EMERGENCY MANAGEMENT ACT 2005 (WA)

Section 67

SELF-QUARANTINE FOLLOWING INTERSTATE TRAVEL DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 a.m. on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005* (WA) (**Act**). The state of emergency applies to the State of Western Australia.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, now give the following directions, pursuant to my powers under section 67 of the Act.

DIRECTIONS

Preamble

1. The purpose of these directions is to limit the spread of COVID-19.

Commencement

2. These directions come into effect at 1.30pm on 24 March 2020.

Citation

3. These directions may be referred to as the **Self-Quarantine Following Interstate Travel Directions**.

Arrivals by Flight

4. Unless otherwise directed under paragraph 5 and subject to the exceptions in paragraphs 14 and 15, a person who arrives at an airport in Western Australia on a flight that originated from a place within Australia that is not a connecting flight from a place outside of Australia, must:

   (a) complete an **Arrivals Form** and provide it to a **Responsible Officer** at the point of disembarkation; and

   (b) travel as soon as possible from the airport to premises that are suitable for the person to reside in for a period of fourteen (14) days by the most direct route

possible and taking all reasonable steps to avoid coming within 1.5 metres of another person at any time; and

(c) reside at those premises for the period beginning on the day upon which the person arrived at the airport and ending fourteen (14) days after the day on which the person so entered; and

(d) must not leave the premises during the period described in paragraph 4(c) except:

(i) for the purposes of obtaining medical care or essential medical supplies; or

(ii) in an emergency situation.

5. Notwithstanding paragraph 4, and subject to the exceptions in paragraphs 14 and 15, where instructed to do so by a Responsible Officer, a person who arrives at an airport in Western Australia on a flight that originated from a place within Australia that is not a connecting flight from a place outside of Australia, must:

(a) travel as soon as possible from the airport to a **Quarantine Centre** by whatever means instructed by the Responsible Officer and using the most direct route between the airport and the Quarantine Centre taking all reasonable steps to avoid coming within 1.5 metres of another person at any time, or as otherwise instructed by the Responsible Officer; and

(b) upon arrival, report to a **Quarantine Officer**; and

(c) await further direction from a Quarantine Officer.

Arrivals By Road

6. A person who proposes to enter Western Australia from a place outside of Western Australia by road must do so by **Designated Road** only.

7. Subject to the exceptions in paragraphs 14 and 15, a person who arrives in Western Australia from a place outside Western Australia by road (whether by vehicle or any other means), must:

(a) if the person has entered Western Australia by way of a Designated Road, proceed as soon as possible on the Designated Road to the **Checkpoint**; and

(b) proceed as soon as possible to the closest Checkpoint after entering Western Australia irrespective of whether the person has complied with the direction in paragraph 6; and

(c) complete an Arrivals Form and provide it to a Responsible Officer at the Checkpoint; and

(d) unless otherwise directed by a Responsible Officer whether as contemplated by paragraph 8 or otherwise and whether at a Checkpoint or elsewhere, travel as soon as possible from the Checkpoint to premises that are suitable for the person to reside in for a period of fourteen (14) days using the most direct route possible and taking all reasonable steps to ensure that the person not be within 1.5 metres of another person at any time; and

(e) reside at those premises for the period beginning on the day upon which the person arrived at the Checkpoint and ending fourteen (14) days after the day on which the person so arrived; and

(f) not leave the premises during the period described in paragraph 7(e) except:

(i) for the purposes of obtaining medical care or essential medical supplies; or

(ii) in an emergency situation.

8. Notwithstanding paragraph 7, and subject to the exceptions in paragraphs 14 and 15, where instructed to do so by a Responsible Officer at the Checkpoint or at any place or time thereafter, a person who arrives in Western Australia by road (whether by vehicle or any other means) from a place outside Western Australia, must:

(a) travel as soon as possible from the Checkpoint to a Quarantine Centre by whatever means instructed by the Responsible Officer and using the most direct route between the Checkpoint and the Quarantine Centre taking all reasonable steps to avoid coming within 1.5 metres of another person at any time, or as otherwise instructed by the Responsible Officer, and

(b) upon arrival report to a Quarantine Officer; and

(c) await further direction from a Quarantine Officer.

Arrivals By Rail

9. Unless otherwise directed in accordance with paragraph 10 and subject to the exceptions in paragraphs 14 and 15, a person who arrives in Western Australia from a place outside Western Australia by rail, must:

(a) complete an Arrivals Form and provide it to a Responsible Officer at the station or other point at which they first exit the train or other vehicle in which they are travelling onto land within Western Australia; and

(b) travel as soon as possible from the point of exit to premises that are suitable for the person to reside in for a period of fourteen (14) days using the most direct route possible and taking all reasonable steps to ensure that the person not be within 1.5m of another person at any time; and

(c) reside at those premises for the period beginning on the day upon which the person arrived at the point of exit and ending fourteen (14) days after the day on which the person so entered; and

(d) not leave the premises during the period described in paragraph 9(c) except:

(i) for the purposes of obtaining medical care or essential medical supplies; or

(ii) in an emergency situation.

