

# EMERGENCY MANAGEMENT ACT 2005 (WA)

## Sections 67, 70 and 72A

### **BBL (BRISBANE HEAT) DIRECTIONS**

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, Christopher John Dawson, 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. These directions set out the requirements that apply to **relevant persons** and are for the purpose of preventing the importation of COVID-19 into Western Australia and otherwise limiting the spread of COVID-19 in Western Australia while facilitating **quarantine matches**.

#### **CITATION**

2. These directions may be referred to as the **BBL (Brisbane Heat) Directions**.

#### **COMMENCEMENT**

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

#### **OPERATION**

4. If a relevant person is subject to a **quarantine or isolation requirement** under the Isolation (Diagnosed) Directions (No 2) or an **exposure site direction**, the person must comply with the requirements of the Isolation (Diagnosed) Directions (No 2) or the exposure site direction (as applicable) for as long as those requirements apply to that person and not these directions, provided that, if the period of the quarantine or isolation requirement imposed by the Isolation (Diagnosed) Directions (No 2) or an exposure site direction (as applicable) ends prior to the **quarantine period**, the person must comply with these directions for the remainder of the quarantine period.

## APPROVAL

5. I approve each relevant person who has been in an **outbreak jurisdiction**:
- (a) after the **relevant time** in respect of that outbreak jurisdiction; and
  - (b) in the 14 days before the person enters Western Australia,
- as an approved traveller for the purposes of paragraph 52(g) of the Outbreak Outside of Western Australia Response Directions (No 12).

## DIRECTIONS

### Special requirements applicable to relevant persons

6. A relevant person may only **enter** Western Australia if the relevant person has been tested for COVID-19 using an **approved testing methodology** in the 24 – 48 hours prior to entering Western Australia and has received a **negative test result** for that test.
7. A relevant person must enter Western Australia on a **charter flight**.
8. A relevant person who **enters** Western Australia pursuant to these directions, and who would, but for these directions, be subject to:
- (a) a quarantine or isolation requirement; or
  - (b) **presentation for testing requirements**,
- under the Controlled Border for Western Australia Directions, an **outbreak response direction** or the **presentation for testing directions** or paragraph 10 or 12 of the Quarantine (Undiagnosed) Directions, is not required to comply with those quarantine or isolation requirements or presentation for testing requirements, provided that the relevant person complies with these directions.
9. Despite paragraph 4A of the Controlled Border for Western Australia Directions, a relevant person must comply with paragraph 5A of the Controlled Border for Western Australia Directions.
10. Upon entering Western Australia, a relevant person must travel as soon as possible to:
- (a) an **approved quarantine venue** in accordance with paragraph 11; or
  - (b) the **match day venue** for the purpose of **participating** in a quarantine match in accordance with paragraph 16.

11. A relevant person must travel, either alone or with one or more other relevant persons:
- (a) in a **charter vehicle**; or
  - (b) in another way that an **authorised officer** directs the relevant person to take, either orally or in writing,
- and by the most direct and practicable route available and without stopping except as required by law or necessary for fuel or rest.
12. During their **quarantine period**, a relevant person must:
- (a) comply with the relevant provisions of each **approved plan**; and
  - (b) take all reasonable steps to keep at least 1.5 metres away from any other person except in circumstances where the relevant person is:
    - (i) participating in an **authorised training activity**, or travelling between approved quarantine venues, or travelling to or from an **approved training venue** in accordance with paragraph 15, and the other person is also a relevant person; or
    - (ii) participating in a quarantine match, or travelling to or from the match day venue in accordance with paragraph 16, and the other person is also participating in or officiating the quarantine match; and
  - (c) take all reasonable steps to ensure that they do not allow any person to access their accommodation area within the approved quarantine venue unless the person falls within a category of person described in paragraph 7(a) of the **relevant venue directions**; and
  - (d) wear a face mask when travelling or in an enclosed space outside of their **accommodation area** within the approved quarantine venue unless one or more of the **face covering exceptions** apply to the relevant person at that time.
13. A relevant person must call 13 COVID (13 268 43) immediately if the relevant person develops or has recently experienced **symptoms** and follow any instruction they are given.

