EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67 and 72A

PRESENTATION FOR TESTING DIRECTIONS (NO 3)


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 sections 67 and 72A of the Act.

PREAMBLE

1. The purpose of these directions is to revoke the Presentation for Testing Directions (No 2) I made on 9 July 2020 and to limit the spread of COVID-19.

CITATION

2. These directions may be referred to as the Presentation for Testing Directions (No 3).

COMMENCEMENT

3. These directions come into effect at 11.59 pm on 19 July 2020.

REVOCATION

4. The Presentation for Testing Directions (No 2) I made on 9 July 2020 are revoked.

DIRECTIONS

Note: these directions DO NOT require a person to be tested for COVID-19. A person must consent to be tested for COVID-19 unless they are directed to have the test by an emergency officer under the Public Health Act 2016. Unless otherwise stated, nothing in these directions affects any other obligations a person may be under.

5. A person must comply with the 11th day presentation requirement if the person:

(a) enters Western Australia; and

(b) has been in New South Wales or Victoria at any time in the 14 days before the person entered Western Australia and:
(i) if the person has been in Victoria during that period (irrespective of whether the person has also been in New South Wales during that period), the person entered Western Australia on or after 29 June 2020; or

(ii) if the person has not been in Victoria during that period, the person entered Western Australia on or after 11.59 pm on 19 July 2020; and

(c) by the end of the tenth day after the day on which the person entered Western Australia:

(i) has not left Western Australia; and

(ii) has not been given a centre direction or a hospital direction; and

(iii) is not required to quarantine or isolate under either or both of the relevant directions.

6. A person must also comply with the 48 hour presentation requirement if:

(a) the person enters Western Australia:

(i) by disembarking from an affected aircraft onto land at an airport anywhere in Western Australia; or

(ii) by any means on or after 20 July 2020 and is not a domestic flight crew member; and

(b) the person has been in New South Wales or Victoria at any time in the 14 days before the person entered Western Australia and:

(i) if the person has been in Victoria during that period (irrespective of whether the person has also been in New South Wales during that period), the person entered Western Australia on or after 15 July 2020; or

(ii) if the person has not been in Victoria during that period, the person entered Western Australia on or after 11.59 pm on 19 July 2020; and

(c) the person enters Western Australia by disembarking from an affected aircraft onto land at an airport anywhere in Western Australia and is not tested for COVID-19 by a relevant officer before the person leaves the airport,
unless, within 48 hours of entering Western Australia, the person:

(d) has left Western Australia; or

(e) has been given a centre direction or a hospital direction; or

(f) is required to quarantine or isolate under either or both of the relevant directions.

Note: for the avoidance of doubt, while police officers are relevant officers they do not conduct COVID-19 testing, which is conducted by other relevant officers. They may perform functions as relevant officers as otherwise provided in these directions.

7. A person who must comply with the 11th day presentation requirement must, on the eleventh day after the day on which the person entered Western Australia:

(a) go to the COVID Clinic nearest to them as early as possible on the eleventh day; and

(b) inform a relevant officer at the COVID Clinic that they are required to attend the COVID Clinic under these directions; and

(c) comply with any other instruction which a relevant officer at the COVID Clinic gives them; and

(d) answer truthfully if a relevant officer at the COVID Clinic asks the person to describe their state of health or asks whether the person has or has had any symptoms; and

(e) remain at the COVID Clinic until:

(i) the person has been tested for COVID-19; or

(ii) a relevant officer has instructed the person that they may leave the COVID Clinic.

8. A person who must comply with the 48 hour presentation requirement must, within 48 hours of entering Western Australia:

(a) go to the COVID Clinic nearest to them as early as possible within that 48 hour period; and

(b) inform a relevant officer at the COVID Clinic that they are required to attend the COVID Clinic under these directions; and

(c) comply with any other instruction which a relevant officer at the COVID Clinic
gives them; and

(d) answer truthfully if a relevant officer at the COVID Clinic asks the person to describe their state of health or asks whether the person has or has had any symptoms; and

(e) remain at the COVID Clinic until:

(i) the person has been tested for COVID-19; or

(ii) a relevant officer has instructed the person that they may leave the COVID Clinic.

