

Northern Territory of Australia
Public and Environmental Health Act 2011
COVID-19 Directions (No. 45) 2020
Directions for Territory Border Restrictions

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 00:01 on 17 July 2020 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 extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 In these Directions:

child means a person who is under 18 years of age.

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

quarantine period, in respect of a person, means the period starting when the person enters the Territory and ending at 12:00 (noon) on the 14th day after entry.

Example for definition quarantine period

A person who enters the Territory at 23:00 (11 pm) on 20 July 2020 must remain in quarantine until 12:00 (noon) on 3 August 2020.

Notes for definition quarantine period

- 1 *A person who leaves the Territory before the end of the quarantine period and then re-enters the Territory starts a new quarantine period. The previous time in quarantine is not carried over.*
- 2 *Under direction 23, a person may be required to quarantine for an additional 10 days after the quarantine period.*

social distancing measures, means the measures required under direction 33.

suitable place for quarantine, see direction 3.

travel plan means a written plan for a person entering the Territory in which the person:

- (a) gives details of the route the person intends to travel in accordance with direction 16; and
- (b) identifies any planned fuel stops during the travel; and
- (c) confirms that the person has sufficient food and water to last the duration of the travel.

3 A place is a **suitable place for quarantine** for a person if the place:

- (a) is a residence or commercial visitor accommodation; and
- (b) is capable of accommodating the person in quarantine for at least 14 days; and
- (c) provides a bedroom or sleeping area for the person that is separated from any other person in the place who is not also in quarantine; and
- (d) allows the person to practise social distancing measures while being in quarantine.

Examples for direction 3

- 1 *A single person could quarantine at night in a separate bedroom in a house or alone in a caravan.*
- 2 *A couple arriving together could quarantine in the same bedroom in a house or together in a caravan.*

4 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 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 into or out of 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
 - (iii) after checking in to the hotel, did not leave the person's hotel room until departing the hotel to travel to the airport, except in an emergency; and
 - (iv) travelled directly from the hotel to the airport and departed the area by aircraft.

Examples for direction 4

- 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, has been 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 has been 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 departs 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.*

- 5 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 5

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.

- 6 To avoid doubt, my COVID-19 Directions (No. 7) 2020 for infected persons, 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.

- 7 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 Directions for declaration and screening on arrival in the Territory

- 8 Subject to direction 9, every person entering the Territory must, in a written or electronic form approved by me, declare the following information:

- (a) details of the places where the person has been during the 28 days prior to entering the Territory;
- (b) whether or not the person, during the 14 days prior to entering the Territory, was in an area that is, at the time of the person's entry, a COVID-19 hotspot;
- (c) the person's contact details;
- (d) details of where the person intends to stay while in the Territory;
- (e) if the person is exempt under Part 4 – the details of the social distancing measures the person intends to take while in the Territory.

Note for direction 8

A person may also have to submit a travel plan if required under direction 16.

- 9 For a child who is entering the Territory, a parent or guardian of the child must make the declaration under direction 8 in relation to the child to the best of the parent or guardian's knowledge.
- 10 The form must be submitted:
- (a) to an authorised officer at the place of entry; or
 - (b) to another person, or in another manner, approved by me.
- 11 Every person entering the Territory must submit, at the place of entry, to a screening procedure approved by me for COVID-19 conducted by an authorised officer or another person approved by me.
- 12 If a screening procedure shows a person is suspected of being infected with COVID-19, the person must comply with:
- (a) my COVID-19 Directions (No. 21) 2020 for potentially infected persons or any subsequent Directions that replace and substantially correspond to those Directions; and
 - (b) these Directions, to the extent they are applicable.

Part 3 Directions for quarantine of arrivals

Division 1 Persons who are required to quarantine

- 13 Each of the following persons must quarantine in accordance with this Part:
- (a) a person entering the Territory from a place outside Australia;
 - (b) a person entering the Territory from a State or another Territory who, during the 14 days prior to entering the Territory, was:
 - (i) in a place outside Australia; or
 - (ii) in an area that is, at the time of the person's entry, a COVID-19 hotspot;
 - (c) a person entering the Territory who refuses to make a declaration in accordance with direction 8;

- (d) a child entering the Territory in relation to whom a declaration in accordance with direction 8 is not made.