### **Quarantine at approved quarantine venue**

14. As soon as the relevant person arrives at the approved quarantine venue, the relevant person must remain inside their accommodation area within that approved quarantine venue for the quarantine period, unless the relevant person:
- (a) is given another **direction**; or
  - (b) leaves for the purpose of travelling from an approved quarantine venue to another approved quarantine venue; or
  - (c) leaves for the purposes of participating in an authorised training activity at an approved training venue in accordance with paragraph 15; or
  - (d) leaves for the purposes of participating in a quarantine match at a match day venue in accordance with paragraph 16; or
  - (e) leaves for the purposes of leaving Western Australia in accordance with paragraph 17.

### **Authorised training activity**

15. Unless otherwise directed, a relevant person may **participate** in an authorised training activity at an approved training venue at an **approved training time** during their quarantine period provided that the relevant person:
- (a) is not displaying symptoms; and
  - (b) travels to the approved training venue in accordance with paragraph 11; and
  - (c) complies with the relevant **approved training venue plan** whilst at the approved training venue; and
  - (d) travels from the approved training venue to the approved quarantine venue at the end of the authorised training activity in accordance with paragraph 11.

### **Quarantine match**

16. A relevant person may participate in a quarantine match at a match day venue during their quarantine period provided that the relevant person:
- (a) is not displaying symptoms; and
  - (b) travels to the match day venue in accordance with paragraph 11; and

- (c) complies with the **approved match day venue plan** whilst at the match day venue; and
- (d) as soon as possible after the end of the quarantine match, travels from the match day venue to the approved quarantine venue in accordance with paragraph 11, or to the departure terminal for the purpose of leaving Western Australia in accordance with paragraph 17.

### **Leaving Western Australia**

17. A relevant person may leave an approved quarantine venue or match day venue for the purpose of leaving Western Australia provided that the relevant person:
- (a) leaves Western Australia on a charter flight; and
  - (b) when travelling to the departure terminal to embark on a departing flight, travels:
    - (i) in a charter vehicle; or
    - (ii) in another way that an authorised officer directs the relevant person to take, either orally or in writing,from the approved quarantine venue or match day venue (as the case may be) to the departure terminal by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
  - (c) as soon as they arrive at the departure terminal, remains at the departure terminal until they leave on the departing flight; and
  - (d) boards the departing flight when it is possible to do so and remains on the departing flight until it takes off; and
  - (e) if unable to leave Western Australia on the departing flight for any reason, contacts an authorised officer as soon as possible and complies with any direction given.

### **Immediate threat to safety**

18. Notwithstanding anything in these directions, a relevant person may leave a **relevant place** during their quarantine period to escape an immediate threat to their safety provided that the relevant person:
- (a) goes no further from the relevant place than is necessary to escape that threat; and
  - (b) returns to the relevant place as soon as it is safe to do so; and
  - (c) if unable to return to the relevant place within an hour of leaving, telephones the police on 131 444 and informs them that the relevant person is subject to a quarantine direction and had to leave the relevant place.

### **Urgent medical treatment**

19. Notwithstanding anything in these directions, a relevant person may leave a relevant place during their quarantine period:
- (a) to seek urgent medical treatment at a **hospital** or other treatment facility when it is necessary to leave the relevant place in order for that treatment to be provided; or
  - (b) if the relevant person is also a **support officer**, to accompany another relevant person leaving the relevant place under paragraph (a),
- provided that the relevant person:
- (c) prior to leaving the relevant place to go to the hospital or other treatment facility:
    - (i) notifies the relevant hospital or treatment facility that the relevant person is subject to these requirements; and
    - (ii) obtains approval from the relevant hospital or treatment facility to attend for treatment at the relevant hospital or treatment facility,
- provided that a relevant person will not breach this paragraph if they are, or are accompanied by, a relevant person within paragraph (b) and one of the relevant persons has so informed the ambulance service or the hospital or other treatment facility; and

- (d) after obtaining the approval referred to in paragraph (c)(ii) and as soon as reasonably practicable, contacts an authorised officer and informs the authorised officer that they have approval to attend the relevant hospital or treatment facility for treatment; and
- (e) goes to the hospital or other treatment facility by ambulance or by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
- (f) complies with any direction or **instruction** given by an authorised officer, an **emergency officer** or a **responsible officer**; and
- (g) unless otherwise directed or **instructed** by an authorised officer, an emergency officer or a responsible officer, returns to the approved quarantine venue as soon as possible after the urgent medical treatment has been provided by the most direct and practicable route available and without stopping except as required by law or necessary for fuel.