10. Notwithstanding paragraph 9, and subject to the exceptions in paragraphs 14 and 15, where instructed to do so by a Responsible Officer, a person who arrives in Western Australia by rail from a place outside Western Australia, must:

(a) travel as soon as possible from the point at which they exit the train or other vehicle in which they are travelling onto land within Western Australia to the Quarantine Centre by whatever means instructed by the Responsible Officer and using the most direct route between the point of entry and the Quarantine Centre taking all reasonable steps to avoid coming within 1.5 metres of another person at any time, or as otherwise instructed by the Responsible Officer; and

(b) upon arrival report to a Quarantine Officer; and

(c) await further direction from a Quarantine Officer.

Arrivals By Ship, Boat or Other Vessel

11. Unless otherwise directed in accordance with paragraph 12, and subject to the exceptions in paragraphs 14 and 15, a person who disembarks from any ship, boat or vessel of any kind (other than an **Excluded Vessel**) onto land within Western Australia whether at a port or otherwise, must:

(a) complete an Arrivals Form and provide it to a Responsible Officer at the point of disembarkation into Western Australia or as soon as possible thereafter; and

(b) travel as soon as possible from the place of disembarkation to premises that are suitable for the person to reside in for a period of fourteen (14) days using the most direct route possible and taking all reasonable steps to ensure that the person not be within 1.5m of another person at any time; and

(c) reside at those premises for the period beginning on the day upon which the person disembarked onto land within Western Australia and ending fourteen (14) days after the day on which the person so entered; and

(d) not leave the premises during the period described in paragraph 11(c) except:

(i) for the purposes of obtaining medical care or essential medical supplies; or

(ii) in an emergency situation.

12. Notwithstanding paragraph 11, and subject to the exceptions in paragraphs 14 and 15, where instructed to do so by a Responsible Officer, a person who arrives in Western Australia aboard any ship, boat or vessel of any kind (other than an Excluded Vessel) that has entered Australian waters from international waters and who disembarks from that vessel onto land within Western Australia whether at a port or otherwise, must:

(a) travel as soon as possible from the point of disembarkation to a Quarantine Centre by whatever means instructed by the Responsible Officer and using the most direct route between the point of disembarkation and the Quarantine Centre taking all reasonable steps to avoid coming within 1.5 metres of another person at any time, or as otherwise instructed by the Responsible Officer; and

(b) upon arrival report to a Responsible Officer; and

(c) await further instruction from a Responsible Officer.

Self-isolation principles

13. A person (**A**) must not enter premises in which a person (**B**) is residing in compliance with a direction in paragraphs 4, 7, 9 or 11 unless:

(a) A usually lives in the premises; or

(b) A is also complying with the direction for the same period as person B; or

(c) A enters the premises for medical or emergency purposes.

Transiting passengers

14. Provided that at all times the person takes all reasonable steps to avoid coming within 1.5 metres of another person, a person is not required to comply with these directions (other than any direction to complete an Arrivals Form and provide it to a Responsible Officer):

(a) to the extent necessary to permit the person to leave Western Australia before the expiry of the **relevant period**:

(i) on a flight to a destination outside of Western Australia; or

(ii) on a ship, boat or any other kind of vessel which is not scheduled to disembark anyone at any place in Western Australia before the expiry of the relevant period,

provided that the person provides evidence to the satisfaction of a Responsible Officer that the person will leave on such a flight or ship, boat or any other kind of vessel within 24 hours of the person arriving in Western Australia; or

(b) if the person is a member of the crew of a ship, boat or any other kind of vessel who:

(i) does not leave that vessel; or

(ii) leaves the vessel with the approval of an Authorised Officer who is authorised to exercise powers under section 67 of the Act and in accordance with any terms or conditions to which that approval is subject; or

(c) if the person is intending to live indefinitely on a Pacific Island who is travelling through an airport in Western Australia in transit to the Pacific Island and does not leave the airport except on a flight to a destination outside Western Australia.

15. A person is not required to comply with these directions if the person is performing an Essential Service.

Definitions

16. **Arrivals Form** means a form for the collection of information about arrivals which the State Emergency Coordinator or his delegate or his Authorised Officer nominates for that purpose, whether orally or in writing, from time to time.

17. **Authorised officer** means a person authorised by the State Emergency Coordinator, pursuant to section 61 of the Act.

