



Booster Vaccination (Restrictions on Access) Directions (No 2) Exemption Guidelines

Based on the health advice from Western Australia's Chief Health Officer, due to the evolving Delta variant and risks of COVID-19, the *Booster Vaccination (Restrictions on Access) Directions (No 2)* (the **Directions**) were made on 7 January 2022 and came into effect upon signing. These Directions supersede any previous version of the same directions.

Under the Directions, from 5 February 2022 a vaccination directed person must comply with the booster vaccination requirements to enter or remain at a site.

The booster vaccination requirements are as follows:

- If a vaccination directed person was eligible to receive a booster vaccination on 24 December 2021, the person must be administered the booster vaccination by 5 February 2022.
- If a vaccination directed person becomes eligible to receive a booster vaccination after 24 December 2021, the person must be administered the booster vaccination within one calendar month of the date that they first became eligible to receive the booster vaccination, or by 5 February 2022, whichever is the latter.

All persons who are subject to a **Restrictions on Access Direction** should refer to the Directions to determine the booster vaccination requirements that apply to them.

Booster vaccination means a booster dose of a COVID-19 vaccine registered by the Therapeutic Goods Administration and recommended for use as a single booster dose by the Australian Technical Advisory Group on Immunisation (ATAGI).

When directed or required, a vaccination directed person must produce evidence of their booster vaccination status.

These guidelines only provide a summary of the exemptions arising under the Directions at the time these guidelines are published.

The signed Directions are available at [Booster Vaccination \(Restrictions on Access\) Directions \(No.2\) \(www.wa.gov.au\)](https://www.wa.gov.au/government/legislation/booster-vaccination-restrictions-on-access-directions-no-2) and may be amended or replaced from time to time.

Who is a vaccination directed person?

A vaccination directed person means a person who is required to comply with vaccination requirements under a Restrictions on Access Direction. For example, an education worker who is required to comply with the vaccination requirements in the *Education Worker (Restrictions*

on Access) Directions (No 4) will be required to comply with the booster vaccination requirements.

The Restrictions on Access Directions in force at the time these Directions were made are listed in Schedule 1 of the Directions. However, the Directions will apply to any person who is required to comply with vaccination requirements to enter, or remain at, a site under a future direction made by the Chief Health Officer.

What is a site?

A site means any premises that the vaccination directed person must not enter, or remain at, under a Restrictions on Access Direction if the vaccination directed person has not been partially vaccinated or fully vaccinated against COVID-19 or is an exempt person.

Some examples of the sites include:

- building and construction sites
- community care services facilities
- rural or remote resources industry sites or remote operating centres
- education facilities
- correctional facilities
- fire and emergency services sites, and
- critical infrastructure sites.

When is a vaccination directed person eligible to receive their booster vaccination?

A vaccination directed person becomes eligible to receive their booster from the date which corresponds with the ATAGI recommendation as to when a person should receive their booster vaccination. Presently, the dates when a person is eligible are as follows:

- a) from 24 December 2021 until 3 January 2022, a date which is 5 months from the date the person became fully vaccinated.
- b) from 4 January 2022 until 30 January 2022, a date which is 4 months from the date the person became fully vaccinated.
- c) from 31 January 2022, a date which is 3 months from the date the person became fully vaccinated.

The date that a vaccination directed person first becomes eligible to receive a booster vaccination does not change to a date earlier in time should the ATAGI recommendation change after a person has already become eligible to receive a booster vaccination.

The Directions contain examples to assist a vaccination directed person to determine when they are eligible to receive their booster vaccination.

Who is a responsible person?

A responsible person is a person, other than an emergency officer or nominated officer, who under a Restrictions on Access Direction:

- has authority to require a vaccination directed person to provide evidence of their vaccination status
- must collect and maintain a record of the vaccination status of a vaccination directed person
- must only roster on, or otherwise permit to work or enter a site a person who is vaccinated or is an exempt person.

A person will need to check the relevant Restrictions on Access Direction to determine if they are a responsible person under these Directions.

