

Northern Territory of Australia
Public and Environmental Health Act 2011
COVID-19 Directions (No. 40) 2020
Directions for Aged Care Facilities

I, Hugh Crosbie Heggie, Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011*, 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, by making the following directions:

- 1 These Directions take effect from the date they are made and remain in force while the public health emergency declaration is in force.

Note for direction 1

The period the declaration of public health emergency is in force has been extended under section 50(2) of the Act. These Directions remain in force during the periods of extension.

- 2 My COVID-19 Directions (No. 24) 2020 are revoked.
- 3 In these Directions:
aged care facility means a facility in the Territory that provides "residential care" as defined in section 41-3 of the *Aged Care Act 1997* (Cth).
- 4 Subject to directions 5 to 11, a person must not enter or remain on the premises of an aged care facility unless the person is one of the following:
 - (a) an officer, employee or contractor of the facility;
 - (b) a person providing goods or services necessary for the operation of the facility;
 - (c) a person providing health, medical or pharmaceutical goods or services to a resident of the facility;
 - (d) a person providing care and support to a resident of the facility;

- (e) a person providing end of life support to a resident of the facility;
- (f) a person required for emergency management or law enforcement;
- (g) a prospective resident of the facility;
- (h) a legal practitioner providing legal services to a resident of the facility;
- (i) a person performing regulatory functions or duties in relation to the facility, including an inspection of the facility.

Examples for direction 4(h)

A legal practitioner entering the premises of the facility:

- (a) *to take instructions from a client who is a resident of the facility; or*
- (b) *for the purpose of witnessing the execution of the will of a client who is a resident of the facility.*

- 5 The proprietor of an aged care facility must take all reasonable steps to ensure that each visit to a resident of the facility by persons mentioned in direction 4(d) is limited to one individual visitor at a time or, if 2 persons are visiting a resident together, those 2 persons.

Example for direction 5

A and B, a couple, may visit an elderly relative who is a resident at the facility at the same time. However if C is visiting a resident and, coincidentally, D arrives to also visit the same resident, C and D should not be permitted to visit at the same time.

- 6 A person who has been in contact with a person infected with COVID-19 must not enter or remain on the premises of an aged care facility within 14 days of the contact.

Note for direction 6

My COVID-19 Directions (No. 21) 2020 or any subsequent Directions that replace and substantially correspond to those Directions apply to a person who may have been infected with COVID-19, which includes a person who has been in close contact with a person who is or is suspected to be infected with COVID-19.

- 7 A person must not enter or remain on the premises of an aged care facility if any of the following apply in relation to the person:
- (a) the person has a body temperature higher than 37.5 degrees;
 - (b) the person has symptoms of coughing, sore throat, fatigue, shortness of breath or other symptoms of respiratory illness;

- (c) the person does not have an up-to-date vaccination against influenza, if the vaccination was available to the person.

Example for direction 7(c)

The influenza vaccination is taken not to be available to a person who has a medical contraindication to the vaccine.

- 8 Despite direction 7(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.

Examples for direction 8(b)

1 *An ambulance officer who enters the facility to transport a resident of the facility to hospital.*

2 *A plumber who enters and remains to make emergency repairs – if a contractor with an up-to-date vaccination is not reasonably available to attend.*

- 9 A person who enters or remains on the premises of an aged care facility in accordance with direction 8:

- (a) must practise social distancing wherever possible; 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 9(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.


- 10 The proprietor of an aged care facility must take all reasonable steps 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.

- 11 Nothing in these Directions prohibits a resident of an aged care facility from entering and remaining on the premises of the facility.

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.*

Dated


Digitally signed by Dr Hugh Heggie
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