

Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 44) 2020

Directions for Territory Border Restrictions

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 at 00:01 on 17 July 2020 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:

COVID-19 hotspot, see direction 3.

quarantine period, in respect of a person, means the shorter of:

- (a) the period during which the person is in the Territory; or
- (b) the period beginning when the person enters the Territory and ending at 12:00 (noon) on the 14th day after entry.

Notes for definition quarantine period

- 1 *A person who enters the Territory at 23:00 (11 pm) on 20 July 2020 must remain in quarantine until 12:00 (noon) on 3 August 2020.*
- 2 *A person 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.*
- 3 *This period applies to people who are exempt from quarantine but must practise social distancing measures for the same period.*

social distancing measures, means the measures required under direction 35.

suitable place for quarantine, see direction 4.

travel plan means a written plan for a person entering the Territory in which the person:

- (a) gives details of the route the person intends to travel in accordance with direction 21; and
- (b) identifies any planned fuel stops during the travel; and
- (c) confirms that the person has sufficient food and water to last the duration of the travel.

3 A ***COVID-19 hotspot*** is a specified area of Australia determined by me from time to time and published on the website coronavirus.nt.gov.au.

4 A place is a ***suitable place for quarantine*** for a person if the place:

- (a) is a residence or commercial visitor accommodation; and
- (b) is capable of accommodating the person in quarantine for at least 14 days; and
- (c) provides a bedroom or sleeping area for the person that is separated from any other person in the place who is not also in quarantine; and
- (d) allows the person to practise social distancing measures while being in quarantine.

Examples for direction 4

- 1 *A single person could quarantine at night in a separate bedroom in a house or alone in a caravan.*
- 2 *A couple arriving together could quarantine in the same bedroom in a house or together in a caravan.*

5 For these Directions, a person who arrived in a State or another Territory from outside Australia within 14 days before entering the Territory is taken:

- (a) to enter the Territory from a place outside Australia; and
- (b) not to enter the Territory from a State or another Territory.

- 6 For these Directions, a person is taken not to have been in an area that is a COVID-19 hotspot if the person has been in the area only in one or more of the following circumstances:
- (a) the person travelled through the area in or on a motor vehicle, public transport or a bicycle and did not leave the vehicle, disembark the public transport or dismount the bicycle while in the area;
 - (b) the person was only at an airport located in the area;
 - (c) the person:
 - (i) travelled through the area by motor vehicle, public transport or bicycle directly to or from an airport located in the area; and
 - (ii) did not leave the vehicle, disembark the public transport or dismount the bicycle while in the area except to enter the airport.

Examples for direction 6

- 1 *A person 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 person 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 person 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.*

- 7 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 7

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.

- 8 To avoid doubt, my COVID-19 Directions (No. 7) 2020 for infected persons, 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.
- 9 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 Directions for declaration and screening on arrival in the Territory

- 10 Subject to direction 11, every person entering the Territory must, in a written or electronic form approved by me, declare the following information:
- (a) details of the places where the person has been during the 28 days prior to entering the Territory;
 - (b) whether or not the person has, during the 14 days prior to entering the Territory, been in an area that is, at the time of the person's entry, a COVID-19 hotspot;
 - (c) the person's contact details;
 - (d) details of where the person intends to stay while in the Territory;
 - (e) if the person has, during the 14 days prior to entering the Territory, been in an area that is, at the time of the person's entry, a COVID-19 hotspot:
 - (i) whether the place where the person intends to stay is a suitable place for quarantine; and
 - (ii) the details and number of other people residing at that place.

Note for direction 10

A person may also have to submit a travel plan if required under direction 21.

- 11 For a child under 18 years of age who is entering the Territory, a parent or guardian of the child must make the declaration under direction 10 in relation to the child to the best of the parent or guardian's knowledge.
- 12 The form must be submitted:
- (a) to an authorised officer at the place of entry; or
 - (b) to another person, or in another manner, approved by me.
- 13 Every person entering the Territory must submit, at the place of entry, to a screening procedure approved by me for COVID-19 conducted by an authorised officer or another person approved by me.
- 14 If a screening procedure shows a person is suspected of being infected with COVID-19, the person must comply with:
- (a) my COVID-19 Directions (No. 21) 2020 for potentially infected persons or any subsequent Directions that replace and substantially correspond to those Directions; and
 - (b) these Directions, to the extent they are applicable.

