



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 3) 2021: 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, by making the following directions:

Part 1 Preliminary matters

- 1 These Directions take effect at 12:01am on 17 March 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 extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 My COVID-19 Directions (No. 49) 2020, as amended, 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.

- 3 In these Directions:

commercial vessel, see direction 4.

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, see direction 5.

PPE means personal protective equipment (at a minimum, a face mask) intended to provide protection against transmission of infection by COVID-19, as appropriate for the circumstances.

quarantine period, see direction 6.

social distancing measures, means the measures required under direction 32.

- 4 A **commercial vessel** is a vessel, other than a cruise ship, involved in a commercial activity including, but not limited to, 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.
- 5 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.
- 6 The **quarantine period** is:
- (a) for a crew member who enters the Territory on a commercial vessel, the shorter of the following:
 - (i) the period during which the crew member is in the Territory;
 - (ii) the period beginning when the last of the events referred to in direction 17(a) to (d) occurred and ending at 12 noon on the 14th day after that event occurred; or

- (b) for a crew member who enters the Territory from a State or another Territory to join a commercial vessel – the period starting when the person enters the Territory and ending at 12 noon on the 14th day after the last day the person was in an area that is, at the time of the person's entry, a COVID-19 hotspot; or
- (c) for a crew member who enters the Territory from a place outside Australia to join a commercial vessel – the period starting when the person enters the Territory and ending at 12 noon on the 14th day after entry.

Example for direction 6(a)

A crew member who visits a foreign port on 1 April 2021 and enters the Territory at 11pm on 4 April 2021 must remain in quarantine until 12 noon on 15 April 2021.

Examples for direction 6(b)

- 1 *A crew member who leaves a COVID-19 hotspot on 1 April 2021 and enters the Territory at 11pm on 4 April 2021 must remain in quarantine until 12 noon on 15 April 2021.*
- 2 *A crew member who leaves a COVID-19 hotspot on 4 April 2021 and enters the Territory on 4 April 2021 at 11pm must remain in quarantine until 12 noon on 18 April 2021.*

Example for direction 6(c)

A crew member who enters the Territory at 11pm on 4 April 2021 must remain in quarantine until 12 noon on 18 April 2021.

Note for direction 6

A crew member 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.

- 7 For these Directions, a person who arrived in a State or another Territory from outside Australia within 14 days before entering the Territory is taken:
 - (a) to enter the Territory from a place outside Australia; and
 - (b) not to enter the Territory from a State or another Territory.
- 8 For these Directions and despite direction 7, a person is taken to have remained in Australia and not to have entered the Territory from a place outside Australia if:
 - (a) the person was a crew member on board a commercial vessel; and
 - (b) the commercial vessel left the Territory, a State or another Territory and entered international waters; and

(c) the commercial vessel entered the Territory without any event referred to in direction 17(a) to (d) occurring.

9 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 9

- 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.*
- 10 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 10

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.

- 11 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 a health practitioner that the person is infected with COVID-19.

Part 2 Crew member entering Territory

- 12 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.
- 13 On entering the Territory, each crew member 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.

- 14 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, or any subsequent Directions that replace and substantially correspond to those Directions; and
 - (b) these Directions, to the extent they are applicable.
- 15 Every crew member entering the Territory must, in a written or electronic form approved by me, declare the following information:
- (a) details of the places where the crew member was during the 28 days before entering the Territory;
 - (b) whether the crew member, during the 14 days before entering the Territory, was in an area that is, at the time of the crew member's entry, a COVID-19 hotspot;
 - (c) the dates, if any, when the crew member was in a COVID-19 hotspot;
 - (d) the crew member's contact details;
 - (e) details of where the crew member intends to stay while in the Territory;
 - (f) details of the social distancing measures the crew member intends to take while in the Territory.
- 16 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.
- 17 If entering the Territory on a commercial vessel, each crew member must produce, to an authorised officer or another person approved by me, documentary evidence of the amount of time that elapsed since the last of the following events occurred:
- (a) the vessel last berthed in a foreign port;

- (b) the vessel last berthed in an Australian port that is, on the day of the crew member entering the Territory, within an area that is a COVID-19 hotspot;
- (c) a person joined the vessel and, within the 14 days immediately before joining the vessel, was:
 - (i) in a place outside Australia; or
 - (ii) in an area that was, at the time on the day of the crew member entering the Territory, a COVID-19 hotspot;
- (d) there was interaction or interchange between crew members and persons on another vessel or at a facility outside of Australian waters or at a port that is within an area that is a COVID-19 hotspot on the day of the vessel's entry into the Territory.

Example for direction 17

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

Examples of other vessels or facilities for direction 17(d)

1 *An offshore oil rig or production platform.*

2 *A vessel used for laying an undersea pipeline.*

18 Direction 19 applies to a crew member:

- (a) who enters the Territory, other than by commercial vessel, to join a commercial vessel in the Territory; and
- (b) who:
 - (i) enters the Territory from a place outside Australia; or
 - (ii) within 14 days before entering the Territory, was in an area that, on the day the crew member enters the Territory, is a COVID-19 hotspot.

