



Northern Territory of Australia

Public and Environmental Health Act 2011

**COVID-19 Directions (No. 81) 2021:
Amendments to COVID-19 Directions (No. 55) 2021**

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:

- 1 These Directions take effect at the time 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 These Directions amend the Chief Health Officer's COVID-19 Directions (No. 55) 2021.

- 3 Direction 2, definition **person conducting a business or undertaking**
omit, insert

person conducting a business or undertaking, see direction 2A.

- 4 After direction 2

insert

*Note for definition **worker***

An individual who conducts a business or undertaking is also a worker if the individual carries out work in that business or undertaking.

- 5 After direction 2

insert

- 2A For these Directions, a ***person conducting a business or undertaking***:
- (a) has the same meaning as in section 5 of the *Work Health and Safety (National Uniform Legislation) Act 2011*; and
 - (b) includes an incorporated association of volunteers.
- 2B These Directions do not apply in relation to workers at consulates or diplomatic premises.

6 Direction 9

omit, insert

- 9 The evidence required for direction 8 is a certificate issued by the Commonwealth that certifies that the worker has a permanent or temporary contraindication to all approved COVID-19 vaccines.

Note for direction 9

For the ATAGI guidelines current at the time of making these Directions see:

<https://www.health.gov.au/sites/default/files/documents/2021/09/covid-19-vaccination-atagi-clinical-guidance-on-covid-19-vaccine-in-australia-in-2021.pdf>

<https://www.health.gov.au/sites/default/files/documents/2021/10/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines.pdf>

7 Direction 16

omit, insert

- 16 A person conducting a business or undertaking must:
- (a) destroy any copy of the evidence given to the person under direction 14 as soon as practicable, but in any case no later than 48 hours after the evidence is given; and
 - (b) ensure that the register kept under direction 15 is secured against access by any person for any purpose other than a person or purpose specified in paragraph (c); and
 - (c) ensure that any information in the register kept under direction 15 is not disclosed, except to an authorised

officer when requested for the purpose of compliance or enforcement of these Directions or contact tracing in relation to COVID-19.

8 After direction 17

insert

Part 4 Volunteers, contractors, subcontractors and other workers

17A The duties of a person conducting a business or undertaking under directions 10, 13 and 15 do not apply in relation to the following workers:

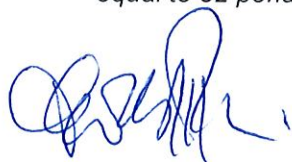
- (a) a volunteer who does not work directly for the person;
- (b) a contractor or subcontractor;
- (c) an employee of a contractor or subcontractor;
- (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking.

Note for direction 17A

The employer of these workers is responsible for ensuring compliance with directions 6 and 7, collecting this information and keeping the register.

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.*



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Acting Chief Health Officer

Dated 10.11.21 17.12