Division 2 Quarantine requirements

14 Subject to direction 15, a person who is required under direction 13 to quarantine must:

- (a) travel directly from the place of entry to a place specified by me and as directed by an authorised officer; and
- (b) remain quarantined in that place for the quarantine period.

15 In the case of an unaccompanied child, the place specified under direction 14 must be:

- (a) the child's place of residence in the Territory if it is a suitable place for quarantine; or
- (b) a place specified by me and as directed by an authorised officer with a parent or responsible adult who remains quarantined in the same place and for the same period as the child.

16 If the person must travel for a period longer than 1 hour to reach the place where the person is required to quarantine, the person must:

- (a) give a travel plan to an authorised officer at the place of entry; and
- (b) travel by the most direct route practicable to that place; and
- (c) complete the travel as quickly as practicable, which must be no later than 72 hours after entry; and
- (d) not deviate from the route identified in the person's travel plan, except in an emergency; and
- (e) not stop except for:
 - (i) fuel at the planned stops in the person's travel plan; or
 - (ii) a rest break from driving; or
 - (iii) overnight accommodation; and
- (f) practise social distancing measures while travelling.

- 17 If the person stops for overnight accommodation under direction 16(e)(iii), the person must remain quarantined in the accommodation from the time the person checks in to the accommodation until the time the person departs from the accommodation.
- 18 During the quarantine period, the person must not leave the place in which the person is required to quarantine except:
- (a) for medical purposes, including obtaining medical supplies, receiving medical care and being tested or assessed for infection with COVID-19; or
 - (b) in an emergency; or
 - (c) for a compassionate purpose in accordance with a temporary exemption given by me.

Example for direction 18(c)

A person wishes to attend the funeral of a relative or close friend.

Note for direction 18

A person in quarantine may be subject to further specific instructions from an authorised officer regarding the person's behaviour or the manner in which the person is to be quarantined. See section 53 of the Act.

- 19 During the quarantine period, the person must not permit any other person to enter the place in which the person is required to quarantine unless the other person:
- (a) usually resides at the place; or
 - (b) is being quarantined at the same time; or
 - (c) is entering for medical purposes, including delivering medical supplies, providing medical care and testing or assessing for infection with COVID-19; or
 - (d) is entering because of an emergency or another urgent reason.
- 20 During the quarantine period, the person must practise social distancing measures.

- 21 To avoid doubt, a person who is required to quarantine under direction 13(b)(ii) must remain quarantined during the quarantine period even if an area that was, at the time of the person's entry into the Territory, a COVID-19 hotspot ceases to be a COVID-19 hotspot during the quarantine period.

Division 3 Testing for infection and additional quarantine

- 22 A person who is required to quarantine under direction 13 must submit, if required by me during the quarantine period, to a COVID-19 testing procedure approved by me that is conducted:

- (a) by an authorised person or another person approved by me; and
- (b) at the time and place specified by me.

- 23 If the person refuses to submit to a COVID-19 testing procedure, the person is required to remain quarantined for an additional 10 days starting from the end of the quarantine period.

Example for direction 23

If a person whose quarantine period ends on 12:00 (noon) on 3 August 2020 refuses to submit to a COVID-19 testing procedure on 1 August 2020, the person is required to remain quarantined until 12:00 (noon) on 13 August 2020.

- 24 If a person is required to remain quarantined for an additional 10 days under direction 23, all directions that were applicable to the person during the quarantine period, other than direction 23, continue to apply to the person during the additional 10 days.

Part 4 Exemptions

Division 1 Flight crew exemption

- 25 A member of a flight crew is exempt from Part 3 of these Directions if the member does not leave the aircraft or airport or leaves the aircraft or airport only to check in to and remain quarantined at a suitable place for quarantine.

Note for direction 25

My COVID-19 Directions (No. 42) 2020 (Commercial Vessels – Crew Directions), or any subsequent Directions that replace and substantially correspond to those Directions, continue to apply to maritime crew members.

- 26 A member of a flight crew who is exempt under direction 25:
- (a) must submit to the COVID-19 testing procedure referred to in direction 22 if required by me; and
 - (b) must, despite the exemption, while quarantined at a suitable place for quarantine comply with directions 18 to 20 while in the Territory; and
 - (c) is subject to any other directions I make in relation to the member.

