



Northern Territory of Australia

*Public and Environmental Health Act 2011*

## **COVID-19 Directions (No. 142) 2021: Directions to wear face masks in the Territory**

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 6:00 pm on 31 December 2021 and remain in force until the public health emergency declaration ceases to be in force.
- 2 My COVID-19 Directions (No. 137) 2021 are revoked.
- 3 In these Directions:  
***health practitioner*** means:
  - (a) a person registered under the Health Practitioner Regulation National Law to practise in a health profession (other than as a student); or
  - (b) an audiologist or a speech pathologist.
- 4 These Directions apply to every person in the Territory.
- 5 Subject to direction 7, a person must wear a face mask while the person is inside any premises, vehicle or vessel and cannot maintain a distance of 1.5 m from other people.
- 6 The person must wear the face mask securely over the person's nose and mouth.

- 7 A person is not required to wear a mask if the person:
- (a) is inside the residence of the person or another person;
  - (b) is a child:
    - (i) under the age of 12 years; or
    - (ii) attending primary school, while at school; or
  - (c) has a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable; or
  - (d) is engaged in exercise or is swimming; or
  - (e) is communicating with a person who is hearing impaired and visibility of the person's mouth is essential; or
  - (f) is inside a private vehicle or vessel, that is not being used for commercial purposes, or is alone in a commercial vehicle or vessel; or
  - (g) is eating or drinking; or
  - (h) is asked to remove the face mask to ascertain the person's identity; or
  - (i) is requested by a health practitioner to remove the face mask in order to enable the practitioner to administer treatment to the person; or
  - (j) is a teacher, educator or child care worker in a school or child care facility who removes it for the purpose of teaching or child care activities; or
  - (k) must remove it in an emergency.
- 8 A police officer or an authorised officer may:
- (a) request a person who is not wearing a face mask as required by these Directions to state the person's reason for not doing so; and
  - (b) if the person claims to have a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable – require the person to produce evidence to support that

claim.


- 9 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 9*

*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.*

*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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Chief Health Officer

Dated