

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 70 and 72A

TRANSPORT AND ACCOMMODATION SERVICES (EXPOSED MARITIME WORKER) 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**) (**State of Emergency**). The State of Emergency applies to the State of Western Australia.

I, Colin John Blanch, Acting Commissioner of Police and State Emergency Coordinator, now give the following directions pursuant to my powers under sections 67, 70 and 72A 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 **Transport and Accommodation Services (Exposed Maritime Worker) Directions (No 2)**.

COMMENCEMENT

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

REVOCATION AND CONTINUING OBLIGATIONS

4. The Transport and Accommodation Services (Exposed Maritime Worker) Directions (**revoked directions**) are revoked.

5. Despite paragraph 4, a person must continue to comply with any obligations which still applied to the person under the revoked directions immediately before these directions came into effect, to the same extent that the person would have to comply with them if the revoked directions had not been revoked, and for the avoidance of doubt if a person fails to comply with an obligation that applied to them under the revoked directions, the person may commit an offence under the Act.

OPERATION

6. For the avoidance of doubt, the requirements set out in these directions are in addition to, and do not derogate from, any other relevant requirements set out in other **directions** provided that if a requirement set out in these directions is inconsistent with a requirement set out in other directions, the requirement set out in the other directions prevails to the extent of the inconsistency.

DIRECTIONS

Obligations imposed on persons apparently in charge of a dedicated conveyance used to transport exposed maritime workers

7. The person apparently in charge of a **dedicated conveyance** carrying any **exposed maritime worker** must ensure that:
- (a) other than **transport workers**, the persons on board that dedicated conveyance at any one time are:
 - (i) all **exposed maritime crew members**; or
 - (ii) all **on-board workers** (whether exposed or unexposed); or
 - (iii) all **rig or platform crew members** (whether exposed or unexposed);
or
 - (iv) a mixture of on-board workers and rig or platform crew members (whether exposed or unexposed); and

*Note: Exposed maritime crew members must not share dedicated conveyances with other categories of **maritime workers**.*

- (b) each transport worker on board that dedicated conveyance complies with the **infection control measures**; and

- (c) subject to a direction under paragraph 7(d), travel is by the most direct and practicable route available and without stopping except as required by law or necessary for fuel or rest, provided that a person will not contravene this paragraph 7(c) where:
 - (i) the dedicated conveyance is collecting maritime workers from more than one **vessel** for the purpose of disembarking them onto land in Western Australia provided that such collection proceeds as efficiently as practicable; or
 - (ii) the dedicated conveyance is a charter flight collecting maritime workers from more than one **regional airport** for transport to Perth provided that such collection proceeds in a manner which is as efficient and as direct as practicable; and
 - (d) if **directed**, travel is undertaken in accordance with any requirements directed by an **authorised officer**.
8. The person apparently in charge of a dedicated conveyance carrying any exposed maritime worker must take all reasonable steps to ensure that:
- (a) each maritime worker on board that dedicated conveyance complies with the infection control measures; and
 - (b) each exposed maritime worker on board that dedicated conveyance does not leave the dedicated conveyance during travel except as necessary:
 - (i) to escape an immediate threat to health or safety; or
 - (ii) to use ablution facilities where the use of such facilities is strictly necessary and where such facilities are not available on the dedicated conveyance; and
 - (c) if any ablution facilities are used by any exposed maritime crew member during travel pursuant to paragraph 8(b)(ii), such ablution facilities are cleaned, or caused to be cleaned, by a transport worker or person apparently in charge of the facility in accordance with parts A, D and E of the **cleaning protocols** after such use and prior to being used by any other person (save for another exposed maritime crew member on board the same dedicated conveyance).

9. A person apparently in charge of a dedicated conveyance that has carried any exposed maritime worker must ensure that the dedicated conveyance is cleaned in accordance with parts B, D and E of the cleaning protocols prior to such dedicated conveyance next being used to transport any persons.

