



Northern Territory of Australia

*Public and Environmental Health Act 2011*

## **COVID-19 Directions (No. 37) 2022: Directions for maritime crew**

I, Hugh Crosbie Heggie, 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:

### **Part 1 Preliminary matters**

- 1 These Directions take effect when they are made 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 My COVID-19 Directions (No. 3) 2021 are revoked.
- 3 My COVID-19 Directions (No. 131) 2021, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions, do not apply to a person who is subject to quarantine under these Directions.
- 4 In these Directions:  
  
***commercial vessel, see direction 5.***

**crew member**, see direction 6.

**quarantine period**, see direction 7.

**social distancing measures**, means the measures required under direction 25.

**vaccinated or exempt**, in relation to a crew member, means the crew member:

- (a) has received at least 2 doses of a COVID-19 vaccine approved by the Therapeutic Goods Administration, Department of Health (Cth); or
- (b) has received an approved number of doses of a COVID-19 vaccine recognised by the Therapeutic Goods Administration, Commonwealth Department of Health for the purpose of travel to Australia; or
- (b) has a certificate issued by the Commonwealth that certifies that the person has a permanent or temporary contraindication to all approved COVID-19 vaccines.

5 A **commercial vessel** is a vessel, other than a cruise ship, involved in a commercial activity, including the following:

- (a) a fishing vessel;
- (b) a vessel carrying freight or a vessel supporting the movement of freight;
- (c) a vessel involved in pipeline or petroleum industries;
- (d) a vessel involved in the provision of port services or maintenance services;
- (e) a vessel transporting marine pilots or marine surveyors;
- (f) a government vessel.

- 6 A **crew member** is a person engaged in the operation of a commercial vessel, or providing services to support the operation of a commercial vessel, and includes:
- (a) an accredited veterinarian, or a person who handles stock, on board a livestock carrier; and
  - (b) a government official who is required to be on board a vessel to perform functions in the regulation of an industry, as an authorising body or as an enforcement agency.
- 7 The **quarantine period**, for a crew member, who enters the Territory, is the period starting when the crew member enters the Territory and ending at 12:00 noon on the 14th day after the day the crew member enters the Territory.
- 8 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 8*

*A person may be ordered under the Notifiable Diseases Act 1981 to isolate for a period longer than 14 days to undertake a specific course of medical treatment.*

- 9 To avoid doubt, my COVID-19 Directions (No. 22) 2022, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions, apply to any person who is notified by an authorised officer or a health practitioner that the person is infected with COVID-19.

## **Part 2 Crew member entering Territory**

- 10 This Part applies in relation to a person who is:
- (a) a crew member on a commercial vessel that enters the Territory; or
  - (b) a crew member who enters the Territory to join a commercial

vessel in the Territory.

- 11 The crew member entering the Territory must, in a written or electronic form approved by me, declare the following information:
- (a) the crew member's contact details;
  - (b) whether the crew member is vaccinated or exempt;
  - (c) details of where the crew member intends to stay while in the Territory.
- 12 A crew member must, if requested by an authorised officer or another person approved by me, present to the authorised officer or other person:
- (a) the declaration made under direction 11; or
  - (b) any evidence of the person being vaccinated or exempt.

### **Part 3 Quarantine requirements**

#### **Division 1 Entering Territory on commercial vessel**

- 13 This Division sets out the quarantine requirements that apply to a crew member who enters the Territory on a commercial vessel if:
- (a) the crew member is not vaccinated or exempt; or
  - (b) the crew member has not received an exemption under direction 19.
- 14 The crew member must remain quarantined for the quarantine period on the commercial vessel or, if the vessel is not available to be used for accommodation, at a place approved by me.
- 15 While the commercial vessel remains in port:
- (a) a crew member who is quarantining on board the vessel may disembark, wearing a face mask:
    - (i) to perform essential vessel functions; or

- (ii) for receiving medical treatment, including receiving a COVID-19 vaccine approved by the Therapeutic Goods Administration, Department of Health (Cth); and
  - (b) the crew member must otherwise remain on board the vessel:
    - (i) for the quarantine period; or
    - (ii) until the vessel departs, if sooner; and
  - (c) the crew member must wear a face mask in public spaces on board the vessel while other persons who are not crew members are on board.
- 16 For the purposes of direction 15(a) a person is not performing an essential function if:
  - (a) another crew member is reasonably able to perform the function; and
  - (b) that crew member is vaccinated or exempt.
- 17 A crew member who is not vaccinated or exempt may apply for an exemption to enter the Territory if the crew member is any of the following:
  - (a) a crew member who is entering the Territory to begin residence in the Territory;
  - (b) a crew member escaping domestic violence;
  - (c) active Australian military personnel required to assist the Territory or required to enter the Territory while performing their official duties;
  - (d) a specialist coming to the Territory to provide services for the continuity of industry or business and the maintenance of competitive operations if:
    - (i) the specialist's skills are difficult to obtain in the

Territory; and

- (ii) the service must be provided without delay; and
- (iii) the specialist must be physically present in the Territory to provide the service;

- (e) a crew member coming to the Territory for necessary maintenance or repair of power, water, communications or other infrastructure critical to the Territory;
- (f) a crew member, other than an abattoir or meat packing worker, coming to the Territory to provide urgent services that are critical to ensure continuity of the agricultural industry;
- (g) a crew member who needs to enter the Territory for a compassionate purpose.

