



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 56) 2021: Directions for freight workers

I, Charles Hawkhurst Pain, Acting 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 when they are made 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:

approved, other than in relation to a freight risk mitigation management plan, means approved by me.

Border Directions means my COVID-19 Directions (No. 8) 2021, as amended, or any subsequent Directions that replace and substantially correspond to those Directions.

certificate means a certificate issued under direction 15.

COVID-19 hotspot, see my Border Directions.

COVID-19 public exposure site, see my Border Directions.

freight risk mitigation management plan means the plan required under direction 13.

freight worker, see direction 3.

public exposure period, see my Border Directions.

quarantine period, see direction 4.

social distancing measures, see direction 36.

suitable place for quarantine, see direction 5.

3 A **freight worker** is any of the following persons who provides services for the transport of goods or freight into, within or out of the Territory by rail or road:

- (a) a heavy vehicle driver;
- (b) rail crew or a rail driver;
- (c) a non-heavy vehicle commercial freight operator;
- (d) a support worker;
- (e) any other person essential to the delivery of goods.

Examples for direction 3(d)

- 1 *A specialist mechanic or rail engineer providing mechanical or engineering support for the transport of commercial freight is a support worker.*
- 2 *A person undertaking activities that can be performed remotely, such as a person providing administrative support or a manager attending a meeting, is not a support worker.*

Example for direction 3(e)

A person essential to the delivery of freight includes two-up drivers, a pilot or escort for an oversize or overmass vehicle or tow truck driver for heavy vehicle salvage.

4 A **quarantine period**, in respect of a freight worker, is the period starting when the freight worker enters the Territory and ending at 12:00 noon on the 14th day after the last day the freight worker was:

- (a) in an area that is, at the time of the freight worker's entry, a COVID-19 hotspot; or

- (b) at a COVID-19 public exposure site during the public exposure period.

Note for direction 4

A freight worker 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.

5 A place is a ***suitable place for quarantine*** for a freight worker if the place:

- (a) is a residence or a room, apartment or unit in commercial visitor accommodation, a motor vehicle or railed vehicle; and
- (b) is capable of accommodating the freight worker in quarantine; and
- (c) provides a bedroom or sleeping area for the freight worker that is separated from any other person in the place who is not also in quarantine; and
- (d) allows the freight worker to practise social distancing measures while being in quarantine.

Example for direction 5

A freight worker could quarantine at night in a separate bedroom in a house or alone in the cabin of a truck.

6 My Border Directions and my COVID-19 Directions (No. 38) 2021, as amended or any subsequent Directions that replace and substantially correspond to those Directions, do not apply to freight workers.

7 For these Directions, a freight worker is taken not to have been in an area that is a COVID-19 hotspot if the freight worker was in the area only in one or more of the following circumstances:

- (a) the freight worker 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 freight worker was only at an airport located in the area;

- (c) the freight worker:
 - (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 freight worker:
 - (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 into the hotel, did not leave the freight worker's hotel room until departing the hotel to travel to the airport, except in an emergency; and
 - (iii) travelled directly from the hotel to the airport and departed the area by aircraft.

Examples for direction 7

- 1 *A freight worker 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 freight worker 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 freight worker 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 freight worker 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.*

- 8 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 8

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.

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

Note for direction 9

My COVID-19 Directions (No. 7) 2020 provide that, if a person is notified that they are infected with COVID-19, they must travel directly to a hospital or another place for medical treatment.

- 10 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 Entry requirements

Division 1 Prohibited entry

- 11 A freight worker must not enter the Territory unless the freight worker is vaccinated as follows:

- (a) for the period starting on 1 November 2021 and ending on 12 December 2021 – the freight worker has received the first dose of an approved COVID-19 vaccine, if the freight worker was able to receive it;
- (b) after 12 December 2021 – the freight worker has received the second dose of an approved COVID-19 vaccine, if the freight worker was able to receive it.

Note for direction 11(a)

This period accommodates freight workers who might not have been able to obtain an appointment for vaccination while travelling.

- 12 A freight worker must not enter the Territory unless the freight worker has a certificate issued by the Agency under direction 15, valid as at the time of entry, certifying that the freight worker has a freight risk mitigation management plan approved by the Agency.

