

Australian Capital Territory

Public Health (Self-Isolation) Emergency Direction 2020 (No 3)

Notifiable Instrument NI2020–534

made under the

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

1. Name of instrument

This instrument is the *Public Health (Self-Isolation) Emergency Direction 2020 (No 3)*.

2. Commencement

This instrument commences at 11:59pm on 1 September 2020.

3. Public Health Emergency Direction

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.

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.

5. Revocation

This instrument revokes the *Public Health (Self-Isolation) Emergency Direction 2020 (No 2)* [NI2020-406].

Dr Kerryn Coleman
Chief Health Officer

1 September 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. The purpose of these directions is to restrict non-essential gatherings and the operation of non-essential businesses and undertakings in order to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

In making these directions I have had regard to relevant human rights and I am satisfied that the limitations imposed as a result of these Directions are both demonstrably justifiable in a free and democratic society and necessary to protect the ACT community from the serious public health risk posed by COVID-19.

PART 1 — SELF-ISOLATION - COVID-19 DIAGNOSED

Directions

1. A person who is diagnosed with **COVID-19** must:
 - a. self-isolate in suitable premises beginning on the day of the diagnosis and ending when **clearance from self-isolation** is given by an **authorised medical officer**; or
 - b. if the diagnosis is communicated to the person (other than a **returned traveller** or **interstate traveller**) in a place other than where the person resides:
 - i. travel directly from that place to a premises that is suitable for the person to reside in until **clearance from self-isolation** is given by an **authorised medical officer**; or
 - ii. travel directly to a hospital for medical treatment and, following treatment and discharge from the hospital, travel directly to a premises that is suitable for the person to reside in until **clearance from self-isolation** is given by an **authorised medical officer**; or
 - c. if the person is a **returned traveller** or **interstate traveller** self-isolate in **designated premises** beginning on the day of the diagnosis and ending when **clearance from self-isolation** is given by an **authorised medical officer**; and
 - d. communicate their diagnosis of **COVID-19** to any person whom they may come into contact with; and

- e. comply with any request by an **authorised person** to produce proof of identification; and
- f. not leave the premises, except:
 - i. for the purposes of accessing medical care or medical supplies; or
 - ii. in any other emergency situation; and
- g. not permit any other person to enter the premises unless that other person:
 - i. usually lives at the premises; or
 - ii. is living at the premises for the purposes of self-isolation; or
 - iii. attends for medical, law enforcement or emergency purposes.

PART 2 — SELF-ISOLATION - CLOSE CONTACT

Directions

2. A person who has been notified by ACT Health that they are a **close contact** of a person who is diagnosed with **COVID-19** must:
 - a. if the notification is communicated to the person in suitable premises where the person resides, self-isolate in that premises beginning on the day of notification of the need to self-isolate and ending when **clearance from self-isolation** is given by an **authorised medical officer**; or
 - b. if the notification is communicated to the person when they are in a place other than where the person resides, travel directly from that place to a premises that is suitable for the person to reside in until **clearance from self-isolation** is given by an **authorised medical officer**; and
 - c. communicate any person whom they may come into contact with that they are in self-isolation due to being a close contact of a person diagnosed with COVID-19; and
 - d. comply with any request by an **authorised person** to produce proof of identification; and
 - e. not leave the premises, except:
 - i. for the purposes of accessing medical care or medical supplies; or
 - ii. in any other emergency situation; or
 - iii. to go outdoors in limited circumstances, only where it is possible to avoid contact with other people and not to enter any other building; and
 - f. not permit any other person to enter the premises unless that other person:
 - i. usually lives at the premises; or
 - ii. is living at the premises for the purposes of self-isolation; or
 - iii. attends for medical, law enforcement or emergency purposes.



Definitions

For the purposes of these directions:

3. **COVID-19** means the coronavirus disease 2019, caused by the novel coronavirus SARS-CoV-2.
4. **Authorised medical officer** means an authorised medical officer under the *Public Health Act 1997*.
5. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
6. A person has **clearance from self-isolation** when person is given certification in writing by an **authorised medical officer** that the person meets the criteria for discharge from self-isolation, including that:
 - a. the person has received notification that the result of their **COVID-19** test has been found to be negative for **COVID-19**; and
 - b. the person is free of **COVID-19** symptoms for a further 3 days following notification that the result of their **COVID-19** test has been found to be negative for **COVID-19**.
7. A **close contact** is:
 - a. someone who has been in close physical proximity with someone who has **COVID-19**, while that person was infectious, for more than 15 minutes cumulative over the course of a week; or
 - b. someone who has been in the same closed space with someone who has **COVID-19**, while that person was infectious, for more than 2 hours.
8. Unless stated otherwise in writing by the Chief Health Officer, **designated premises** means either:
 - a. the person's usual place of residence or other premises that is suitable for the person to reside in for self-isolation; or
 - b. if the person is not normally a resident of the Australian Capital Territory, a hotel or other premises that has been approved in writing by the Chief Health Officer as suitable to reside in for self-isolation; or
 - c. a room allocated on check-in at any hotel, serviced-apartment, or similar accommodation approved in writing by the Chief Health Officer or an **authorised person** for the purposes of quarantine.

9. **Interstate traveller** means a person in quarantine in accordance with either the:
- Public Health (COVID-19 Interstate Travellers) Emergency Direction 2020* [NI2020-399], including a person given an exemption under paragraph 8 of that Direction on condition that they undertake a period of quarantine; or
 - Public Health (COVID-19 Interstate Hotspots) Emergency Direction (No 5)* [NI2020-440].

10. **Returned traveller** means a person in quarantine in accordance with the *Public Health (Returned Travellers) Emergency Direction 2020 (No 7)* [NI2020-535].

PENALTIES

Section 120 (4) 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

1 September 2020

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