

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67 and 72A

ENTRY TO KIMBERLEY DIRECTIONS (No 2)

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 am 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, Gary Elmars Dreibergs, Acting 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 prevent the importation of COVID-19 into Western Australia and to otherwise limit the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **Entry to Kimberley Directions (No 2)**.

COMMENCEMENT

3. These directions come into effect at the time of signing.

REVOCATION

4. The **Entry to Kimberley Directions** are revoked.

DIRECTIONS

Persons Entering Western Australia via the Kimberley region

5. If a person **enters the Kimberley** from a place outside of Western Australia and:
 - (a) at the time of their entry, is subject to a **quarantine requirement** that requires the person to remain inside **suitable premises**; and
 - (b) an **authorised officer** is satisfied that the person is not able to comply with the quarantine requirement because the person does not have access to suitable premises,

an authorised officer may give to the person a **direction** to leave Western Australia provided that the authorised officer is satisfied that the person can leave Western Australia within a reasonable time and in an appropriate manner and may specify in the direction, amongst other things, either or both of the time by and the manner in which the person is to leave.

6. A person who is given a direction by an authorised officer under paragraph 5 must comply with that direction.
7. Unless specified otherwise, any reference in these directions to any other direction made by the State Emergency Coordinator is deemed to be a reference to that direction as amended or replaced from time to time.

DEFINITIONS

8. **Affected aircraft** means an aircraft which originated from a place outside of Western Australia.
9. **Aircraft** includes any vehicle for travelling by air.
10. **Authorised officer** has the same meaning that it has in the Act.
11. **Direction** means a direction given under the Act, whether the direction is given orally or in writing.
12. **Enters the Kimberley** means to:
 - (a) disembark from an **affected aircraft** onto land at Broome Airport or Kununurra Airport; or
 - (b) cross the border into Western Australia, in the **Kimberley Region**, by road.
13. **Kimberley Region** means the Kimberley Region as described in Item 4 of Schedule 4 to the *Planning and Development Act 2005* (WA).
14. **Quarantine requirement** means an obligation imposed on a person by a direction given under the Act or the *Public Health Act 2016* (WA) to travel to and remain within suitable premises for a period of time in order to mitigate the risk of such a person infecting any other person with COVID-19 and to otherwise limit the spread of COVID-19.
15. **Suitable premises** has the same meaning that it has in the Controlled Border for Western Australia Directions.

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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Gary Elmars Dreiberger

Acting Commissioner of Police and State Emergency Coordinator

27 June 2021 1910 hours