Division 2 Freight risk mitigation management plan

- 13 Before entering the Territory, every freight worker must submit to the Agency, for its approval, a plan for the mitigation of the risk of the freight worker infecting others with COVID-19 while in the Territory.
- 14 The freight risk mitigation management plan must be in an electronic form approved by the Agency.
- 15 If the Agency approves the freight risk mitigation management plan, the Agency must issue the freight worker with a certificate certifying that the freight worker has a freight risk mitigation management plan approved by the Agency.
- 16 The freight risk mitigation management plan and certificate are valid for the period of time specified on the certificate.
- 17 A freight worker is not required to submit a new freight risk mitigation management plan before each subsequent entry into the Territory, unless the certificate has expired.

Division 3 Requirements on entry

- 18 Every freight worker entering the Territory must produce the following:
- (a) evidence of the freight worker's vaccination in accordance with direction 11;
 - (b) the certificate required under direction 12;
 - (c) a declaration in accordance with direction 20.

Note for direction 18(a)

This involves determining whether the freight worker is fully vaccinated, has received a first dose or is unvaccinated. Viewing a completed appointment slip or a medical certificate for the first dose or a digital certificate for full vaccination on a mobile phone would be sufficient. See also: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/certificates>

- 19 The certificate, evidence and declaration must be submitted:
- (a) to an authorised officer at the place of entry; or
 - (b) to another person, or in another approved manner.
- 20 For direction 18(c), the freight worker must, in an approved form (written or electronic), declare the following information:
- (a) details of the places where the freight worker has been during the 28 days prior to entering the Territory;
 - (b) whether the freight worker, during the 14 days before entering the Territory, was:
 - (i) in an area that is, at the time of the freight worker's entry, a COVID-19 hotspot; or
 - (ii) at a COVID-19 public exposure site during the public exposure period;
 - (c) the dates and times, if any, when the freight worker was in a COVID-19 hotspot or at a COVID-19 public exposure site during the public exposure period;
 - (d) the freight worker's contact details;
 - (e) details of where the freight worker intends to stay while in the Territory;
 - (f) details of the social distancing measures the freight worker intends to take while in the Territory;
 - (g) the dates and times, if any, when the freight worker was last tested for COVID-19 infection.
- 21 Every freight worker entering the Territory must submit, at the place of entry, to an approved screening procedure for COVID-19 infection conducted by one of the following:
- (a) an authorised person;
 - (b) a health practitioner, as defined in section 5 of the Health Practitioner Regulation National Law;
 - (c) another approved person.

- 22 If a screening procedure shows that a freight worker is suspected of being infected with COVID-19, the freight worker must comply with my COVID-19 Directions (No. 21) 2020 or any subsequent Directions that replace and substantially correspond to those Directions.

Part 3 Quarantine after entry

Division 1 Quarantine requirements

- 23 A freight worker must quarantine in a suitable place for quarantine during the quarantine period if:
- (a) the freight worker enters the Territory from a State or another Territory; and
 - (b) the freight worker, during the 14 days prior to entering the Territory, was:
 - (i) in an area that is, at the time of the freight worker's entry, a COVID-19 hotspot; or
 - (ii) at a COVID-19 public exposure site during the public exposure period; or
 - (ii) in an area that is declared a COVID-19 hotspot within 14 days after the day of the person's entry.
- 24 During the quarantine period, the freight worker must not leave the place in which the freight worker is required to quarantine except:
- (a) for medical purposes, including obtaining medical supplies, receiving medical care and being tested or assessed for COVID-19 infection; or
 - (b) in an emergency; or
 - (c) for a compassionate purpose in accordance with a temporary exemption given by me.

Example for direction 24(c)

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

Note for direction 24

A freight worker in quarantine may be subject to further specific instructions from an authorised officer regarding the freight worker's behaviour or the manner in which the

freight worker is to be quarantined. See section 53 of the Act.

- 25 During the quarantine period, the freight worker must not permit any other person to enter the place in which the freight worker 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 the freight worker for COVID-19 infection; or
 - (d) is entering because of an emergency or another urgent reason.
- 26 During the quarantine period, the freight worker must not permit any other person to enter the freight worker's vehicle while the freight worker is in the vehicle.