Division 2 Individual exemption for persons who have not been in COVID-19 hotspot

- 27 A person is exempt from Part 3 of these Directions if the person:
- (a) was not, during the 14 days prior to entering the Territory, in an area that is, at the time of the person's entry, a COVID-19 hotspot; and
 - (b) is granted a written exemption from that Part by me after satisfying me, on application, that the person:
 - (i) poses a minimal risk to the public health of the Territory; and
 - (ii) has a compelling reason justifying the exemption; and
 - (c) practises social distancing measures for the quarantine period; and
 - (d) submits to the COVID-19 testing procedure referred to in direction 22 if required by me; and
 - (e) complies with any other conditions I attach to the exemption.

Division 3 Exemption for persons entering Territory to provide essential services

- 28 A person is exempt from Part 3 of these Directions if:
- (a) the person:
 - (i) provides services for the transport or freight of essential, critical or urgent items into, within or out of the Territory; or

- (ii) is required to enter the Territory for the essential, critical or urgent maintenance or repair of power, water, communications or other infrastructure critical to the Territory;
or
 - (iii) is a health practitioner, as defined in section 8(3) of the Act, who is requested by the Chief Executive Officer to come to the Territory to perform essential, critical or urgent functions;
and
- (b) the person submits to me the COVID-19 management plan to prevent the transmission of COVID-19 to the public in accordance with which the person will be working; and
 - (c) I give written approval of the management plan.

Note for direction 28(a)(i)

Essential, critical or urgent items include food, fuel and medical supplies.

- 29 A person who is exempt under direction 28 must, while in the Territory:
- (a) when not working, remain quarantined in a suitable place for quarantine during the quarantine period; and
 - (b) subject to direction 30, practise social distancing measures; and
 - (c) submit to the COVID-19 testing procedure referred to in direction 22 if required by me; and
 - (d) comply with any other conditions that I attach to my approval of the management plan and advise in writing.
- 30 If the person cannot stay at least 1.5 m away from other people while working, the person must wear a face mask when within 1.5 m of other people.

Division 4 Person may leave Territory

- 31 Nothing in these Directions prevents a person entering the Territory from outside Australia from leaving the Territory by leaving Australia, without entering a State or another Territory, at any time during the quarantine period.
- 32 Nothing in these Directions prevents a person entering the Territory from a State or another Territory from:
- (a) immediately leaving the Territory and not proceeding into the Territory; or
 - (b) leaving the Territory at any time during the quarantine period; or
 - (c) in the case of a person who arrives on an aircraft, does not leave the airport, except to stay overnight in the Mercure Darwin Airport Resort, the Novotel Darwin Airport or a place specified by me and directed by an authorised officer, and practices social distancing measures while in the Territory – leaving the Territory on an aircraft.

Part 5 Social distancing measures

- 33 A person 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 person 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) comply with any directions given by the COVID-19 Hotline or a medical practitioner.

Note for direction 33

The COVID-19 Hotline number is 1800 020 080.

Part 6 Revocation and transitional matters

34 The following directions are revoked:

- (a) my COVID-19 Directions (No. 38) 2020;
- (b) my COVID-19 Directions (No. 41) 2020;
- (c) my COVID-19 Directions (No. 43) 2020;
- (d) my COVID-19 Directions (No. 44) 2020.

35 Despite direction 34 and subject to direction 36, any person who entered the Territory between 00:01 on 3 July 2020 and 00:01 on 17 July 2020 must continue to comply with my COVID-19 Directions (No. 38) 2020, as amended by my COVID-19 Directions (No. 41) 2020 and my COVID-19 Directions (No. 43) 2020 (the **revoked Directions**), as if those Directions were not revoked.

36 A person is not required to comply with the revoked Directions if the person:

- (a) entered the Territory during the period specified in direction 35; and
- (b) made a declaration on entering the Territory as required under the revoked Directions; and
- (c) during the 14 days prior to entering the Territory, was not:
 - (i) in a place outside Australia; or

- (ii) in an area that is, at the time these Directions take effect, a COVID-19 hotspot.

Example for direction 36

A person who entered the Territory on 7 July 2020 and declared that the person was in Sydney within the 14 days prior to entry must continue to comply with the revoked Directions and quarantine for the remainder of the quarantine period in respect of the person if Sydney is a COVID-19 hotspot at the time these Directions take effect, even though it was not a COVID-19 hotspot when the person entered on 7 July 2020.

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.*

Dated

Chief Health Officer