



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 132) 2021: Directions for freight workers

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 at 12:01 am on 20 December 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 My COVID-19 Directions (No. 56) 2021 are revoked.

- 3 In these Directions:

approved, other than in relation to a freight risk mitigation management plan, means approved by me.

Border Directions means my COVID-19 Directions (No. 131) 2021, as amended, or any subsequent Directions that replace and substantially correspond to those Directions.

certificate means a certificate issued under direction 13.

exclusion zone means a specified area of the Territory:

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

freight risk mitigation management plan means the plan required under direction 11.

freight worker, see direction 4.

vaccinated or exempt, in relation to a person, means the person:

- (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 a certificate issued by the Commonwealth that certifies that the person has a permanent or temporary contraindication to all approved COVID-19 vaccines.

4 A **freight worker** is any of the following persons who provides services for the transport of goods or freight into, within or out of the Territory by rail or road:

- (a) a heavy vehicle driver;
- (b) rail crew or a rail driver;
- (c) a non-heavy vehicle commercial freight operator;
- (d) a support worker;
- (e) any other person essential to the delivery of goods.

Examples for direction 4(d)

- 1 *A specialist mechanic or rail engineer providing mechanical or engineering support for the transport of commercial freight is a support worker.*
- 2 *A person undertaking activities that can be performed remotely, such as a person providing administrative support or a manager attending a meeting, is not a support worker.*

Example for direction 4(e)

A person essential to the delivery of freight includes two-up drivers, a pilot or escort for an oversize or overmass vehicle or tow truck driver for heavy vehicle salvage.

- 5 My Border Directions as amended or any subsequent Directions that replace and substantially correspond to those Directions, do not apply to freight workers.
- 6 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 6

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.

- 7 To avoid doubt, my COVID-19 Directions (No. 7) 2020, or any subsequent Directions that replace and substantially correspond to those Directions, apply to any person who is notified by an authorised officer or health practitioner that the person is infected with COVID-19.
- 8 To avoid doubt, these Directions do not limit a right under section 71(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).

Part 2 Entry requirements

Division 1 Prohibited entry

- 9 A freight worker must not enter the Territory unless the freight worker is vaccinated or exempt.
- 10 A freight worker must not enter the Territory unless the freight worker has a certificate issued by the Agency under direction 13, valid as at the time of entry, certifying that the freight worker has a freight risk mitigation management plan approved by the Agency.

Division 2 Freight risk mitigation management plan

- 11 Before entering the Territory, a freight worker must submit to the Agency, for its approval, a plan for the mitigation of the risk of the freight worker infecting others with COVID-19 while in the Territory.
- 12 The freight risk mitigation management plan must be in an electronic form approved by the Agency.
- 13 If the Agency approves the freight risk mitigation management plan, the Agency must issue the freight worker with a certificate certifying that the freight worker has a freight risk mitigation management plan approved by the Agency.
- 14 The freight risk mitigation management plan and certificate are valid for the period of time specified on the certificate.
- 15 A freight worker is not required to submit a new freight risk mitigation management plan before each subsequent entry into the Territory, unless the certificate has expired.
- 16 A freight risk mitigation management plan approved by the Agency under my COVID-19 Directions (No. 56) 2021 is taken to be a freight risk mitigation management plan approved by the Agency under these Directions.
- 17 A certificate issued by the Agency in relation to a freight risk management plan approved under my COVID-19 Directions (No. 56) 2021 is taken to be a certificate issued by the Agency under these Directions.

Division 3 Requirements on entry

- 18 A freight worker entering the Territory must produce the following:
 - (a) evidence of the freight worker's vaccination or exemption in accordance with direction 9;

- (b) the certificate required under direction 10;
- (c) a declaration in accordance with direction 20.

Note for direction 17(a)

This involves determining whether the freight worker is fully vaccinated or is unvaccinated. Viewing a completed appointment slip or a medical certificate for the first dose or a digital certificate for full vaccination on a mobile phone would be sufficient. See also: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/certificates>

- 19 The certificate, evidence and declaration must be submitted:
 - (a) to an authorised officer at the place of entry; or
 - (b) to another person, or in another approved manner.
- 20 For direction 18(c), the freight worker must, in an approved form (written or electronic), declare the following information:
 - (a) the freight worker's contact details;
 - (b) details of where the freight worker intends to stay while in the Territory;
 - (c) the dates and times, if any, when the freight worker was last tested for COVID-19 infection.
- 21 A freight worker entering the Territory must submit, at the place of entry, to an approved screening procedure for COVID-19 infection conducted by one of the following:
 - (a) an authorised person;
 - (b) a health practitioner, as defined in section 5 of the Health Practitioner Regulation National Law;
 - (c) another approved person.