Part 3 Directions for quarantine of arrivals

Division 1 International arrivals

- 15 This Division applies to the following:
- (a) every person entering the Territory from a place outside Australia;
 - (b) every adult entering the Territory who refuses to make a declaration in accordance with direction 10;
 - (c) every child under 18 years of age entering the Territory in relation to whom a declaration in accordance with direction 10 is not made.
- 16 Subject to direction 17, the person must:
- (a) travel directly from the place of entry to a place specified by me and as directed by an authorised officer; and
 - (b) remain quarantined in that place for the quarantine period.

- 17 In the case of an unaccompanied child under 18 years of age, the place specified under direction 16 must be:
- (a) the child's place of residence in the Territory; or
 - (b) another suitable place for quarantine with a parent or responsible adult who remains quarantined in the same place and for the same period as the child.

Division 2 Arrivals from interstate COVID-19 hotspots

- 18 This Division applies to every person entering the Territory from a State or another Territory who has, within the previous 14 days, been in an area that is, at the time of the person's entry, a COVID-19 hotspot.

Note for direction 18

For a person who has not been in an area that is, at the time of the person's entry, a COVID-19 hotspot and who has complied with Part 2 of these Directions, there is no requirement to quarantine and these Directions have no further application to the person.

- 19 Subject to direction 20, the person must travel directly from the place of entry to a suitable place for quarantine located within the boundaries of one the following areas:
- (a) Municipality of Darwin;
 - (b) Darwin Waterfront Precinct as specified under section 4 of the *Darwin Waterfront Corporation Act 2006*;
 - (c) Municipality of Palmerston;
 - (d) Municipality of Litchfield;
 - (e) Town of Katherine;
 - (f) Town of Tennant Creek;
 - (g) Town of Alice Springs;
 - (h) Townsite of Nhulunbuy;

- (i) any other area approved by me for the person, on application with reasons justifying an exception to paragraphs (a) to (h).

Note for direction 19

A person may choose to quarantine in their own home, if it is a suitable place for quarantine under direction 4, and is located in one of the areas listed. Otherwise, the person must choose another suitable place in which to quarantine (at their own cost) that is located in one of the areas listed.

- 20 In the case of a child under 18 years of age, unless the suitable place for quarantine is the child's residence, the child must be quarantined with a responsible adult who remains quarantined in the same place and for the same period as the child.

Example for direction 20

A parent and child arriving from a State could arrange to stay quarantined together in a hotel room at their cost.

- 21 If the person's suitable place for quarantine requires travelling for a period longer than 1 hour from the place where the person enters the Territory, the person must:

- (a) give a travel plan to an authorised officer at the place of entry; and
- (b) travel by the most direct route practicable to that place; and
- (c) complete the travel as quickly as practicable, which must be no later than 48 hours after entry; and
- (d) not deviate from the route identified in the person's travel plan, except in an emergency; and
- (e) not stop except for:
 - (i) fuel at the planned stops in the person's travel plan; or
 - (ii) a rest break from driving; or
 - (iii) overnight accommodation; and
- (f) practise social distancing measures while travelling.

- 22 If the person stops for overnight accommodation under direction 21(e)(iii), the person must remain quarantined in the accommodation from the time the person checks in to the accommodation until the time the person departs from the accommodation.

- 23 After arriving at the person's suitable place for quarantine, the person must remain quarantined in that place for the remainder of the quarantine period.
- 24 If a person who is required by this Division to quarantine at a suitable place for quarantine fails to comply with these Directions, the person may be directed by me, or an authorised officer acting on my direction, to complete the person's quarantine at a place specified by me.

Division 3 General quarantine requirements

- 25 This Division applies to every person who must remain quarantined in a place under Division 1 or 2 or under Part 4, Division 1.

Note for direction 25

The place could be a specified hotel room for an international arrival or the residence of a resident returning home from an interstate trip.

