



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 5) 2021: Cruise vessels

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:

Part 1 Preliminary matters

- 1 These Directions remain in force while the public health emergency declaration is 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:

COVID-19 hotspot means a specified area of Australia or New Zealand determined by me from time to time and published on the website coronavirus.nt.gov.au.

crew member means a person engaged in the operation of a cruise vessel or providing services to support the operation of a cruise vessel.

cruise vessel, see direction 5.

operator, of a cruise vessel, means the person who operates the business of sea transportation on the vessel.

Territory waters means Northern Territory waters as defined in section 7(1) of the *Marine Act 1981*.

- 3 For these Directions, a person is taken not to have been in an area that is a COVID-19 hotspot if the person was in the area only in one or more of the following circumstances:
- (a) the person travelled through the area in or on a motor vehicle, public transport or a bicycle and did not leave the vehicle, disembark the public transport or dismount the bicycle while in the area;
 - (b) the person was only at an airport located in the area;
 - (c) the person:
 - (i) travelled through the area by motor vehicle, public transport or bicycle directly to or from an airport located in the area; and
 - (ii) remained in the vehicle, or on the public transport or bicycle, while in the area except when entering or leaving the airport;
 - (d) the person:
 - (i) either:
 - (A) arrived by aircraft at an airport located in the area and travelled directly from the airport to a hotel that is within 5 km of the airport; or
 - (B) travelled by motor vehicle or public transport from outside the area to a hotel in the area that is within 5 km of an airport and did not leave the vehicle or disembark the public transport except to enter the hotel; and
 - (ii) after checking in to the hotel, did not leave the person's hotel room until leaving the hotel to travel to the airport, except in an emergency; and
 - (iii) travelled directly from the hotel to the airport and left the area by aircraft.

Examples for direction 3

- 1 *A person who travels by car through an area that is a COVID-19 hotspot but stops in the area to refuel the car or drop an item in a friend's mailbox was in the area.*

- 2 *A person who rides a bicycle through an area that is a COVID-19 hotspot and stops in the area to buy a drink was in the area.*
 - 3 *A person who flies into an airport located in an area that is a COVID-19 hotspot, remains at the airport during a 6 hour stopover and then leaves the airport on an aircraft, is taken not to have been in the area.*
 - 4 *A person who flies to an airport that is located in an area that is a COVID-19 hotspot, takes a taxi from the airport to a hotel that is 5 km away from the airport and also located in the area that is a COVID-19 hotspot, checks in, orders room service and remains in the hotel room overnight, checks out the following day, travels directly back to the airport and takes a flight out of the area, is taken not to have been in the area.*
- 4 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 4

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.

Part 2 Application of Directions

- 5 These Directions apply in relation to a vessel (a **cruise vessel**) that:
- (a) has sleeping facilities for passengers; and
 - (b) is usually used to provide a service of sea transportation that:
 - (i) is provided in return for a fee payable by persons using the service; and
 - (ii) is available to the general public.
- 6 My COVID-19 Directions (No. 3) 2021, as amended, or any subsequent Directions that replace and substantially correspond to those Directions, do not apply to a cruise vessel.

Part 3 Cruise vessels

Division 1 Directions relating to entry and screening

- 7 The owner and operator of a cruise vessel must ensure that the vessel does not enter Territory waters if:
- (a) there are more than 150 persons, including crew members, on board the vessel; or
 - (b) there are 2 or more cruise vessels already in Territory waters.

- 8 The owner and operator of a cruise vessel must ensure that the vessel:
- (a) does not enter Port Darwin unless at least 14 days have elapsed since the vessel last berthed in either of the following:
 - (i) an Australian port that is within an area that, at the time the vessel enters Port Darwin, is a COVID-19 hotspot;
 - (ii) a port outside Australia; and
 - (b) does not enter a port in the Territory, other than Port Darwin, unless the vessel:
 - (a) has first berthed at Port Darwin; and
 - (b) has not left Territory waters since berthing at Port Darwin; and
 - (c) does not enter any port in the Territory while another cruise vessel is berthed at the port.
- 9 The captain of a cruise vessel that enters Port Darwin must give the following to an authorised officer before any person disembarks the vessel:
- (a) the manifest for the vessel;
 - (b) documentary evidence of the amount of time that has elapsed since the last to occur of the following events:
 - (i) the vessel berthed in a port outside Australia;
 - (ii) the vessel berthed in an Australian port that is within an area that, at the time the vessel enters Port Darwin, is a COVID-19 hotspot;
 - (iii) a person joined the vessel who, within the 14 days immediately before joining the vessel, was in an area that, at the time the vessel enters Port Darwin, is a COVID-19 hotspot;
 - (iv) there was interaction or interchange between persons on the vessel and persons on another vessel or at a facility outside Australian waters or at a port that is within an area that, at the

time the vessel enters Port Darwin, is a COVID-19 hotspot.

Example for direction 9(b)

A copy of, or extract from, the vessel's log.

Examples of other vessels or facilities for direction 9(b)(iv)

1 An offshore oil rig or production platform.

2 A vessel used for laying an undersea pipeline.

Division 2 Directions relating to operating in Territory waters

10 The owner and operator of a cruise vessel must ensure the vessel is not operated for sea transportation in Territory waters unless:

(a) a COVID-19 management plan for sea transportation on the vessel has been submitted to me and I approve the plan; and

(b) all sea transportation is undertaken in accordance with the plan; and

(c) a health practitioner who is suitably qualified in infection prevention and control has been appointed as the vessel's COVID-19 safety supervisor and is on the vessel.

11 The owner and operator of a cruise vessel must ensure that no more than 150 persons, including crew members, are on board the vessel at any time while the vessel is in Territory waters.

Part 4 Persons entering Territory on cruise vessel or to join cruise vessel

12 A person who enters the Territory on a cruise vessel must remain on the vessel unless the person is directed or permitted by an authorised officer to disembark.

13 A person who is a crew member of a cruise vessel must not enter the Territory to join the cruise vessel:

(a) from a place outside Australia; or

(b) from a State or another Territory if the person, during the 14 days prior to entering the Territory, was:

(i) in a place outside Australia; or

(ii) in an area that, at the time of the person's entry, is a COVID-19 hotspot.

14 To avoid doubt, my COVID-19 Directions (No. 49) 2020, as amended, or any subsequent Directions that replace and substantially correspond to those Directions, apply to a person who:

- (a) enters the Territory on a cruise vessel; or
- (b) is a crew member of a cruise vessel who enters the Territory to join the vessel.

Note for direction 14

For a person entering the Territory on a cruise vessel, the screening procedures required under those Directions would normally take place in Port Darwin after the person disembarks the vessel.

Part 5 Revocation

15 My COVID-19 Directions (No. 4) 2021 are revoked.

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.*

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Chief Health Officer

Dated