#### **AUTHORISATION**

20. Wherever this direction contemplates a person authorised by me giving any approval, I authorise any **police officer** acting at or above the rank of Inspector to give that approval.

#### **INTERPRETATION**

21. 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**

22. **Accommodation area** means that part of an approved quarantine venue to which relevant persons are permitted to have access in accordance with the **approved quarantine venue plan**.

23. **Approved match day venue plan** means the relevant plan in relation to the match day venue that is an approved match day venue plan under the relevant venue directions.

*Note: at the time of giving these directions the relevant plan is the plan identified in Row 9, Column 3 of the table set out in Schedule 1.*

24. **Approved plan** means each of:

- (a) the approved match day venue plan; and
- (b) the approved quarantine venue plan; and
- (c) the approved training venue plan; and
- (d) the approved transport plan.

25. **Approved quarantine venue** means:

- (a) any venues specified in Row 4, Column 3 of the table set out in Schedule 1 of these directions; or
- (b) any other venue approved as an approved quarantine venue under the relevant venue directions for use to accommodate a relevant person in their quarantine period.

26. **Approved quarantine venue plan** means the relevant plan in relation to the approved quarantine venue that is an approved quarantine venue plan under the relevant venue directions.

*Note: at the time of giving these directions the relevant plans are the plans specified in Row 7, Column 3 of the table set out in Schedule 1.*

27. **Approved testing methodology** means testing for COVID-19 via deep nasal and throat swab with polymerase chain reaction (PCR) testing conducted by a laboratory that has National Association of Testing Authorities (NATA) accreditation for that test.

28. **Approved training time** mean the times specified in Row 3, Column 3 of the table set out in Schedule 1 of these directions.

29. **Approved training venue** means:
- (a) the training venues specified in Row 5, Column 3 of the table set out in Schedule 1 of these directions; or
  - (b) any other venue approved for use for an authorised training activity as an approved training venue under the relevant venue directions.
30. **Approved training venue plan** means the relevant plan in relation to an approved training venue that is an approved training venue plan under the relevant venue directions.
- Note: at the time of giving these directions the relevant plans are those plans specified in Row 8, Column 3 of the table set out in Schedule 1.*
31. **Approved transport plan** means the relevant plan in relation to a charter vehicle that is an approved transport plan under the relevant venue directions.
- Note: at the time of giving these directions the relevant plan is the plan specified in Row 10, Column 3 of the table set out in Schedule 1.*
32. **Authorised officer** has the same meaning that it has in the Act.
- Note: at the time of giving these directions, all police officers are authorised officers.*
33. **Authorised training activity** means training and related exercise and physical conditioning undertaken in connection with playing or preparing to play cricket in the BBL, including:
- (a) individual training, group or full squad training, drills or exercises; and
  - (b) practice matches; and
  - (c) gym training sessions or gym-based activities; and
  - (d) any activity that is reasonably necessary or incidental to the training programme of a BBL player or the operations of a team involved in playing matches in BBL 11, including physiotherapy, sports medicine and club meetings.
34. **BBL** means the Big Bash League.
35. **BBL team** means the team specified in Row 1, Column 3 of the table set out in Schedule 1 of these directions.

36. **Charter flight** means an aircraft that has been hired for the exclusive use of any or all of relevant persons, **relevant umpires** or any other person who enters or will enter Western Australia for the purpose of participating in a quarantine match.
37. **Charter vehicle** means a charter bus or other charter vehicle that has been hired for the exclusive use of the **BBL team** in connection with the transport of relevant persons in their quarantine period and in relation to which there is an **approved transport plan**.
38. **Direction** includes any direction 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.
39. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016 (WA)*.
40. **Enter** has the same meaning that it has in the Controlled Border for Western Australia Directions where used in connection with a person coming into or having come into Western Australia and **enters** has a corresponding meaning.
41. **Exposure period** means, in respect of an **exposure site**, a period of time identified in materials published by the government of any Australian State or Territory as being a time period when a person was at heightened risk of contracting COVID-19 if they were at the exposure site.
42. **Exposure site** means a specific building, business, facility or location that has been identified in materials published by the government of any Australian State or Territory as being a location where a person was at heightened risk of contracting COVID-19 if they were at the location during the **exposure period**.
43. **Exposure site direction** means a direction made under the Act which imposes an obligation on a person based upon that person having been at an exposure site during the relevant exposure period.
44. **Face covering exceptions** means any of the following circumstances or situations that apply to the relevant person at the relevant time:
- (a) the person has a physical, developmental or mental illness, injury, condition or disability which makes wearing a face covering unsuitable; or