- 26 During the quarantine period, the person must not leave the place except:
- (a) for medical purposes, including obtaining medical supplies, receiving medical care and being tested or assessed for infection with COVID-19; or
 - (b) in an emergency; or
 - (c) for a compassionate purpose in accordance with a temporary exemption given by me.

Example for direction 26(c)

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

Note for direction 26

A person in quarantine may be subject to further specific instructions from an authorised officer regarding the person's behaviour or the manner in which the person is to be quarantined. See section 53 of the Act.

- 27 During the quarantine period, the person must not permit any other person to enter the place 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 for infection with COVID-19; or
 - (d) is entering because of an emergency or another urgent reason.
- 28 During the quarantine period, the person must practise social distancing measures.
- 29 If required by me during the quarantine period, the person must submit to a COVID-19 testing procedure approved by me that is conducted:
- (a) by an authorised person or another person approved by me; and
 - (b) at the time and place specified by me.

Part 4 Exemptions

Division 1 Flight crew exemption

- 30 A member of a flight crew is exempt from Part 3, Divisions 1 and 2 if the member does not leave the aircraft or airport or leaves the aircraft or airport only to check in to and remain quarantined at a suitable place for quarantine.

Note for direction 30

My COVID-19 Directions (No. 42) 2020 (Commercial Vessels – Crew Directions), or any subsequent Directions that replace and substantially correspond to those Directions, continue to apply to maritime crew members.

- 31 A member of a flight crew who is exempt under direction 30 is subject to any other conditions I may attach to that exemption.

Division 2 Individual exemption

- 32 A person is exempt from Part 3 if the person:
- (a) is granted a written exemption from that Part by me after satisfying me, on application, that the person:
 - (i) poses a minimal risk to the public health of the Territory; and
 - (ii) has a compelling reason justifying the exemption; and
 - (b) practises social distancing measures for the quarantine period; and

- (c) submits to the COVID-19 testing procedure referred to in direction 29 if required by me; and
- (d) complies with any other conditions I attach to the exemption.

Division 3 Person may leave Territory

- 33 Nothing in these Directions prevents a person entering the Territory from outside Australia from leaving the Territory by leaving Australia, without entering a State or another Territory, at any time during the quarantine period.
- 34 Nothing in these Directions prevents a person 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; or
 - (c) in the case of a person who arrives on an aircraft and does not leave the airport, except to stay overnight in the Mercure Darwin Airport Resort, the Novotel Darwin Airport or another commercial visitor accommodation approved by me – leaving the Territory on an aircraft.

Part 5 Social distancing measures

- 35 A person who must practise ***social distancing measures*** under these Directions must:
- (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; and
 - (b) take all reasonable measures to stay at least 1.5 m away from other people; and

- (c) 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; and
- (d) if the person displays a symptom referred to in paragraph (c) – contact the COVID-19 Hotline or a medical practitioner to determine whether to be tested or assessed for infection with COVID-19; and
- (e) comply with any directions given by the COVID-19 Hotline or a medical practitioner.

Note for direction 35

The COVID-19 Hotline number is 1800 020 080.

Part 6 Revocation and transitional matters

- 36 The following directions (the ***revoked Directions***) are revoked:
- (a) my COVID-19 Directions (No. 38) 2020;
 - (b) my COVID-19 Directions (No. 41) 2020;
 - (c) my COVID-19 Directions (No. 43) 2020.
- 37 Subject to direction 39, any person who entered the Territory between 00:01 on 3 July 2020 and 00:01 on 17 July 2020 must continue to comply with the revoked Directions, as if those Directions were not revoked.
- 38 Any exemption under the revoked Directions continues in effect according to its conditions.
- 39 A person is not required to comply with the revoked Directions if the person:
- (a) entered the Territory from a State or another Territory during the period specified in direction 37; and
 - (b) made a declaration on entering the Territory as required under the revoked Directions; and

- (c) had not, within the 14 days prior to entering the Territory, been in an area that was, at the time of the person's entry, a COVID-19 hotspot.

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.*

Dated

 Digitally signed by Dr Hugh Heggie
DN: cn=Dr Hugh Heggie, o=Office
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Chief Health Officer