For example, under the *Air Services and Border Worker (Restrictions on Access) Directions (No 2)* the responsible person would be the employer, the owner, operator or person apparently in charge of the airport or the person apparently in charge of a border crossing checkpoint.

Whereas under the *Education Worker (Restrictions on Access) Directions (No 4)*, the responsible person would be the employer, principal or person in charge of the education facility.

What are the types of exemptions?

Exempt person means each of the following:

- A vaccination directed person who has a **medical exemption**.

Medical exemption means a medical exemption recorded on the Australian Immunisation Register and displayed on the individual's Immunisation History Statement.

Further information on medical exemptions is available on the Australian Immunisation Register website. This information specifies that the only reasons a person might be able to get an exemption from having a vaccine are if the person:

- had anaphylaxis after a previous dose of a vaccine
 - had anaphylaxis after a dose of any component of a vaccine
 - are significantly immunocompromised — for live vaccines only.
- A vaccination directed person who has a **temporary exemption** granted under these Directions or under a Restrictions on Access Direction.
A vaccination directed person or the responsible person for the vaccination directed person (such as their employer, principal, person in charge or owner of the site where the person works) may apply for a temporary exemption. A temporary exemption will only last for a limited time and may be subject to terms and conditions. Details about this process are set out in these guidelines.
 - Any other vaccination directed person or class of vaccination directed person **declared** to be an exempt person under these Directions or a Restrictions on Access Direction.

An exemption may be subject to terms and conditions. Details about this process are set out in these guidelines.

For more information about specific exemptions please refer to the Directions available at [Booster Vaccination \(Restrictions on Access\) Directions \(No.2\) \(www.wa.gov.au\)](http://www.wa.gov.au)

Temporary Exemption – Paragraph 20(a)(ii)

How do I apply for a temporary exemption?

A vaccination directed person may apply for a temporary exemption or a responsible person for a vaccination directed person may apply for a temporary exemption on behalf of their staff.

If you are one of the above-mentioned persons and wish to apply for a temporary exemption, please submit a Temporary Exemption Application Form.

As it can take time to determine an application for a temporary exemption, and you may be contacted to provide further information, please submit the Temporary Exemption Application Form well in advance of the time that an exemption is required.

You do not need to apply for a temporary exemption if you:

- have a medical exemption
- are declared to be an exempt person.

Duration of exemption

A temporary exemption will be granted for a specified period or for a specified purpose, which will be considered on a case by case basis.

Exemption may be subject to terms and conditions

A temporary exemption may be subject to terms and conditions which will be specified in the exemption.

Reasons to apply for a temporary exemption

Vaccination directed person

Examples of when a temporary exemption may be considered for a vaccination directed person are as follows:

- if the person can demonstrate they have taken every effort to access a booster dose of a COVID-19 vaccine registered by the Therapeutic Goods Administration and recommended by ATAGI, but have been unable to due to supply or access limitations
- if the person has received booster vaccination outside Australia with a vaccine that is not registered by the Therapeutic Goods Administration and recommended by ATAGI
- if the person is in the process of applying for a medical exemption, but that process is not yet complete.

Information and evidence to support the application for temporary exemption must be provided.

Responsible person

A responsible person may submit an application for a temporary exemption on behalf of their staff. Examples of when a temporary exemption may be considered are as follows:

- if the responsible person can demonstrate that they are making every effort to ensure their workers have received a booster vaccination but has not yet achieved this.

Information and evidence to support the application for temporary exemption would need to be provided.

What if I already have a temporary exemption under a Restrictions on Access Direction?

If you have already been granted a temporary exemption under a Restrictions on Access Direction then that temporary exemption will continue to apply subject to the duration of the temporary exemption that has been granted and any other terms and conditions specified in the exemption.

Declaration of an exempt person or class of persons – Paragraph 20(b)

A person or class of persons may be declared to be exempt. A vaccination directed person or a responsible person may apply for an exemption.

If you are one of the above-mentioned persons and wish to apply to be declared exempt, please submit an Exemption Application Form. Information and evidence to support the application to be declared exempt would need to be provided.

As it can take time to determine an application for an exemption, and you may be contacted to provide further information, please submit the Exemption Application Form well in advance of the time that an exemption is required.