- (b) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (c) the person needs to temporarily remove their face covering so as to enable another person to appropriately perform their occupation; or
- (d) the person is consuming food, drink or medicine; or
- (e) the person is asked to remove the face covering to ascertain identity; or
- (f) not wearing a face covering is required for emergency purposes (other than emergency preparation or emergency preparation activities, unless another exception specified in this paragraph applies); or
- (g) the person is working in the absence of others in an enclosed indoor space (unless and until another person enters that indoor space); or
- (h) the person is running or jogging or otherwise engaged in some form of strenuous or vigorous exercise or physical activity; or
- (i) the person is travelling in a **motor vehicle** and is the sole occupant of that vehicle; or
- (j) the person is undergoing emergency medical or dental care or treatment to the extent that such care or treatment requires that no face covering be worn; or
- (k) the person is directed by a judicial officer or tribunal member in proceedings in a court or tribunal to remove their face covering to ensure the proper conduct of those proceedings; or
- (l) not wearing a face covering is otherwise required or authorised by law; or
- (m) wearing a face covering is not safe in all the circumstances,

provided that, where a person is relying on an exception under subparagraph (b) to (m), that person resumes wearing the face covering as soon as reasonably practicable after the person no longer falls within the relevant exception.

45. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).

46. **Instruction** means an instruction given for the purposes of these directions which is not itself a direction, whether the instruction is given orally or in writing, and

**instructed** means instructed by way of an instruction, whether the instruction is given orally or in writing.

47. **Match day venue** means the match day venue specified in Row 6, Column 3 of the table set out in Schedule 1 of these directions.

48. **Motor vehicle** has the same meaning that it has in paragraph (b) of the definition of "motor vehicle" in section 4 of the *Road Traffic (Administration) Act 2008* (WA).

49. **Negative test result** means a test result:

- (a) where no evidence of infection with COVID-19 was detected; or
- (b) where evidence of previous COVID-19 infection was detected, but where the Chief Health Officer or a person authorised by him for that purpose has classified such infection as being a historical case.

50. **Outbreak jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.

51. **Outbreak response direction** mean any directions made under the Act which in substance:

- (a) limit the categories of person who may enter Western Australia from another Australian State or Territory based upon an outbreak of COVID-19 within that State or Territory (or a part thereof); or
- (b) impose quarantine or isolation requirements or presentation for testing requirements upon persons who enter Western Australia from another Australian State or Territory based upon an outbreak of COVID-19 within that Australian State or Territory (or a part thereof),

including the Outbreak Outside of Western Australia Response Directions (No 12), but does not include:

- (c) the Controlled Border for Western Australia Directions; or
- (d) any **specified arrangement**; or
- (e) any exposure site direction.

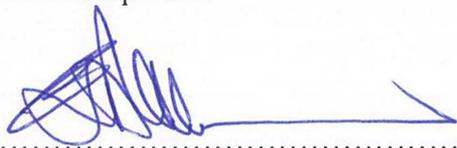
52. **Participate** means to:
- (a) undertake or engage in; or
  - (b) organise,
- and **participating** has a corresponding meaning.
53. **Police officer** means a person appointed under Part I of the *Police Act 1892* (WA) to be a member of the Police Force of Western Australia.
54. **Presentation for testing directions** means the Presentation for Testing Directions (No 36).
55. **Presentation for testing requirements** means an obligation imposed on a person to present to be tested for COVID-19.
56. **Quarantine match** means:
- (a) any match specified in Row 2, Column 3 of the table set out in Schedule 1 of these directions; and
  - (b) any other match of cricket in which any relevant person is participating during their quarantine period that is played in Western Australia in BBL 11 and that is approved in writing by me or a person authorised by me for that purpose.
57. **Quarantine period**, in relation to a relevant person, means the period ending 14 days after the later of:
- (a) the date and time when the relevant person was last in a restricted location prior to their most recent entry into Western Australia; or
  - (b) the date and time when any other relevant person who is quarantining in the same accommodation area as the relevant person was last in a restricted location prior to their most recent entry into Western Australia.
58. **Quarantine or isolation requirement** means an obligation imposed on a person to travel to, or remain within, any place (including **suitable premises**) for a period of time in order to mitigate the risk of such a person infecting any other person with COVID-19.

