



Northern Territory of Australia

Public and Environmental Health Act 2011

**COVID-19 Directions (No. 109) 2021:
Exiting a lockdown area or lockout area to leave the Territory
by road**

I, Jacqueline Sara Murdoch, Acting 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, (the **public health emergency declaration**), by making the following directions:

Part 1 Preliminary matters

- 1 These Directions take effect at the time they are made and remain in force while the public health 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 In these Directions:

health practitioner means:

- (a) a person registered under the Health Practitioner Regulation National Law to practise in a health profession (other than as a student); or
- (b) an audiologist or a speech pathologist.

lockdown area means an area within the Territory that is:

- (a) specifically identified within lockdown Directions made by me from time to time by separate instrument; and

- (b) subject to the requirements of those Directions while they are in force.

lockout area means an area within the Territory that is:

- (a) specifically identified within lockout Directions made by me from time to time by separate instrument; and
- (b) subject to the requirements of those Directions while they are in force.

- 3 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 3

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.

- 4 To avoid doubt, my COVID-19 Directions (No. 7) 2020, as amended from time to time, 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.

Part 2 Exiting a lockdown area or lockout area to leave the Territory by road

- 5 Subject to direction 10, a person in a lockdown area or lockout area may exit the area to leave the Territory by road in a private vehicle if:
- (a) the person has:
 - (i) undertaken a PCR COVID-19 testing procedure approved by me; and
 - (ii) returned a negative result within 72 hours before the person exits the lockdown area or lockout area; and
 - (iii) provided evidence of the results of the approved PCR COVID-19 testing procedure in accordance with direction 6; and

- (b) the person has provided to an authorised officer a travel plan identifying the route by which the person will leave the Territory, and the authorised officer has approved the travel plan.
- 6 The evidence referred to in direction 5(a)(iii) must be submitted to:
 - (a) an authorised officer at the place of exit; or
 - (b) to another person approved by me in a manner approved by me.
- 7 All COVID-19 testing procedures are to be conducted:
 - (a) by one of the following:
 - (i) an authorised officer;
 - (ii) a health practitioner;
 - (iii) another person approved by me;
 - (a) at the time and place specified by me.
- 8 Direction 7 does not prevent a COVID-19 testing procedure being self-administered under appropriate supervision.
- 9 For direction 5(b), the route identified in the person's travel plan must be the most direct route practicable to the person's place of exit from the Territory.
- 10 Direction 5 does not apply to:
 - (a) a person in the lockdown area or lockout area who:
 - (i) has been at a close contact site or a casual contact site during the public exposure period for the relevant site within the meaning of my COVID-19 Directions (No. 18) 2021, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions; and
 - (ii) has not yet completed the quarantine requirements under those Directions; or
 - (b) a person in the lockdown area or lockout area who:

- (i) has received a notification from an authorised officer in respect of the matters mentioned in direction 3 of my COVID-19 Directions (No. 21) 2020, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions; and
- (ii) has not yet been notified in writing, by me or my delegate, that the person no longer needs to remain isolated in accordance with direction 5 of those Directions.

11 A person who is permitted to exit the lockdown area or the lockout area in accordance with direction 5 must, while travelling by road to the place of exit from the Territory:

- (a) practise the social distancing measures that are set out in direction 56 of my COVID-19 Directions (No. 96) 2021, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions; and
- (b) comply with the mask requirements under directions 14 to 17; and
- (c) complete the travel as quickly as practicable, and no later than 48 hours after exiting the lockdown area; and
- (d) not deviate from the route identified in the person's approved travel plan, except in the case of 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.

- 12 If the person stops for overnight accommodation under direction 11(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.
- 13 These Directions do not apply to a person who:
- (a) entered the lockdown area or lockout area by aircraft, motor vehicle, public transport or bicycle for the purpose of travelling to a part of the Territory that is outside the lockdown area or lockout area; and
 - (b) travels directly out of the lockdown area or lockout area in a motor vehicle or on public transport or a bicycle; and
 - (c) if travelling by vehicle – remains in the vehicle while in the lockdown area or lockout area and only leaves the vehicle to refuel the vehicle; and
 - (d) if travelling on public transport or a bicycle – remains on the public transport or bicycle while in the lockdown area or lockout area.

Part 3 Face mask requirements

- 14 Subject to direction 16, a person must wear a face mask when the person is outside the private vehicle in which the person is travelling in and within 1.5 m of another person who is not travelling with the person in that vehicle to leave the Territory from the same place of exit.
- 15 The person must wear the face mask securely over the person's nose and mouth.
- 16 A person is not required to wear a mask if the person:
- (a) is a child under the age of 12 years; or
 - (b) has a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable; or
 - (c) is communicating with another person who is hearing impaired

and visibility of the person's mouth is essential; or

- (d) is eating or drinking; or
- (g) is asked to remove the face mask to ascertain the person's identity; or;
- (h) is requested by a health practitioner to remove the face mask in order to enable the practitioner to administer treatment to the person; or
- (i) must remove it in an emergency.

17 A police officer or an authorised officer may:

- (a) request a person who is not wearing a face mask as required by these Directions to state the person's reason for not doing so; and
- (b) if the person claims to have a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable – require the person to produce evidence to support that claim.

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(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.*
- 4 *An infringement notice may be given for failing to comply with 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

28/11/21 17:10