The exemption may be subject to terms and conditions which will be specified in the exemption.

Compelling circumstances must exist for a declaration under paragraph 20(b) to be made. For example, an exemption could be granted in rare circumstances where a medical exemption cannot be recorded on the Australian Immunisation Register but advice has been provided by an expert or experts approved by the Chief Health Officer about the need for an exemption.

What if I already have an exemption under a Restrictions on Access Direction?

If you have been declared to be an exempt person or fall within a class of persons declared to be exempt under a Restrictions on Access Direction, then that exemption will continue to apply subject to any terms and conditions specified in the exemption.

Approval of temporary exemption/Declaration of exemption

If the temporary exemption is approved or a person or class thereof is declared exempt, an approval/declaration (as the case may be) will be provided to the applicant.

The vaccination directed person must:

- produce a copy of the exemption approval/declaration for inspection if directed to do so by an emergency officer or a nominated officer
- provide a copy of the exemption approval/declaration to the responsible person if required to do so, and
- keep a copy of the exemption approval/declaration available whilst remaining at a site.

If a temporary exemption or exemption is not approved

You will be notified if an application for temporary exemption or a declaration of an exempt person or class of persons is not approved.

If the application is not approved, the vaccination directed person who has not complied with the booster vaccination requirements may not enter or remain at the site as the case may be.

Evidence of booster vaccination status

The Chief Health Officer has approved the following documents as evidence that may be provided by a person to show that they have received their booster vaccination:

- two or more written confirmations of vaccination issued by the Department of Health to the person of the COVID-19 vaccinations received by the person which when taken together demonstrate that the person has been fully vaccinated for COVID-19 and has received a booster vaccination
- two or more COVID-19 digital vaccination certificates which when taken together demonstrate that the person has been fully vaccinated for COVID-19 and has received a booster vaccination
- an immunisation history statement showing the person has been fully vaccinated for COVID-19 and has received a booster vaccination as recorded on the Australian Immunisation Register
- an International COVID-19 Vaccination Certificate issued by the Commonwealth Government to the person showing the person has been fully vaccinated for COVID-19 and has received a booster vaccination as recorded on the Australian Immunisation Register.

Why can't I show just my written confirmation issued by the Department of Health after I received my booster?

The written confirmation issued by the Department of Health after a person receives their booster vaccination states that a person has received a COVID-19 vaccination and does not show whether the vaccination was a 1st, 2nd or booster dose. As such, a person will need to show at least two written confirmations of vaccination issued by the Department of Health to demonstrate that the person has received their booster vaccination.

Why can't I show just one COVID-19 digital vaccination certificate?

The COVID-19 digital vaccination certificate issued by the Commonwealth only shows the date that a person received their last two COVID-19 vaccinations and does not indicate how many doses in total that a person has received. As such, a person will need to show both their original COVID-19 digital vaccination certificate from when they were fully vaccinated and their updated COVID-19 digital statement from when they received their booster vaccination to show that they have received their booster vaccination.

My immunisation history statement or COVID-19 digital vaccination certificates contains personal information that I do not want to show to my employer or to an emergency officer, can I redact it?

If you decide to use your COVID-19 digital vaccination certificate issued by the Commonwealth Government to show your booster vaccination status, then **you** can redact your Individual Healthcare Identifier (IHI).

If you decide to use your immunisation history statement issued by the Commonwealth Government to show your booster vaccination status, then **you** can redact the following information:

- your Individual Healthcare Identifier (IHI)
- any record of immunisation you have received other than a COVID-19 vaccination
- any information relating to your next National Immunisation Program (NIP) immunisations due.

You must not otherwise amend or redact the documents that you are providing as evidence of your booster vaccination status.

More information

If you would like more information about the types of exemption and information and evidence that may need to be provided, please contact COVIDVaccinationExemption@health.wa.gov.au.

Further information is available at:

www.wa.gov.au

Call **13 COVID (13 268 43)** for general and quarantine related queries

Dated 17 January 2022

This document can be made available in alternative formats on request for a person with disability.

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