



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 141) 2021: Directions for Aged Care Facilities

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:

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 subsequent extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 COVID-19 Directions (No. 75) 2021 are revoked.
- 3 In these Directions:

aged care facility means a facility in the Territory that provides the following:

- (a) residential care as defined in section 41-3 of the *Aged Care Act 1997* (Cth);
- (b) residential care that is funded by a grant agreement under the National Aboriginal and Torres Strait Islander Flexible Aged Care Program.

approved COVID-19 vaccine means a COVID-19 vaccine approved by the Therapeutic Goods Administration, Commonwealth Department of

Health.

vaccinated or exempt, in relation to a person, means the person:

- (a) has received an approved number of doses of a COVID-19 vaccine approved by the Therapeutic Goods Administration, Commonwealth Department of Health; or
- (b) is under the age of 16 years; or
- (c) has a certificate issued by the Commonwealth that certifies that the person has a permanent or temporary contraindication to all approved COVID-19 vaccines.

*Note for definition **vaccinated or exempt***

For vaccines see: [International COVID-19 vaccines recognised by Australia | Therapeutic Goods Administration \(TGA\)](#)

Part 2 Entry requirements

4 The following persons must not enter or remain on the premises of an aged care facility:

- (a) a person who was in contact with a person infected with COVID-19 within the previous 14 days;
- (b) a person who must remain in quarantine under any of my COVID-19 Directions;
- (c) a person who does not have an up-to-date vaccination against influenza, if the vaccination was available to the person and the person was able to receive it.

Notes for direction 4

- 1 *My COVID-19 Directions (No. 131) 2021, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions, require quarantine for several classes of persons.*
- 2 *A person who entered the Territory and is subject to my COVID-19 Directions (No. 131) 2021 must submit to a daily rapid antigen COVID-19 testing procedure in accordance with those Directions.*

5 A person who is an officer, employee or contractor of an aged care facility:

- (a) must not enter or remain on the premises of the aged care facility

if the person is not vaccinated or exempt; and

- (b) must give the proprietor of the aged care facility evidence that the person is vaccinated or exempt.

Example for direction 5(b)

The person's COVID-19 digital certificate issued by the Australian Government.

- 6 A person must not enter or remain on the premises of an aged care facility if the person:

- (a) has a body temperature higher than 37.5 degrees; or
- (b) has symptoms of coughing, sore throat, fatigue, shortness of breath or other symptoms of respiratory illness.

- 7 Despite direction 4(c), a person who does not have an up-to-date vaccination against influenza may enter and remain on the premises of an aged care facility for the period reasonably required:

- (a) to deliver an item; or
- (b) to provide an emergency service that is necessary for the effective operation of the facility or to protect the health and safety of staff and residents.

- 8 A person who enters or remains on the premises of an aged care facility under direction 7:

- (a) must take all reasonable measures to stay at least 1.5 m away from any other person in the aged care facility; and
- (b) if delivering an item and it is reasonably practicable to do so – must leave the item without entering any building on the premises.

Example for direction 8(b)

A person performing a food delivery service can hand the food package to a member of the staff of the facility at the front door of the building.

- 9 A person who entered the Territory and is subject to my COVID-19 Directions (No. 131) 2021 must, on request, give the proprietor of the aged care facility evidence that the person:

- (a) is submitting to a daily rapid antigen COVID-19 testing procedure

in accordance with those Directions; and

(b) is vaccinated or exempt.

Example for direction 9(b)

The person's COVID-19 digital certificate issued by the Australian Government.

- 10 A person who enters or remains on the premises of an aged care facility must wear a face mask.
- 11 The proprietor of an aged care facility must take all reasonable measures to ensure that a person does not enter or remain on the premises of the facility if the person is prohibited from doing so under these Directions or any of my other COVID-19 Directions.
- 12 Every person entering the premises of an aged care facility must submit to the measures established under direction 11.
- 13 Nothing in these Directions prohibits a resident of an aged care facility from entering, remaining on or leaving the premises of the facility.

Part 3 Collection of information

Division 1 Visitors

- 14 The proprietor of an aged care facility must:
- (a) apply for a quick response matrix barcode (a **QR code**) for the Territory Check In application for the facility; and
 - (b) display the Territory Check In application QR code prominently at each entrance to the facility.
- 15 A person entering an aged care facility must:
- (a) check in using the Territory Check In application; or
 - (b) if the person is unable to comply with paragraph (a) – give the proprietor of the aged care facility:
 - (i) the person's first and last name;
 - (ii) a telephone number, address, email address or other means to contact the person;
 - (iii) the date and time the person enters the facility.

Examples for direction 15(b)

- 1 *A person with no telephone could give the telephone number of a friend or relative.*
- 2 *A person experiencing homelessness could give the place where they can be found.*

- 16 A person is not required to comply with direction 15 if another person checked them in or provided their contact details under that direction.

Examples for direction 16

- 1 *A family can be checked in by one member of the family.*
- 2 *A teacher taking a group of school children on a trip can check in or provide the teacher's contact information on behalf of the whole group.*

- 17 The proprietor of the aged care facility must take all reasonable steps to ensure that everyone who enters the facility, at the time of entry, complies with direction 15.

Division 2 Information about other workplaces

- 18 A worker at an aged care facility who works at another workplace must provide the name and address of the other workplace to the proprietor of the facility.
- 19 A worker referred to in direction 18 must, without delay, report to the proprietor of the aged care facility if they become aware that a person who works at the worker's other workplace is infected with COVID-19.

Part 5 Security of information


- 20 The proprietor of the aged care facility must keep a record of the information provided under directions 5(b), 9 and 15(b) and Part 3.
- 21 The information provided under Part 3 must:
- (a) be kept for 28 days from the time of its collection; and
 - (b) be secured against access by any person for any purpose other than contact tracing under this Part; and
 - (c) not be disclosed, except to an authorised officer when requested for contact tracing purposes.
- 22 During the 28-day period, access to the information must be provided to

an authorised officer on request by the officer.

- 23 At the end of the 28-day period, the information must be destroyed in a manner that prevents any recovery.

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 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.*

 Digitally signed by Dr Hugh Heggie
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Excellence,
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Chief Health Officer

Dated