending primary school, while at school; or
 - (b) has a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable; or
 - (c) is engaged in exercise or sport or is swimming; or
 - (d) is communicating with a person who is hearing impaired and visibility of the person's mouth is essential; or
 - (e) is alone in a vehicle; or
 - (f) is eating or drinking; or
 - (g) is asked to remove the face mask to ascertain the person's identity;

or

- (h) is requested by a health practitioner or speech pathologist to remove the face mask in order to administer treatment to the person; or
- (i) is a teacher, educator or child care worker in a school or child care facility who removes it for the purpose of teaching or child care activities; or
- (j) must remove it in an emergency.

12 A police officer or an authorised officer may:

- (a) request a person who is not wearing a face mask as required by these Directions to state the person's reason for not doing so; and
- (b) if the person claims to have a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable – require the person to produce evidence to support that claim.

Notes for COVID-19 Directions

- 1 *Section 56 of the Act provides for an offence for failing to comply with a direction given under section 52 of the Act.*
- 2 *The maximum penalty for this offence is 400 penalty units.*
- 3 *A person is not guilty of this offence if the person has a reasonable excuse.*
- 4 *An infringement notice may be given for failing to comply these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*



Acting Chief Health Officer

Dated 12.11.21

17.39

Schedule

Area A for the *Northern Territory Rates Act 2014*



