COVID-19 TESTING DIRECTIONS


On 23 March 2020, the Minister for Health declared a public health state of emergency with effect from 1.30 p.m. on 23 March 2020 in respect of COVID-19 pursuant to section 167 of the Public Health Act 2016 (WA) (Act). The public health state of emergency applies to the State of Western Australia.

I, Dr Paul Kenneth Armstrong, an emergency officer authorised by the Chief Health Officer under section 174(2) of the Act to exercise any of the emergency powers while the public health state of emergency declaration in respect of COVID-19 is in force, consider it reasonably necessary to give the following directions to all persons in Western Australia to prevent, control or abate the serious public health risk presented by COVID-19 pursuant to sections 157(1)(k) and 190(1)(p) of the Act.

DIRECTIONS

Preamble

1. The purpose of these directions is to prohibit a person from requesting or conducting testing for COVID-19 except in accordance with these directions, as unauthorised testing wastes resources required to prevent, control or abate the serious public health risk presented by COVID-19.

Citation

2. These directions may be referred to as the COVID-19 Testing Directions.

Commencement

3. These directions come into effect at the beginning of the day after the day on which they are made.

Directions

4. A person must not request that a test be conducted unless the person is:
   (a) a medical practitioner; or
   (b) the Chief Health Officer; or
5. A medical practitioner must not request that a test be conducted unless the request:
   (a) relates to a sample taken from a person who falls within the testing requirements; or
   (b) is one which the medical practitioner has been authorised in writing to make by the Chief Health Officer before the request is made and the request is made in accordance with any terms or conditions to which the authorisation is subject.

6. An approved requester must not request that a test be conducted unless the request is made in accordance with any terms or conditions to which the approval is subject.

7. A person must not conduct a test unless:
   (a) the person:
      (i) conducts the test in a pathology laboratory which is currently accredited by the National Association of Testing Authorities for Human Pathology (ISO 15189); and
      (ii) the person is authorised to conduct the test by the pathologist responsible for the day-to-day operations of that pathology laboratory;
   or
   (b) the person is an approved tester; or
   (c) the test is one which the person has been authorised in writing to conduct by the Chief Health Officer before the test is conducted and the test is conducted in accordance with any terms or conditions to which the authorisation is subject.

8. An approved tester must not conduct a test unless the test is conducted in accordance with any terms or conditions to which the approval is subject.

DEFINITIONS

9. Approval means:
   (a) in the case of an approved requester, an approval given in writing by the Chief Health Officer to a medical practitioner or other person (or a class of medical practitioners, or of other persons, or of medical practitioners and other persons) to make a request, or to make requests, that a test be conducted, whether given unconditionally or subject to terms or conditions, but does not include an authorisation described in paragraph 5(b); and
   (b) in the case of an approved tester, an approval given in writing by the Chief Health Officer to a medical practitioner or other person (or a class of medical...
practitioners, or of other persons, or of medical practitioners and other persons) to conduct a test, whether given unconditionally or subject to terms or conditions, but does not include an authorisation described in paragraph 7(c).

10. **Approved requester** means a medical practitioner or other person (or a member of a class) who has been given an approval as defined by paragraph 9(a).

11. **Approved tester** means a medical practitioner or other person (or a member of a class) who has been given an approval as defined by paragraph 9(b).

12. **Chief Health Officer** has the same meaning that it has in the Act.

13. **Medical practitioner** has the same meaning that it has in the Act.

14. **Person who falls within the testing requirements** means a person who has any one or more of:
   (a) a fever of at least 38 degrees; or
   (b) a recent history of fever; or
   (c) acute respiratory symptoms.

15. **Request** means make a request to a pathology laboratory or to an approved tester.

16. **Test** means analysis of a sample to test for COVID-19 also referred to as SARS-CoV-2.

**PENALTIES**

It is an offence for a person to fail, without reasonable excuse, to comply with any of these directions, punishable by a fine of up to $20,000 for individuals and $100,000 for bodies corporate.

Dr Paul Kenneth Armstrong  
Emergency Officer  
21 April 2020