

PUBLIC HEALTH ACT 2016 (WA)

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

ACCESS TO QUARANTINE CENTRES DIRECTIONS (No 2)

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)*. On 22 September 2021, the Minister for Health declared a further public health state of emergency with effect from 4.25 pm on 22 September 2021 in respect of COVID-19 pursuant to section 167 of the 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 (No 2)**.

COMMENCEMENT

3. These directions come into effect upon signing.

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

22 September 2021 20³¹ hours