

PUBLIC HEALTH ACT 2016 (WA)

Sections 157(1)(e), 157(1)(k), 180 and 190(1)(p)

ACCESS TO QUARANTINE CENTRES DIRECTIONS

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

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 Andrew Robertson, the Chief Health Officer, authorised as an emergency officer under section 4 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)(e), 157(1)(k), 180 and 190(1)(p) of the Act.

PREAMBLE

1. The purpose of these directions is to prevent the importation of COVID-19 into the Western Australian community and to otherwise limit the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **Access to Quarantine Centres Directions**.

COMMENCEMENT

3. These directions come into effect at 12.01 am on 10 May 2021.

DIRECTIONS

4. Subject to paragraphs 5 and 6, a **quarantine centre worker** must not enter, or remain at, a **quarantine centre** if the quarantine centre worker has not been **vaccinated** against COVID-19.
5. Where only part of **premises** are being used as a quarantine centre, nothing in these directions prevents a quarantine centre worker who is not vaccinated against COVID-19 from entering that part of the premises which is not being used as a quarantine centre.

6. Nothing in these directions prevents a person who is not vaccinated against COVID-19 from entering any part of a quarantine centre for the purposes of:
- (a) law enforcement; or
 - (b) responding to an emergency other than COVID-19; or
 - (c) performing maintenance or repairs, but only to the extent that, due to the nature of the maintenance or repairs, it is not reasonably practicable for a quarantine centre worker who is vaccinated against COVID-19 to perform the maintenance or repairs and the person who is able to perform the maintenance or repairs is not eligible to be vaccinated against COVID-19 at the time that the maintenance or repairs are required to be performed.

Example: a fire fighter or ambulance officer responding to an emergency other than COVID-19 would be persons referred to in paragraph 6(b)

7. A quarantine centre worker must produce for inspection evidence in the form approved by the Chief Health Officer or the State Health Incident Controller that they have been vaccinated against COVID-19, if **directed** to do so by an **emergency officer**.

DEFINITIONS

For the purposes of these directions:

8. **Chief Health Officer** has the same meaning that it has in the Act.
9. **Direct contact means:**
- (a) more than 15 minutes of face-to-face contact in any setting; or
 - (b) more than 2 hours in the same room.
10. **Direction** includes any direction under the Act, whether the direction is given orally or in writing, and **directed** includes directed by way of a direction under the Act, whether the direction is given orally or in writing.
11. **Emergency officer** has the same meaning that it has in the Act.
12. **Police officer** means a person appointed under Part I of the *Police Act 1892* (WA) to be a member of the Police Force of Western Australia.
13. **Premises** has the same meaning that it has in the Act.
14. **Quarantine centre** means any quarantine centre operated or managed by the State Health Incident Coordination Centre (including a hotel quarantine centre) or which has been arranged by the State Health Incident Coordination Centre for the quarantining of

people for public health purposes in connection with COVID-19 and, where the entirety of the premises is not being used as a quarantine centre, means only that part of the premises which is being operated or managed by the State Health Incident Coordination Centre as a quarantine centre.

15. **Quarantine centre driver** has the same meaning that it has in the Quarantine Centre Drivers Directions or any direction that replaces or amends those directions.

16. **Quarantine centre worker** means:

- (a) a person employed or otherwise engaged to provide at a quarantine centre:
 - (i) security services, cleaning services or reception services; or
 - (ii) food and beverage or hotel maintenance services; or
- (b) a person who is employed or otherwise engaged to provide at a quarantine centre services that involve the provision of medical, health or ancillary services, including welfare related services; or
- (c) a **police officer** who is deployed to carry out an assigned shift at a quarantine centre; or
- (d) a member of the Australian Defence Force who is deployed to carry out an assigned shift at a quarantine centre; or
- (e) a person who for any other reason knowingly has **direct contact** with a person in a quarantine centre who is subject to **quarantine requirements**,

but does not include a **quarantine centre driver**.

17. **Quarantine requirements** has the same meaning that it has in the Controlled Border for Western Australia directions.

18. **Vaccinated** means that the person has had at least one dose of a COVID-19 vaccine.

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.



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Dr Andrew Robertson

Emergency Officer

6 May 2021 10⁰² hours