59. **Relevant person** means a person who enters or will enter Western Australia pursuant to these directions and who is:
- (a) a person who is contracted to play for the BBL team and who enters or will enter Western Australia for the purpose of participating in a quarantine match; or
  - (b) a person who coaches or trains a relevant person in paragraph (a) and who enters or will enter Western Australia in that capacity; or
  - (c) a support officer whose contractual duties include being a support officer for a person referred to in paragraph (a) or (b) and who enters or will enter Western Australia in that capacity; or
  - (d) any person whose presence is necessary or reasonably incidental to the participation of the BBL team in the quarantine match and who enters or will enter Western Australia in that capacity; or
  - (e) any other person approved as a relevant person in writing by me or a person authorised by me for that purpose.
60. **Relevant place** means each of the approved quarantine venue, the approved training venue and the match day venue.
61. **Relevant time** has the same meaning that it has in the Controlled Border for Western Australia Directions.
62. **Relevant umpire** has the same meaning that it has in the relevant venue directions.
63. **Relevant venue directions** means the BBL (Cricket Australia and Venues) Directions.
64. **Responsible officer** has the same meaning that it has in the Controlled Border for Western Australia Directions.
65. **Restricted location** has the same meaning that it has in the Controlled Border for Western Australia Directions.
66. **Specified arrangement** has the same meaning that it has in the Controlled Border for Western Australia Directions.
67. **Suitable premises** has the same meaning that it has in the Controlled Border for Western Australia Directions.

68. **Support officer** means a person who is appropriately trained and qualified to provide support to a relevant person described in paragraph 59(a) or (b) and includes, for the avoidance of doubt, medical personnel engaged by the BBL team.
69. **Symptoms** means any one or more of:
- (a) a fever of 37.5 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); or
  - (d) loss of smell or loss of taste.

### **PENALTIES**

A failure to comply with these directions may be an offence which is punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.



**Christopher John Dawson**

Commissioner of Police and State Emergency Coordinator

6 December 2021 7:05 hours

## SCHEDULE 1

Row	Column 2	Column 3
1.	BBL team	Brisbane Heat
2.	Quarantine match	<p>BBL 11 match between the BBL team and the Perth Scorchers, scheduled to occur on 8 December 2021.</p> <p><i>Pursuant to paragraph 56(b) the State Emergency Coordinator or a person authorised by the State Emergency Coordinator can approve any other match of cricket in which any relevant person is participating during their quarantine period that is played in Western Australia in BBL 11 as a quarantine match.</i></p>
3.	Approved training time	Between 7:00 am and 8:00 pm on each day
4.	Approved quarantine venue	<p>(a) Crowne Plaza Perth, 54 Terrace Road, East Perth WA 6004</p> <p>(b) Fraser Suites Perth, 10 Adelaide Terrace, East Perth WA 6004</p>
5.	Approved training venues	Optus Stadium located at 333 Victoria Park Drive, Burswood
6.	Match day venue	Optus Stadium located at 333 Victoria Park Drive, Burswood
7.	Approved quarantine venue plan	<p>(a) in respect of Crowne Plaza Perth, the plan known as "Crowne Plaza Perth Accommodation Hub Plan, Version Five", last update 25 February 2021</p> <p>(b) in respect of Fraser Suites Perth, the plan for Fraser Suites Perth known as "Accommodation Hub Plan, Version 2", last update: 11<sup>th</sup> August 2021</p>
8.	Approved training venue plans	In respect of Optus Stadium, the plan known as "Optus Stadium COVID-19 Quarantine Zone Training Venue Management Plan Version 3" dated 11 August 2021
9.	Approved match day venue plan	In respect of Optus Stadium, the plan known as "Optus Stadium Return to Crowds COVID-19 Biosecurity & Biosafety Plan 2021-22 BBL Cricket Season" Version 12 dated 17 November 2021
10.	Approved transport plans	<p>(a) the plan by the Australian Transit Group known as "Driver Directive – to assist in minimising the spread of Coronavirus Disease (COVID-19) – Transportation of Interstate Groups" undated</p> <p>(b) the plan by Adams known as "COVID-19 – 2021 Passenger Transport – Coach Cleaning Procedure" dated 7 April 2021</p>