



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 40) 2022: Cruise vessels

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:

- 1 These Directions take effect at the time they are made and 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:

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 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.

- 4 My COVID-19 Directions (No. 131) 2021, 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.
- 5 These Directions apply in relation to a vessel (a ***cruise vessel***) that:
- (a) has sleeping facilities for passengers; and
 - (b) is normally 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. 37) 2022, as amended, or any subsequent Directions that replace and substantially correspond to those Directions, do not apply to a cruise vessel.
- 7 The owner and operator of a cruise vessel must ensure that the vessel 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.
- 8 The captain of a cruise vessel that enters Port Darwin must, on request of an authorised officer, give the manifest for the vessel to the authorised officer.
- 9 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.
- 10 The owner and operator of a cruise vessel must ensure that no more than 350 persons, including crew members, are on board the vessel at any time while the vessel is in Territory waters.
- 11 My COVID-19 Directions (No. 5) 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.*
- 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