Obligation to provide and maintain dedicated waiting areas

10. The operator of any regional airport used to convey exposed maritime crew members must establish and maintain a **dedicated waiting area**.
11. Each dedicated waiting area must:
 - (a) maintain separation of exposed maritime crew members from all other persons (including all other categories of maritime worker and members of the general public); and
 - (b) comply with the **dedicated waiting area requirements**.
12. The operator of a regional airport used to convey exposed maritime crew members must ensure that:
 - (a) the dedicated waiting area is supervised at all times the dedicated waiting area is being occupied by any exposed maritime crew member; and
 - (b) the supervisor of the dedicated waiting area immediately notifies a **police officer** if any exposed maritime crew member fails to comply with requests to:
 - (i) move to or remain within a dedicated waiting area; or
 - (ii) wear a **face mask**; and
 - (c) the dedicated waiting area is cleaned in accordance with parts C, D and E of the cleaning protocols each time that dedicated waiting area is vacated after being occupied by any exposed maritime crew member, and before the dedicated waiting area is occupied by any other person.

Note: Exposed maritime crew members are the only category of maritime worker required to utilise dedicated waiting areas.

Company quarantine facilities

13. The operator of a **company quarantine facility** must:
- (a) operate the company quarantine facility in a manner consistent with:
 - (i) the **standard**; or
 - (ii) if such a plan exists, the plan relating to the specific company quarantine facility that has been approved by an **authorised PHEOC officer**; and
 - (b) ensure that staff at the company quarantine facility comply with the standard or the plan referred to at paragraph 13(a)(ii) (as applicable); and
 - (c) use reasonable endeavours to ensure that **exposed on-board workers** and **exposed rig or platform crew members** staying at the company quarantine facility comply with applicable provisions of the standard or the plan referred to at paragraph 13(a)(ii) (as applicable).

Notification to EMC transport workers

14. The owner, operator or person in charge of a dedicated conveyance must take reasonable steps to identify each transport worker who has become an **EMC transport worker**, and notify such transport workers of their status.

Obligation for EMC transport workers to present for testing

15. An EMC transport worker must comply with the **seven day presentation protocol** for a period ending 14 days after the day on which the person last shared a dedicated conveyance with an exposed maritime crew member, unless the person:
- (a) has left and is no longer in Western Australia; or
 - (b) is given a direction to quarantine at a **quarantine centre** or a **hospital**; or
 - (c) is required to quarantine or isolate under either or both of the **relevant directions**.

Seven day presentation protocol

16. An EMC transport worker who must comply with the seven day presentation protocol must, within seven days after the day on which the EMC transport worker last shared a dedicated conveyance with an exposed maritime crew member or was **tested**:
- (a) go to a **COVID Clinic**; 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 **instruction** which a relevant officer at the COVID Clinic gives to them; and
 - (d) answer truthfully if a relevant officer at the COVID Clinic asks the EMC transport worker to describe their state of health or whether the EMC transport worker has or has had any **symptoms**; and
 - (e) remain at the COVID Clinic until the EMC transport worker has been tested, or a relevant officer has **instructed** the EMC transport worker that they may leave the COVID Clinic.

Note: This paragraph does not require an EMC transport worker to be tested for COVID-19. An EMC transport worker 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 (WA).

17. An EMC transport worker does not have to comply with paragraph 10 of the Quarantine (Undiagnosed) Directions (or any paragraph having an equivalent effect if those directions are amended or replaced) in respect of any test that is performed on them following compliance with the seven day presentation protocol, unless the EMC transport worker:
- (a) displayed symptoms at the time the test was undertaken; or
 - (b) is directed otherwise.
18. If an EMC transport worker develops or has recently experienced symptoms, the EMC transport worker must:
- (a) immediately telephone 13 COVID (13 268 43) and ask for an instruction; and
 - (b) comply with any instruction given.

Infection control measures

19. When a person must comply with the infection control measures, the person must:
- (a) at all times take all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (b) at all times when coughing or sneezing, do so into the person's elbow or a tissue; and
 - (c) wash their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
 - (d) wear a face mask.