18. **Checkpoint** means Quarantine WA located at:

(a) Kununurra Checkpoint Charlie on the Victoria Highway at the border crossing between Western Australia and the Northern Territory; or

(b) the border crossing between Western Australia and South Australia on the Eyre Highway.

19. **Close Contact** means a person who has:

(a) Had more than 15 minutes of face-to-face contact in any setting; or

(b) Shared a closed space for more than 2 hours,

with a person (B) who has received a positive test or who has otherwise been diagnosed with COVID-19, in the period extending from 24 hours before the onset of symptoms in B, and includes anything the Chief Health Officer determines in writing to be close contact provided that if anything the Chief Health Officer determines in writing to be close contact is inconsistent with anything else in this definition, the Chief Health Officer's determination prevails to the extent of any inconsistency.

20. **Designated Road** means:

(a) Victoria Highway; and

(b) Eyre Highway.

21. The following people are performing an **Essential Service**:

National and State Security and Governance

(a) a senior Government official who in the carriage of his or her duties in responsible for the safety of the Nation or a State or Territory against threats such as terrorism, war, or espionage and is required to be present in Western Australia in connection with those duties; or

(b) active military personnel required to be on duty in Western Australia while in Western Australia; or

(c) a member of the Commonwealth Parliament who ordinarily resides in Western Australia and one member of their staff who is travelling with the person who ordinarily resides in Western Australia; or

(d) the Premier of Western Australia; or

Health Services

(e) a person who is requested by the Chief Health Officer, or the Director General of the Department of Health, or the delegate of any of those officers to assist in the provision of health services in Western Australia; or

Essential medical treatment

(f) A person who travels to Western Australia in connection with the receipt of urgent and essential medical treatment.

Transport, Freight and Logistics

(g) any person who in the course of their duties is responsible for provision of transport or freight and logistics services into and out of Western Australia provided that the person remains in Western Australia for only so long as is reasonably required to perform his or her duties; or

Specialist Skills Critical to Maintaining Key Industries or Businesses

(h) any specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in Western Australia, where the service is time-critical and where the provision of the service requires the person to be physically present in Western Australia; or

(i) any person who, in the course of his or her duties is responsible while in Western Australia for critical maintenance or repair of infrastructure critical to Western Australia; or

(j) a person who is employed or engaged in agricultural or primary industry that requires the person to be physically present in Western Australia; or

(k) persons who ordinarily live or work in Western Australia and travel interstate for work purposes for regular periods according to established work schedules (for example, FIFO workers).

Emergency Service Workers

(l) a person travelling to Western Australia in their capacity as an emergency services worker, including fire fighters, paramedic, ambulance officers or police officers.

Special Exemptions

(m) any other category of person who the State Emergency Coordinator or a person authorised by the State Emergency Coordinator for the purpose, approves, whether orally or in writing, as being a person who is performing an Essential Service

whether on the basis that the person is essential for the proper functioning of the State, on compassionate grounds or otherwise

but cannot include:

(n) a person who is showing any Symptoms; or

(o) a person who is a Close Contact; or

(p) a person who has been tested and is awaiting a Test Result.

22. **Excluded Vessel** means a ship, boat or vessel;

(a) that has entered Australian waters from International waters; or

(b) which is returning to the port or place from which it set sail and the passengers and crew of which did not disembark at any time from when it went to sea;

(c) which is a Large Vessel within the meaning of the Large Vessel Directions.

23. **Quarantine Centre** means a facility of any kind which the State Emergency Coordinator determines will be used for the quarantining of people who have travelled from interstate for the purposes of minimising the spread of COVID-19.

24. **Quarantine Officer** means:

(a) an officer, employee, or contractor of the Department of Health; or

(b) an officer, employee, or contractor of a health service provider as that term is defined by section 6 of the *Health Services Act 2016* (WA); or

(c) any other person authorised by the Chief Health Officer orally or in writing to give that oral or written notice.

25. **Relevant period** means fourteen (14) days.

26. **Responsible Officer** means:

(a) a police officer;

(b) a member of the Australian Federal Police;

(c) a member of the Australian Border Force; or

(d) any other person authorised by the State Emergency Coordinator.

27. **Symptoms** means any one or more of the following:

(a) a fever of 37.5 degrees or above; or

(b) a history of fever (including symptoms of a fever such as night sweats or chills); or

(c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat).

28. **Test Results** means oral or written notice of the outcome of a test for COVID-19.

29. **Test** and **tested** means test for COVID-19 and tested for COVID-19.

PENALTIES

It is an offence to fail to comply with any of these directions, punishable by a fine of up to $50,000 for individuals and $250,000 for bodies corporate.

.....

Christopher John Dawson
State Emergency Coordinator and Commissioner of Police

24 March 2020

1218 hours