9. If a person who must comply with either or both of the 11th day presentation requirement and the 48 hour presentation requirement is subject to a quarantine direction at the time that they must comply with the relevant requirement, the person must comply with the requirement and the quarantine direction except that, for the purposes of complying with the requirement and despite the quarantine direction:

(a) the person must leave the place where they are required to remain under the quarantine direction and travel to the COVID Clinic nearest to them as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest; and

(b) once they are no longer required to remain at the COVID Clinic, the person must travel as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest to the place they are required to remain under the quarantine direction and remain there in accordance with the quarantine direction; and

(c) the person must travel to and from the COVID Clinic by private vehicle, a taxi or rideshare service; and

Note: for the avoidance of doubt a rideshare service does not include a bus, train or other form of mass public transport

(d) the person must wear a face mask, if available and appropriate having regard to the person's age and ability to wear a face mask, from when the person leaves the place where they are required to remain under the quarantine direction until they return to that place.
Note: If a person is tested after they present to a COVID Clinic in accordance with these directions, the person must isolate until the person is informed of their test result unless the person is informed by a relevant officer that they do not have to isolate: see paragraph 5 of the Quarantine and Isolation (Undiagnosed) Directions I made on 9 May 2020.

10. A person who is subject to a movement direction or enters Western Australia with a child must ensure that the child in respect of whom the person has a movement direction or the child with whom the person enters Western Australia complies with these directions and, without limitation, must:

   (a) travel with each child so that the child goes to the COVID Clinic; and

   (b) ensure that each child wears a face mask, if available and appropriate having regard to the child's age and ability to wear a face mask, from when the child leaves the place where they are required to remain until the child returns to that place.

   Note: the child in respect of whom a person has a movement direction will be subject to a self-quarantine (unaccompanied child) direction.

DEFINITIONS

11. Affected aircraft has the same meaning that it has in the Quarantine (Closing the Border) Directions I made on 5 April 2020.

12. Centre direction has the same meaning that it has in the Quarantine (Closing the Border) Directions I made on 5 April 2020.

13. COVID Clinic means premises set aside by the Western Australian Department of Health or a health service provider for the purpose of testing persons for COVID-19:

   (a) in the Perth metropolitan area; or

   (b) at Albany Regional Hospital; or

   (c) at Broome Regional Hospital; or

   (d) at Bunbury Regional Hospital; or

   (e) at Geraldton Regional Hospital; or

   (f) at Port Hedland Regional Hospital; or
(g) at Kalgoorlie Regional Hospital; or

(h) in any other area or at any other place approved by me as the State Emergency Coordinator or any person authorised by me for that purpose, or specified in a direction or instruction.

14. **Direction** has the same meaning that it has in the relevant directions.

15. **Domestic flight crew member** means a member of an airline, medevac or air ambulance crew, including off-shift crew who are travelling as passengers on an aircraft to reposition at another location.

16. **11th day presentation requirement** means the requirements of paragraph 7 of these directions.

17. **Enters** has the same meaning that it has in the *Quarantine (Closing the Border) Directions* I made on 5 April 2020.

*Note: paragraph 26 of the Quarantine (Closing the Border) Directions defines the term "enter" for the purposes of those directions and "enters" has a corresponding meaning.*

18. **48 hour presentation requirement** means the requirements of paragraph 8 of these directions.

19. **Health service provider** has the same meaning that it has in the *Health Services Act 2016*.

20. **Hospital direction** has the same meaning that it has in the *Quarantine (Closing the Border) Directions* I made on 5 April 2020.

21. **Instruction** has the same meaning that it has in the relevant directions.

22. **Isolate** has the same meaning that it has under the relevant directions.

23. **Movement direction** has the same meaning that it has in the *Quarantine (Closing the Border) Directions* I made on 5 April 2020.

24. **Premises** has the same meaning that it has in the Act.

25. **Quarantine** has the same meaning that it has under the relevant directions.

26. **Quarantine direction** has the same meaning that it has in the *Quarantine (Closing the Border) Directions* I made on 5 April 2020.
27. **Relevant directions** means:

   (a) the *Quarantine and Isolation (Undiagnosed) Directions* I made on 9 May 2020; and

   (b) the *Isolation (Diagnosed) Directions* I made on 9 May 2020.

28. **Relevant officer** has the same meaning that it has in the relevant directions.

29. **Symptoms** means any one or more of:

   (a) a fever of 38 degrees or above; or

   (b) a recent history of fever; or

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

**PENALTIES**

It may be an offence to fail to comply with any of these directions, punishable by imprisonment for up to 12 months or a fine of up to $50,000 for individuals and $250,000 for bodies corporate.

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**Christopher John Dawson**  
State Emergency Coordinator and Commissioner of Police  
19 July 2020 2022 hours