- 22 If a screening procedure shows that a freight worker is suspected of being infected with COVID-19, the freight worker must comply with my COVID-19 Directions (No. 21) 2020 or any subsequent Directions that replace and substantially correspond to those Directions.

Part 3 Testing after entry

- 23 A freight worker must submit to an approved testing procedure for COVID-19 infection that is conducted:

- (a) by one of the following:
 - (i) an authorised officer;
 - (ii) a health practitioner as defined in section 5 of the Health Practitioner Regulation National Law;
 - (iii) another approved person; and
- (b) at the time and place specified by me.

- 24 The freight worker must submit to the testing procedure at least every 7 days, while in the Territory, starting on the day specified in direction 25.

- 25 The first testing procedure must occur on or before the earlier of the following:

- (a) the day the freight worker enters the Territory, or as soon as practicable after entry;
- (b) 7 days after the day the freight worker was last tested, if the freight worker was last tested during the period 6 days prior to entry.

Example for direction 25

A freight worker enters the Territory on the 7th of the month. The worker was last tested in NSW on the 1st of the month. The first day of testing would be the 8th of the month, the day after entering the Territory.

- 26 If a freight worker is notified by a government authority in a State or another Territory that the freight worker is a close contact of a case of COVID-19, the freight worker must contact the COVID-19 Hotline, identify themselves as a close contact and follow any directions given by an authorised officer.

Note for direction 26

The COVID-19 Hotline number is 1800 490 484.

- 27 A freight worker must comply with the freight risk mitigation management plan approved by the Agency while the freight worker is in the Territory.

- 28 A freight worker must, while the freight worker is in the Territory:

(a) 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

(b) if the freight worker displays a symptom referred to in paragraph (a) – contact the COVID-19 Hotline or a medical practitioner to determine whether to be tested or assessed for COVID-19 infection.

- 29 A freight worker who fails to comply with the COVID-19 testing procedure under this Part must:

(a) travel directly to a place specified by an authorised officer; and

(b) remain quarantined in that place for the period from the time of non-compliance until 12:00 noon on the 14th day after the first day of non-compliance.

- 30 A freight worker is not required to remain in quarantine if:

(a) the worker later submits to the required COVID-19 testing procedure; and

(b) the testing procedure indicates the worker is not infected with

COVID-19.

- 31 A freight worker who is transporting perishable goods or livestock may deliver, or make other arrangements for, the goods or freight before travelling to a place for quarantine in accordance with direction 29(a).

Part 4 Exclusion zones

Division 1 Entry to exclusion zones restricted

- 32 For the 14-day period after entering the Territory, a freight worker must not travel to or enter an exclusion zone unless the freight worker:
- (a) wears a face mask in accordance with Division 2; and
 - (b) submits to the rapid antigen COVID-19 testing procedure:
 - (i) before entering the exclusion zone for the first time each day; and
 - (ii) once each day while in the exclusion zone.
- 33 A freight worker may transit through an exclusion zone if:
- (a) the freight worker travels on a major highway that transits through the exclusion zone; or
 - (b) the freight worker is only stopping for food, fuel, medical necessity or accommodation and does not enter premises unrelated to those purposes; or
 - (c) when entering a venue in the exclusion zone, the freight worker uses the Territory Check In application or gives the worker's contact information to a person in authority at the venue; or
 - (d) the freight worker practises regular hand hygiene by washing hands or using hand sanitiser while in the exclusion zone; or
 - (e) the freight worker practises the following social distancing measures while in the exclusion zone:

- (i) 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;
- (ii) take all reasonable measures to stay at least 1.5 m away from other people;
- (iii) wear a face mask at all times the freight worker is not in the freight worker's vehicle or accommodation.

34 A freight worker in transit through an exclusion zone may only stop in an exclusion zone for food, fuel, medical necessity or accommodation and must not enter premises unrelated to those purposes in the exclusion zone.

Division 2 Face mask requirement

35 This division applies to a freight worker who is required to wear a face mask under direction 32(a).

36 The freight worker must wear a face mask securely over the worker's nose and mouth.

37 The freight worker is not required to wear a face mask if the worker:

- (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 worker; 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.

Notes for COVID-19 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.*

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Chief Health Officer

Dated