18 An application from a crew member specified in direction 17(d), (e) or (f) must be supported by:

- (a) the Chief Executive Officer of the Agency or Government owned corporation responsible for the subject matter of the request; or
- (b) the Secretary (or equivalent) of the Department or Agency of the Commonwealth responsible for the subject matter of the request; or
- (c) the delegate of the Chief Executive Officer or the Secretary (or equivalent).

*Example for direction 18*

*The Chief Executive Officer of the Department of Industry, Tourism and Trade may request an exemption for a veterinarian to come to the Territory to provide services to the agricultural sector.*

- 19 An exemption may, on application, be granted to a crew member specified in direction 17 by me, my delegate or an authorised officer.
- 20 A crew member granted an exemption under direction 19 is still subject to these Directions.

## **Division 2 Entering Territory to join commercial vessel**

- 21 Direction 22 applies to a crew member who:
- (a) enters the Territory to join a commercial vessel in the Territory; and
  - (b) is not vaccinated or exempt.
- 22 The crew member referred to in direction 21 must quarantine by:
- (a) travelling directly from the place of entry to a place approved by me; and
  - (b) remaining quarantined in that place for the quarantine period.

## **Division 3 Leaving the Territory**

- 23 A crew member who is not vaccinated or exempt and who enters the Territory on a commercial vessel may:
- (a) leave the Territory by aircraft before the quarantine period expires:
    - (i) by proceeding directly to the airport for the purposes of the flight; and
    - (ii) practising social distancing measures while in the Territory; or
  - (b) leave the Territory by sea, before the quarantine period expires:
    - (i) on the same commercial vessel, or by proceeding directly to another commercial vessel; and
    - (ii) practising social distancing measures while in the Territory.

- 24 A crew member who is not vaccinated or exempt and who enters the Territory other than on a commercial vessel may leave the Territory by aircraft before the quarantine period expires, by proceeding directly to the airport for the purposes of the flight and practising social distancing measures while in the Territory.

## **Part 4 Social distancing, and face mask requirement**

### **Division 1 Social distancing**

- 25 A crew member who must practise ***social distancing measures*** under these Directions must:
- (a) take all reasonable steps to sleep in a room or other enclosed space separate from any other person, except another person who is also subject to social distancing measures; and
  - (b) take all reasonable measures to stay at least 1.5 m away from other people; and
  - (c) regularly check for symptoms of COVID-19, including fever, coughing, sore throat, muscular pains, shortness of breath unexpected tiredness, loss of and altered sense of taste and loss of sense of smell; and
  - (d) if the crew member displays a symptom referred to in paragraph (c) – contact the COVID-19 Hotline or a medical practitioner to determine whether to be tested or assessed for infection with COVID-19; and
  - (e) submit to a test or assessment for infection with COVID-19 if required by me.

*Note for direction 25*

*The COVID-19 Hotline number is 1800 490 484.*

- 26 If a crew member to whom these Directions apply experiences any symptoms of infection with COVID-19, the crew member:
- (a) must not board an aircraft or a vessel; and
  - (b) must contact the COVID-19 Hotline or a medical practitioner to determine whether to be tested or assessed for infection with COVID-19; and
  - (c) must submit to a test or assessment for infection with COVID-19 if required by me.

*Note for direction 26*

*The COVID-19 Hotline number is 1800 490 484.*

## **Division 2      Face mask requirement**

- 27 This Division applies to a crew member who is required to wear a face mask under direction 15.
- 28 The crew member must wear a face mask securely over the crew member's nose and mouth.
- 29 The crew member is not required to wear a face mask if the crew member:
- (a) has a physical or mental health illness or condition, or disability, which makes wearing a face mask unsuitable; or
  - (b) is communicating with another person who is hearing impaired and visibility of the mouth is essential; or
  - (c) is asked to remove the face mask to ascertain their identity; or
  - (d) is requested by a health practitioner to remove the face mask in order for the health practitioner to administer treatment to the crew member; or
  - (e) must remove the face mask in an emergency; or
  - (f) is engaged in vigorous exercise or is swimming; or

(e) is seated and eating or drinking.

## **Part 5 Transitional matters**

30 Any crew member who is in quarantine under COVID-19 Directions (No. 3) 2021 when these Directions take effect is no longer required to remain in quarantine as of the date of these Directions, unless the person is subject to quarantine under Part 3 of these Directions.

### *Notes for these Directions*

- 1 *Section 56 of the Act provides for an offence for failing to comply with a direction given by me under section 52(3) 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.*

.....

Chief Health Officer

Dated