INTERPRETATION

20. 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

21. **Authorised PHEOC officer** means a person authorised by me to act as an authorised PHEOC officer for the purposes of the **maritime directions**.
22. **Authorised officer** has the same meaning that it has in the Act.
23. **Cleaning protocols** means the practices and protocols for cleaning as set out in Schedule 1.
24. **Company quarantine facility** means a facility used for accommodating exposed on-board workers or exposed rig or platform crew members during their **quarantine period**.
25. **COVID Clinic** has the meaning given in the Presentation for Testing Directions (No 35) or any further directions that replace those directions.
26. **Cruise ship** means a ship, boat or any other kind of vessel for travelling on water that:
- (a) has sleeping facilities for 100 or more passengers; and
 - (b) is usually used to provide a service of sea transportation, being a service that:
 - (i) is provided in return for a fee payable by persons using the service; and

(ii) is available to the general public.

27. **Dedicated conveyance** means any vessel, vehicle or aircraft used for the transport of any exposed maritime worker, including a tender vessel or helicopter transferring a person to or from a vessel or a rig or platform, but excluding any taxi or rideshare service, any form of public transport, and any private vehicle used for non-commercial purposes.
28. **Dedicated waiting area** means a waiting area at a regional airport which meets the requirements of paragraph 11.
29. **Dedicated waiting area requirements** mean the requirements for dedicated waiting areas as set out in Schedule 2.
30. **Direction** includes any direction given under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing, and **directed** includes directed by way of a direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
31. **EMC transport worker** means a transport worker who has shared a dedicated conveyance with an exposed maritime crew member.
32. **Exposed maritime crew member** has the same meaning that it has in the Maritime Crew Member Directions (No 2) or any further directions that replace those directions.
33. **Exposed maritime worker** means, as context demands:
 - (a) an exposed on-board worker;
 - (b) an exposed maritime crew member; or
 - (c) an exposed rig or platform crew member.
34. **Exposed on-board worker** has the same meaning that it has in the Exposed On-Board Worker Directions (No 2) or any further directions that replace those directions.
35. **Exposed rig or platform crew member** has the same meaning that it has in the Rig or Platform Crew Member Directions (No 2) or any further directions that replace those directions.
36. **Face mask** means a disposable surgical mask that covers the nose and mouth (but does not include a face shield or a re-usable cloth mask).

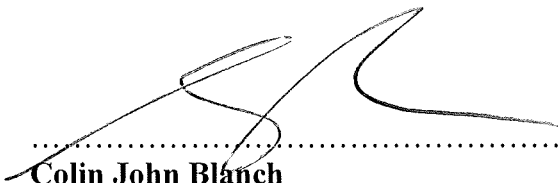
37. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
38. **Infection control measures** means the requirements of paragraph 19.
39. **Instruction** means an instruction given for the purposes of these directions which is not a direction, whether the instruction is given orally or in writing, and **instructed** means instructed by way of an instruction given for the purposes of these directions, whether the instruction is given orally or in writing.
40. **Maritime crew member** has the same meaning that it has in the Maritime Crew Member Directions (No 2) or any further directions that replace those directions.
41. **Maritime directions** means the following directions made under the Act:
- (a) Maritime Crew Member Directions (No 2);
 - (b) Exposed On-Board Worker Directions (No 2);
 - (c) Rig or Platform Crew Member Directions (No 2); and
 - (d) Transport and Accommodation Services (Exposed Maritime Worker) Directions (No 2),
- in each case as amended or replaced from time to time.
42. **Maritime worker** means, as context demands:
- (a) an on-board worker;
 - (b) a maritime crew member; or
 - (c) a rig or platform crew member.
43. **On-board worker** has the same meaning that it has in the Exposed On-Board Worker Directions (No 2) or any further directions that replace those directions.
44. **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.
45. **Quarantine centre** means any quarantine centre operated or managed by the State Health Incident Coordination Centre (including hotel quarantine centres) 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.

