



Northern Territory of Australia

Public and Environmental Health Act 2011

**COVID-19 Directions (No. 08) 2022:
Directions requiring evidence of vaccination or exemption for
places, businesses, activities, services and premises**

I, Hugh Crosbie Heggie, Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011*, 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 12:00 noon on 10 January 2022 and remain in force until the public health emergency declaration ceases to be in force.

Note for direction 1

The period the public health emergency declaration is in force has been extended under section 50(2) of the Public and Environmental Health Act 2011. These Directions remain in force during the periods of extension.

- 2 In these Directions:

approved means approved by the Chief Health Officer.

person in authority, in relation to a place, business, activity, service or premises, means any of the following:

- (a) the occupier of the place or premises;
- (b) the proprietor of the business;
- (c) the person conducting the activity or service;
- (d) if the person referred to in paragraphs (a) to (c) cannot be identified – the person who appears to be in charge of the place, business, activity, service or premises.

Note for direction 2

The term **proprietor** is defined in the Act.

the public, in relation to a place, business, activity, service or premises, includes a customer or member of the place, business, activity, service or premises.

- 3 These Directions apply to all places, businesses, activities, services and premises listed in the Schedule.
- 4 These Directions do not apply to any part of a place, business, activity, service or premises listed in the Schedule that is used exclusively for exercise.
- 5 The person in authority of a place, business, activity, service or premises must take reasonable steps to ensure that no member of the public enters the place, business or premises or begins the activity or service without providing:
 - (a) evidence that the member of the public is vaccinated with at least 2 doses of a COVID-19 vaccine approved by the Therapeutic Goods Administration, Commonwealth Department of Health;
 - (b) evidence that the member of the public is vaccinated with 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;
 - (c) has a certificate issued by the Commonwealth that certifies that the member of the public has a permanent or temporary contraindication to all those approved COVID-19 vaccines.

Note for direction 5(b)


For vaccines see: [International COVID-19 vaccines recognised by Australia | Therapeutic Goods Administration \(TGA\)](#)

- 6 A member of the public who cannot provide the evidence or certificate required under direction 5 must not enter the place, business or premises or begin the activity or service.
- 7 Directions 5 and 6 do not apply in relation to a person under 16 years of age.

- 8 For these Directions, a person in authority may request and collect immunisation information that is protected information under section 22(2) of the *Australian Immunisation Register Act 2015* (Cth).
- 9 A person in authority must:
- (a) destroy any copy of the evidence or certificate given to the person under direction 5 as soon as practicable, but in any case no later than 48 hours after the evidence or certificate is given; and
 - (b) ensure any copy of the evidence or certificate is secured against access by any person for any purpose other than a person or purpose specified in paragraph (c); and
 - (c) ensure that any copy of the evidence or certificate given to the person is not disclosed, except to an authorised officer when requested for the purpose of compliance or enforcement of these Directions or contact tracing in relation to COVID-19.

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 the offence is 400 penalty units.*
- 3 *A person is not guilty of the offence if the person has a reasonable excuse.*
- 4 *An infringement notice may be given for failing to comply with these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*


... Digitally signed by Dr Hugh Heggie
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Health, ou=Public Health &
Clinical Excellence,
email=Hugh.Heggie@nt.gov.au,
c=AU
Date: 2022.01.10 11:53:18+10:30*

Chief Health Officer

Dated

Schedule List of places, businesses, activities, services or premises

direction 3

- 1 Premises licensed under the *Liquor Act 2019* that sell liquor for consumption on the premises during the hours liquor is allowed to be sold on the premises.

Notes for item 1

- 1 *Licensed premises include bars, clubs, nightclubs, restaurants and any other premises with an authority to sell liquor under the Liquor Act 2019. See: <https://nt.gov.au/industry/hospitality/licensed-premises/list-of-nt-licensed-premises>.*
- 2 *Licensed premises that only sell liquor during certain hours are not included outside those hours when the sale of liquor is allowed.*
- 3 *Licensed premises that sell liquor for consumption off premises are not included.*
- 2 A cinema, theatre, concert hall, music hall, dance hall and any other similar entertainment venue.
- 3 A casino within the meaning of the *Gaming Control Act 1993*.
- 4 A business that holds a gaming machine licence within the meaning of the *Gaming Machine Act 1995*.
- 5 Any place or premises that:
- (a) conducts an event or public gathering that is ticketed; and
 - (b) is expected to have more than 500 people in attendance; and
 - (c) is located in any of the following places:
 - (i) Municipality of Darwin;
 - (ii) Darwin Waterfront Precinct as specified under section 4 of the Darwin Waterfront Corporation Act 2006;
 - (iii) Municipality of Palmerston;
 - (iv) Municipality of Litchfield;
 - (v) Town of Katherine;
 - (vi) Town of Tennant Creek;
 - (vii) Town of Alice Springs.

- 6 Any place or premises that:
- (a) conducts an event or public gathering that is ticketed or open to the public; and
 - (b) is expected to have more than 100 people in attendance; and
 - (c) is not located in any of the places specified in item 5(c).