Division 2 Exceptions

- 27 This Division provides exceptions to the requirements of Division 1.
- 28 A freight worker is not required to quarantine while the freight worker is required to work as a freight worker.
- 29 A freight worker is not required to remain in quarantine if:
- (a) an area was a COVID-19 hotspot or a place was a COVID-19 public exposure site at the time of the freight worker's entry into the Territory; and
 - (b) the area ceases to be a COVID-19 hotspot or COVID-19 public exposure site during the freight worker's quarantine period; and
 - (c) the freight worker is in quarantine by reason only of that area formerly being a COVID-19 hotspot or COVID-19 public exposure site.
- 30 A freight worker is not required to remain in quarantine if:
- (a) I reduce the period for which a place is considered to be a particular COVID-19 hotspot, as published on the website coronavirus.nt.gov.au; and

(b) the freight worker was not in the COVID-19 hotspot during the reduced period.

31 Nothing in these Directions prevents a freight worker 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.

Notes for direction 31(b)

1 *A freight worker may leave the Territory before receiving the result of any testing procedure.*

2 *A freight worker in quarantine under direction 39 may leave the Territory before the end of the quarantine period.*

Part 4 Testing and social distancing after entry

32 Every freight worker must submit to an approved testing procedure for COVID-19 infection that is conducted:

(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 approved person; and

(b) at the time and place specified by me.

33 The freight worker must submit to the testing procedure at least every 7 days, while in the Territory, starting on the day specified in direction 34.

34 The first testing procedure must occur on or before the earlier of the following:

(a) the day the freight worker enters the Territory, or as soon as practicable after entry;

(b) 7 days after the day the freight worker was last tested, if the freight worker was last tested during the period 6 days prior to entry.

Example for direction 34

A freight worker enters the Territory on the 7th of the month. The worker was last tested in NSW on the 1st of the month. The first day of testing would be the 8th of the month, the day after entering the Territory.

- 35 If a freight worker is notified by a government authority in a State or another Territory that the freight worker is a close contact of a case of COVID-19, the freight worker must contact the COVID-19 Hotline, identify themselves as a close contact and follow any directions given by an authorised officer.

Note for direction 35

The COVID-19 Hotline number is 1800 490 484.

- 36 A freight worker who is subject to quarantine must practise the following social distancing measures during the quarantine period and any other period when a freight worker is working in the Territory:

- (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;
- (b) take all reasonable measures to stay at least 1.5 m away from other people;
- (c) wear a face mask at all times the freight worker is not in the freight worker's vehicle or accommodation.

- 37 Every freight worker must comply with the freight risk mitigation management plan approved by the Agency while the freight worker is in the Territory.

- 38 Every freight worker must, while the freight worker is in the Territory:

- (a) 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;
- (b) if the freight worker displays a symptom referred to in paragraph (a) – contact the COVID-19 Hotline or a medical practitioner to determine whether to be tested or assessed for COVID-19 infection.

39 A freight worker who is subject to the quarantine provisions of Part 3 and who fails to comply with any of those provisions or the COVID-19 testing procedure under this Part must:

- (a) travel directly to a place specified by me and as directed by an authorised officer; and
- (b) remain quarantined in that place for the period starting from the time of non-compliance and ending at the end of the quarantine period.

Note for direction 39

A freight worker may choose to immediately leave the Territory rather than go to the place specified by me.

40 A freight worker who is not subject to the quarantine provisions of Part 3 and who fails to comply with the COVID-19 testing procedure under this Part must:

- (a) travel directly to a suitable place for quarantine; and
- (b) remain quarantined in that place for the period from the time of non-compliance until 12:00 (noon) on the 14th day after the day of non-compliance.

41 A freight worker must comply with directions 24 to 26 during the period the freight worker is quarantined under direction 40, but is not required to remain in quarantine if:

- (a) the worker later submits to the required COVID-19 testing procedure; and
- (b) the testing procedure indicates the worker is not infected with COVID-19.

42 A freight worker who is transporting perishable goods or livestock may deliver, or make other arrangements for, the goods or freight before travelling to a place for quarantine in accordance with directions 39(a) or 40(a).

Part 5 Consequential amendment

43 My COVID-19 Directions (No. 38) 2021 are amended by omitting direction 11.

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.*

4 *An infringement notice may be given for failing to comply these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*

.....
Acting Chief Health Officer

Dated