46. **Quarantine period** has the same meaning that it has in the Exposed On-Board Worker Directions (No 2) or Rig or Platform Crew Member Direction (No 2) (as context demands) or any further directions that replace those directions.
47. **Regional airport** means an airport (other than Perth airport) through which exposed maritime workers transit.
48. **Relevant directions** means:
- (a) the Quarantine (Undiagnosed) Directions or any further directions that replace those directions; and
 - (b) the Isolation (Diagnosed) Directions (No 2) or any further directions that replace those directions.
49. **Rig or platform crew member** has the same meaning that it has in the Rig or Platform Crew Member Directions (No 2) or any further directions that replace those directions.
50. **Seven day presentation protocol** means the requirements of paragraph 16 of these directions.
51. **Standard** means the *'Standard for non-State quarantine facilities providing accommodation for guests in quarantine or isolation'* as published by the Department of Health (as amended from time to time), which at the time these directions come into effect is available at the following URL:
- <https://ww2.health.wa.gov.au/~media/Files/Corporate/general%20documents/Infectious%20diseases/PDF/Coronavirus/COVID19-Accommodation-providers-that-have-guests-who-are-self-isolating-as-confirmed-cases.pdf>
52. **Symptoms** means any one or more of:
- (a) a fever of 37.5 degrees or above;
 - (b) a recent history of fever;
 - (c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); or
 - (d) loss of smell or loss of taste.
53. **Test** and **tested** means test for COVID-19 and tested for COVID-19 respectively.

54. **Transport worker** means a person on a dedicated conveyance whose presence is necessary in order to safely operate that dedicated conveyance.
55. **Vessel** means a ship, boat or any other kind of vessel for travelling on water but does not include an oil rig or offshore platform or a **cruise ship**.

PENALTIES

It may be an offence to fail to comply with 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.



Colin John Blanch

Acting Commissioner of Police and State Emergency Coordinator

14 September 2021 1714 hours

SCHEDULE 1

Cleaning Protocols

Part A: Cleaning protocols for ablution facilities

1. Ablution facilities must be thoroughly cleaned and disinfected using the following protocol:
 - (a) close off the affected area before cleaning and disinfection;
 - (b) open outside doors and windows if possible to increase air circulation and then commence cleaning and disinfection;
 - (c) clean and disinfect all surfaces using a detergent with neutral pH and a disinfectant with viricidal properties which is approved by the Therapeutic Goods Administration for use against COVID-19. Products should be suitable as per the manufacturer's instructions for the surfaces and equipment they are to be used on. This cleaning and disinfection process may be a two-step process involving cleaning followed by disinfection, or a one-step process using a product that contains both ingredients. Cleaning and disinfection by wiping equipment and surfaces is preferred using disposable cleaning wipes, cloths or paper towel;
 - (d) once cleaning and disinfection is complete, place disposable cloths and PPE in a plastic rubbish bag, tie securely and dispose of the bag in the general waste;
 - (e) cleaning equipment that is reusable such as mop heads and cloths are to be laundered using hot water and detergent. They must be completely dried before re-use. Cleaning equipment such as buckets and mop handles are to be emptied, cleaned, disinfected and allowed to dry completely before re-use; and
 - (f) all rubbish may be disposed of into general waste.

Part B: Cleaning protocols for dedicated conveyances

2. Dedicated conveyances must be thoroughly cleaned and disinfected using the following protocol:
 - (a) restrict access to the dedicated conveyance before cleaning and disinfection;
 - (b) open outside doors and windows if possible to increase air circulation and then commence cleaning and disinfection;

- (c) all areas of the dedicated conveyance are to be cleaned and disinfected starting with the driver's area and then moving towards the rear of the dedicated conveyance to clean the passenger areas;
- (d) clean and disinfect all surfaces using a detergent with neutral pH and a disinfectant with viricidal properties which is TGA approved for use against COVID-19. Products should be suitable as per the manufacturer's instructions for the surfaces and equipment they are to be used on. This cleaning and disinfection process may be a two-step process involving cleaning followed by disinfection, or a one-step process using a product that contains both ingredients. Cleaning and disinfection by wiping equipment and surfaces is preferred using disposable cleaning wipes, cloths or paper towel;
- (e) once cleaning and disinfection is complete, place disposable cloths and PPE in a plastic rubbish bag, tie securely and dispose of the bag in the general waste;
- (f) cleaning equipment that is reusable such as mop heads and cloths are to be laundered using hot water and detergent. They must be completely dried before re-use. Cleaning equipment such as buckets and mop handles are to be emptied, cleaned, disinfected and allowed to dry completely before re-use; and
- (g) all rubbish may be disposed of into general waste.