19 On entering the Territory, the crew member referred to in direction 18 must produce the following to an authorised officer or another person approved by me:

- (a) a letter from the crew member's employer, on company letterhead, stating the following:
 - (i) the crew member's name and occupation;

- (ii) the work-related reason for the crew member's travel;
- (iii) the location where the work is to be conducted;
- (b) a letter from the port authority for the place at which the crew member is to join the commercial vessel, indicating that the vessel is expected to be at that port at the relevant time;
- (c) a copy of the crew member's maritime security card, if the crew member holds one;
- (d) a copy of the employer's COVID-19 management plan or staff procedures.

Part 3 Quarantine requirements

Division 1 Entering Territory on commercial vessel

20 This Division sets out the quarantine requirements that apply to a crew member who enters the Territory on a commercial vessel if one or more of the following circumstances apply:

- (a) the crew member, within 14 days before entering the Territory, was in an area that is, on the day of the crew member's entry, a COVID-19 hotspot;
- (b) the crew member entered the Territory from a place outside Australia;
- (c) less than 14 days elapsed since the last of the events referred to in direction 17(a) to (d) occurred.

21 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.

22 While the commercial vessel remains in port:

- (a) a crew member who is quarantining on board the vessel may disembark, wearing PPE, to perform essential vessel functions; and
- (b) the crew member must otherwise remain on board the vessel for the quarantine period or until the vessel departs, if sooner; and

- (c) the crew member must wear PPE in public spaces on board the vessel while other persons who are not crew members are on board.

Division 2 Entering Territory to join commercial vessel

23 Direction 24 applies to the following crew members who enter the Territory to join a commercial vessel in the Territory:

- (a) a crew member who enters the Territory from outside Australia;
- (b) a crew member who, within 14 days before entering the Territory, was in an area that, on the day the crew member enters the Territory, is a COVID-19 hotspot.

24 A crew member referred to in direction 23 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.

Example for direction 24

A crew member who leaves a vessel in Melbourne, enters an area that is a COVID-19 hotspot, and then flies to Darwin, arriving at 11pm on 28 April 2021 must remain in quarantine until 12 noon on 12 May 2021.

Division 3 Quarantine

25 Subject to direction 22, a crew member who must remain quarantined in a place under this Part:

- (a) must not leave that place except:
 - (i) for medical purposes, including obtaining medical supplies, receiving medical care and being tested or assessed for infection with COVID-19; or
 - (ii) in an emergency; and
- (b) must not permit any other person to enter that place unless the other person:
 - (i) usually resides at the place; or
 - (ii) is being quarantined at the same time; or

- (iii) is entering for medical purposes, including delivering medical supplies, providing medical care and testing or assessing for infection with COVID-19; or
- (iv) is entering because of an emergency or another urgent reason.

Note for direction 25

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 and my COVID-19 Directions (No. 5) 2020, or any subsequent Directions that replace and substantially correspond to those Directions.

Division 4 When area ceases to be COVID-19 hotspot

- 26 Despite directions 20(a), 23(b) and 25, a person is not required to remain in quarantine if:
- (a) an area was a COVID-19 hotspot at the time of the person's entry into the Territory; and
 - (b) the area ceases to be a COVID-19 hotspot during the quarantine period; and
 - (c) the person is in quarantine by reason only of that area formerly being a COVID-19 hotspot.

Division 5 Leaving the Territory

- 27 Despite any provision to the contrary, these Directions do not allow a person, who entered the Territory from outside Australia, to enter a State or another Territory before the end of the quarantine period.
- 28 A crew member who enters the Territory on a commercial vessel may:
- (a) 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; or

- (b) leave the Territory by sea, before the quarantine period expires, on the same commercial vessel, or by proceeding directly to another commercial vessel, and practising social distancing measures while in the Territory.

Note for direction 28

No quarantine requirements apply after the quarantine period and the crew member may leave the Territory at any time by any means.

- 29 A crew member 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.

Note for direction 29

No quarantine requirements apply after the quarantine period and the crew member may leave the Territory at any time by any means.

- 30 A person entering the Territory from a State or another Territory may:
 - (a) immediately leave the Territory and not proceed into the Territory; or
 - (b) in the case of a person who arrives on an aircraft, leave the Territory on an aircraft if the person:
 - (i) remains in the airport, except to stay overnight in a place specified by me and directed by an authorised officer; and
 - (ii) practises social distancing measures while in the Territory.

Part 4 Social distancing and testing

- 31 A crew member must practise social distancing measures during the quarantine period.
- 32 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) submit to a test or assessment for infection with COVID-19 if required by me.

Note for direction 32

The COVID-19 Hotline number is 1 800 008 002.

33 If required by me during the quarantine period, a crew member must submit to a COVID-19 testing procedure approved by me that is conducted as follows:

- (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 person approved by me;
- (b) at the time and place specified by me.

34 If a person to whom these Directions apply experiences any symptoms of infection with COVID-19, the person:

- (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 34

The COVID-19 Hotline number is 1 800 008 002.

Part 5 Revocation and transitional matters

35 My COVID-19 Directions (No. 51) 2020 are revoked.

36 Despite direction 35, any crew member who entered the Territory during the 14 days before the day these Directions took effect must continue to comply with my COVID-19 Directions (No. 51) 2020 as if those Directions had not been revoked.

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.*

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Chief Health Officer

Dated