



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 7) 2021: Directions for Aged Care Facilities

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, by making the following directions:

Part 1 Preliminary matters

- 1 These Directions take effect from 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 My COVID-19 Directions (No. 40) 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).

COVID-19 hotspot means a specified area of Australia or New Zealand determined by me from time to time and published on the website coronavirus.nt.gov.au.

quarantine facility means a quarantine facility specified in my COVID-19 Directions (No. 55) 2020, or any subsequent Directions that replace and substantially correspond to those Directions.

quarantine worker, see my COVID-19 Directions (No. 6) 2021 or any subsequent Directions that replace and substantially correspond to those Directions.

Part 2 Entry to aged care facility

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

- (a) a person who has been in contact with a person infected with COVID-19 within the previous 14 days;
- (b) a person who must quarantine under any of my COVID-19 Directions;
- (c) a person who was, within the previous 14 days, in a place that is declared to be a COVID-19 hotspot at the time of entry;
- (d) a person who is required by me to be tested for COVID-19 if:
 - (i) the person has not yet been tested; or
 - (ii) the person was tested but has not received a negative result for COVID-19 infection from the test.

Notes for direction 4

- 1 *My COVID-19 Directions (No. 49) 2020, as amended, require quarantine for several classes of persons.*
- 2 *A person who tests positive for COVID-19 is governed by my COVID-19 Directions (No. 7) 2020 or any subsequent Directions that replace and substantially correspond to those Directions.*
- 3 *A person who is suspected of being infected with COVID-19 is governed by my COVID-19 Directions (No. 21) 2020 or any subsequent Directions that replace and substantially correspond to those Directions.*

- 5 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 and the person was able to receive it.

Examples for direction 5(c)

- 1 *A person who has a medical contraindication to a vaccine against influenza is not able to receive that vaccination.*
- 2 *A person who has to wait for two weeks after receiving a COVID-19 vaccine is not able to receive a vaccination against influenza during that two week period.*

- 6 Despite direction 5(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 6(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 because a contractor with an up-to-date vaccination is not reasonably available to attend.*

- 7 A person who enters or remains on the premises of an aged care facility in accordance with direction 6:

- (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 7(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.

- 8 A quarantine worker who enters or remains on the premises of an aged care facility must wear a face mask and take all reasonable measures to stay at least 1.5 m away from any other person in the aged care facility if the quarantine worker entered a quarantine facility within the previous 14-day period.
- 9 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.
- 10 Every person entering the premises of an aged care facility must submit to the measures established under direction 9.
- 11 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 Information about visitors

- 12 The proprietor of an aged care facility must ensure that the aged care facility collects the contact information specified in direction 16 from each member of the public who enters the facility and remains there longer than 15 minutes.
- 13 To avoid doubt, the proprietor of an aged care facility is not required to collect contact information from staff or other persons who:
 - (a) are known to the proprietor; and
 - (b) work at the facility.

Examples for direction 13

Other persons would include regular volunteers and students on placement.

- 14 In the case of a family, one adult member of the family may provide the contact information on behalf of immediate family members.

Examples for direction 14

Immediate family members include: a spouse, de facto spouse, child, grandchild, parent, grandparent or sibling.

- 15 In the case of a group of children, one adult accompanying and responsible for the children may provide the adult's contact information on behalf of the group, instead of the contact information for each child.

Example for direction 15

A teacher taking a group of school children for a visit can provide the teacher's contact information on behalf of the whole group.

- 16 The following contact information only must be collected:
- (a) the member of the public's first and last name;
 - (b) a telephone number, address, email address or other means to contact the member of the public;
 - (c) the date and time the member of the public enters the aged care facility.

Examples for direction 16(b)

1 A person with no phone could give the number of a friend or relative.

2 A person experiencing homelessness could give the place where they can be found.

- 17 If the proprietor of the aged care facility already collects the information specified in direction 16 from regular visitors of the facility:
- (a) the proprietor may use that information for the purposes of this Part; and
 - (b) the provisions of directions 21(a) and (c) and 22(b) do not apply to that information.

Division 2 Information about other workplaces

- 18 An officer, employee or contractor of 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 An officer, employee or contractor referred to in direction 18 must, without delay, report to the proprietor of the aged care facility if they become aware that a person is infected with COVID-19 at the other workplace.
- 20 The proprietor of the aged care facility must keep a record of the information provided under directions 18 and 19.

Division 3 Security of information

- 21 The information collected or recorded under this Part must:
- (a) be secured against access by any person for any purpose other than contact tracing; and
 - (b) be provided to an authorised officer on request by the officer; and
 - (c) not be disclosed except to an authorised officer when requested for contact tracing purposes.
- 22 The contact information collected under Part 3, Division 1, Part must:
- (a) be kept for 28 days from the time of its collection; and
 - (b) at the end of the 28-day period, 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.



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Acting Chief Health Officer

Dated 3.6.21 14.34