Part C: Cleaning protocols for dedicated waiting areas

3. Dedicated waiting areas must be thoroughly cleaned and disinfected using the following protocol:
 - (a) restrict access to the dedicated waiting area before cleaning and disinfection;
 - (b) open outside doors and windows if possible to increase air circulation and then commence cleaning and disinfection;
 - (c) all areas of the dedicated waiting area are to be cleaned and disinfected, paying particular attention to frequently touched areas such as door handles, tabletops, light switches, handrails, kitchen equipment and toilets;
 - (d) clean and disinfect all surfaces using a detergent with neutral pH and a disinfectant with viricidal properties which is TGA approved for use against COVID-19. Products should be suitable as per the manufacturer's instructions for the surfaces and equipment they are to be used on. This cleaning and

disinfection process may be a two-step process involving cleaning followed by disinfection, or a one-step process using a product that contains both ingredients. Cleaning and disinfection by wiping equipment and surfaces is preferred using disposable cleaning wipes, cloths or paper towel;

- (e) once cleaning and disinfection is complete, place disposable cloths and PPE in a plastic rubbish bag, tie securely and dispose of the bag in the general waste;
- (f) cleaning equipment that is reusable such as mop heads and cloths are to be laundered using hot water and detergent. They must be completely dried before re-use. Cleaning equipment such as buckets and mop handles are to be emptied, cleaned, disinfected and allowed to dry completely before re-use; and
- (g) all rubbish may be disposed of into general waste.

Part D: PPE for cleaners

- 4. Persons cleaning ablution facilities, dedicated conveyances and dedicated waiting areas must be equipped with appropriate PPE and have had appropriate training in its use. This includes disposable gloves, protective eyewear and surgical masks. If there is visible contamination with respiratory secretions or other body fluids in the area or dedicated conveyance being cleaned, the cleaning staff should also wear a disposable apron.

Part E: Hand hygiene for cleaners

- 5. Persons cleaning ablution facilities, dedicated conveyances and dedicated waiting areas must adhere to the following hand hygiene protocols:
 - (a) When hands are visibly dirty, hand hygiene should be performed with soap and water using the following protocol:
 - (i) wet hands and apply soap;
 - (ii) lather for at least 20 seconds paying attention to the back of hands and fingers, fingernails and the webbing between fingers;
 - (iii) rinse hands under running water; and
 - (iv) dry hands with a clean towel or fresh paper towel.

- (b) Hand hygiene can be performed with alcohol-based hand sanitiser (minimum 60% alcohol) using the following protocol:
- (i) use enough product to cover both hands;
 - (ii) rub all surfaces of hands, paying attention to the backs of hands and fingers, fingernails, fingertips, and the webbing between fingers; and
 - (iii) rub hands together until dry.

SCHEDULE 2

Dedicated waiting area requirements

1. The dedicated waiting area must be located at the relevant regional airport.
2. The dedicated waiting area must:
 - (a) maintain a separation between exposed maritime crew and all other persons (including members of the public and other categories of maritime worker); and
 - (b) contain signage and/or physical barriers as reasonably required to maintain the physical separation required by subparagraph (a); and
 - (c) be adequately sized to allow for physical distancing; and
 - (d) have ablution facilities either within or adjacent to the dedicated waiting area which are for the exclusive use of exposed maritime crew members using the dedicated waiting area; and
 - (e) contain hand hygiene facilities (alcohol-based hand rub or a sink with liquid soap, running water and paper hand towels) available for the exclusive use of exposed maritime crew members using the dedicated waiting area; and
 - (f) include facilities within the dedicated waiting area for safe waste disposal (i.e. rubbish bins).
3. The following finishes are preferred in dedicated waiting areas:
 - (a) non-fabric furnishings are preferred to allow for effective cleaning and disinfection on departure; and
 - (b) non-carpeted floor covering such as linoleum, floor boards or other hard surface are preferred so they can be easily cleaned and disinfected on departure.