

Australian Capital Territory

Public Health (Returned Travellers) Emergency Direction 2020 (No 3)

Notifiable Instrument NI2020–215

made under the

Public Health Act 1997, s 120 (Emergency actions and directions)

1. Name of instrument

This instrument is the *Public Health (Returned Travellers) Emergency Direction 2020 (No 3)*.

2. Commencement

This instrument commences and is taken to commence at 11:59pm on 3 April 2020.

3. Public Health Emergency Direction

I, Dr Kerry Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out in the schedule.

4. Duration

This direction is in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

Dr Kerry Coleman
Chief Health Officer

3 April 2020

Public Health Emergency Direction

Public Health Act 1997

*Made under the Public Health Act 1997,
section 120 (Emergency actions and directions)*

I, Dr Kerryn Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below.

QUARANTINE FOLLOWING OVERSEAS TRAVEL

The purpose of this direction is to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

Direction

1. From 11:59pm on 3 April 2020, an **unaccompanied child** or a **diplomatic visa-holder** who enters the **ACT** following a flight that originated from a place outside Australia:
 - a. from the point at which the person arrives into the ACT, must travel immediately to a premises that is suitable for the person to reside in for a period of 14 days;
 - b. except in exceptional circumstances, must reside in that premises for the period beginning on the day of arrival and ending at midnight on the fourteenth (14th) day after arrival;
 - c. must not leave the premises, except:
 - i. for the purposes of obtaining medical care or medical supplies; and
 - ii. in any other emergency situation,
 - d. must communicate the fact that they are subject to quarantine to any person to whom they may come into contact; and
 - e. must not permit any other person to enter the premises unless that other person usually lives at the premises, or the other person is also complying with this direction for the same 14 day period, or for medical or emergency purposes.
2. From 11:59pm on 3 April 2020, any person not subject to paragraph 1 who enters the ACT following a flight that originated from a place outside Australia, must:
 - a. from the point at which the person arrives into the ACT, travel directly from that place to **designated premises** to reside in those premises until **clearance from quarantine** is given by an **authorised medical officer**; and



- b. communicate the fact that they are subject to quarantine to any person to whom they may come into contact; and
 - c. comply with any request by an **authorised person** to produce proof of identification.
3. An **authorised person** may use such reasonable force and assistance as is necessary to ensure compliance with paragraph 1 or 2.
4. For the purposes of paragraph 1(a), the point at which a person arrives into the ACT means:
 - a. for travel by air – from the Canberra airport,
 - b. for travel by bus – from the bus station where the person disembarks,
 - c. for travel by train – from the train station where the person disembarks,
 - d. for travel by car – from the point at which the car crosses the border from New South Wales into the ACT; and
 - e. by any other means - from the point at which the person crosses the border from New South Wales into the ACT.

Exceptions

5. A person is not required to comply with the direction in paragraph 2 if the person is a member of the flight crew.
6. The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from Direction 2 on compassionate or urgent medical grounds.
7. An **authorised medical officer** may give a person under paragraph 2 clearance from quarantine after 48 hours if satisfied the person subject to quarantine is able to comply with the *Public Health (Return Travellers) Emergency Direction 2020* [NI2020-164] with the 14 day period under that direction to include any time already spent in quarantine.

Definitions

For the purposes of these directions:

8. A person is given **clearance from quarantine** when an **authorised medical officer** certifies that the person meets the criteria for discharge from quarantine. Certification must be in writing but is not required to be in a particular form.
9. **ACT** means the Australian Capital Territory.
10. **Authorised medical officer** means an authorised medical officer under the *Public Health Act 1997*.
11. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
12. **Child** has the same meaning as in section 11 of the *Children and Young People Act 2008*.

13. **Diplomatic visa-holder** means a foreign official posted to Australia and their dependents issued with a diplomatic visa by the Commonwealth Department of Foreign Affairs and Trade.
14. **Family member** of a child or young person has the same meaning as in section 13 of the *Children and Young People Act 2008*
15. The term **designated premises** refers to any premises approved in writing by the Chief Health Officer for the purposes of quarantine.
16. **Unaccompanied minor** means a **child or young person** not accompanied by a **family member**.
17. **Young Person** has the same meaning as in section 12 of the *Children and Young People Act 2008*.

PENALTIES

Section 120 (3) of the *Public Health Act 1997* provides:

A person must not, without reasonable excuse, fail to comply with a direction under this section.

Maximum Penalty:

In the case of a natural person, \$8,000 (50 penalty units).

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Dr Kerryn Coleman

Chief Health Officer

3 April 2020

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