

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 70 and 72A

TRANSPORT, FREIGHT AND LOGISTICS DIRECTIONS (NO 9)

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, 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 a **transport, freight and logistics driver** who **enters** or intends to enter Western Australia 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.

CITATION

2. These directions may be referred to as the **Transport, Freight and Logistics Directions (No 9)**.

COMMENCEMENT

3. These directions come into effect upon signing.

REVOCATION AND CONTINUING OBLIGATIONS

4. The Transport, Freight and Logistics Directions (No 8) (**revoked directions**) are revoked.
5. Despite paragraph 4, if a transport, freight and logistics driver entered Western Australia before the commencement of these directions, the transport, freight and logistics driver must continue to comply with any requirement which still applied to them under the revoked directions immediately before they were revoked to the same extent that the transport, freight and logistics driver would if the revoked directions had not been revoked, and, for the avoidance of doubt, if the transport, freight and logistics driver fails to comply with a requirement that applied to them under the

revoked directions, the transport, freight and logistics driver may commit an offence under the Act.

6. Any reference to the revoked directions in any **direction** or approval given under or pursuant to a direction is deemed to be a reference to these directions from the commencement of these directions.

DIRECTIONS

Interaction with the Controlled Border for Western Australia Directions

7. Unless stated otherwise, a transport, freight and logistics driver must comply with these directions and not the Controlled Border for Western Australia Directions, except for paragraphs 4, 4B, 5 and 5A of those directions.
8. Notwithstanding paragraph 4(c) of the Controlled Border for Western Australia Directions, an **extreme risk driver**, **high risk driver**, or **medium risk driver** may enter Western Australia in the circumstances contemplated in paragraph 15(a) provided such driver complies with these directions.
9. Notwithstanding paragraph 4(d) of the Controlled Border for Western Australia Directions, a transport, freight and logistics driver may enter Western Australia in the circumstances contemplated in paragraph 17 provided such **driver** complies with these directions.
10. If there is any conflict between these directions and the Controlled Border for Western Australia Directions, these directions prevail to the extent of any inconsistency.

Interaction with the outbreak directions

11. Unless stated otherwise, a transport, freight and logistics driver must comply with these directions and not the **outbreak directions** except for paragraphs 28A, 28B and 28C of those directions and nothing in this paragraph 11 alters the operation of paragraph 6(c) of the outbreak directions in relation to a transport, freight and logistics driver.

*Note: this paragraph means that a medium risk driver, high risk driver or extreme risk driver or a driver who is an **indirect international arrival** may only enter Western Australia if such person has been approved to enter Western Australia under the outbreak directions. At the time of these directions coming into effect, all transport, freight and logistics drivers are approved to enter Western Australia if they have been*

in an outbreak jurisdiction under paragraph 6(c) of the outbreak directions, subject to such drivers complying with these directions but, at the time of these directions coming into effect, they are not approved to enter Western Australia under paragraph 6(c) of the outbreak directions if they are an indirect international arrival.

Vaccination prior to entry

12. A medium risk driver or a **low risk driver** must not enter Western Australia:
- (a) unless the person has had administered to them at least one dose of an **approved COVID-19 vaccine** and produces evidence of this to the satisfaction of a **relevant officer** on request; and
 - (b) after 12:01 am on 24 December 2021, unless the person has had administered to them a **full course** of an approved COVID-19 vaccine and produces **accepted proof of vaccination** to a relevant officer on request,
- unless the person:
- (c) is **vaccine ineligible** and produces evidence of this to the satisfaction of a relevant officer on request; or
 - (d) is **vaccine exempt** and produces **accepted proof of vaccination exemption** to a relevant officer on request; or
 - (e) is approved to enter Western Australia by me or a person authorised by me for that purpose, notwithstanding that the person does not meet one of the requirements in paragraph 12(a), 12(b), 12(c) or 12(d).
13. An extreme risk driver or a high risk driver must not enter Western Australia:
- (a) unless the person has had administered to them a full course of an approved COVID-19 vaccine and produces accepted proof of vaccination to a relevant officer on request,
- unless the person:
- (b) is vaccine ineligible and produces evidence of this to the satisfaction of a relevant officer on request; or
 - (c) is vaccine exempt and produces accepted proof of vaccination exemption to a relevant officer on request; or

- (d) is approved to enter Western Australia by me or a person authorised by me for that purpose, notwithstanding that the person does not meet one of the requirements in paragraph 13(a), 13(b) or 13(c).

PCR testing prior to entry

- 14. Unless otherwise directed by me or a person authorised by me for that purpose, which direction may add to, remove or modify the requirements of this paragraph, an extreme risk driver or a high risk driver must not:
 - (a) enter Western Australia unless that driver has been **tested** for COVID-19 using an **approved testing methodology** in the 72 hours prior to entering Western Australia; or
 - (b) enter Western Australia at a location other than the **Eucla border crossing** or the **Kununurra border crossing** unless the driver has received a **negative test result** in respect of the **test** undertaken pursuant to paragraph 14(a).

Rapid antigen testing

- 15. An extreme risk driver, high risk driver, or medium risk driver must not enter Western Australia at or within 100km of the Eucla border crossing or the Kununurra border crossing unless:
 - (a) such driver has undertaken a **rapid antigen test** in the vicinity of the Eucla border crossing or the Kununurra border crossing (as applicable) immediately prior to entering Western Australia and has either:
 - (i) received a result from that rapid antigen test; or
 - (ii) been **instructed** by a relevant officer that the driver need not await a result from that rapid antigen test; or
 - (b) an **authorised officer** has approved the driver entering Western Australia subject to that driver satisfying the **rapid antigen testing presentation condition**; or
 - (c) an authorised officer has otherwise approved the driver entering Western Australia provided that the driver complies with any terms or conditions to which that approval is subject.

16. A driver who is subject to the rapid antigen testing presentation condition must, immediately after entering Western Australia:
- (a) travel directly and immediately to the nearest **rapid antigen testing station**; and
 - (b) comply with **instructions** given by a relevant officer at the rapid antigen testing station; and
 - (c) remain at the rapid antigen testing station until:
 - (i) the driver has undertaken a rapid antigen test, and received a result from that rapid antigen test; or
 - (ii) a relevant officer has instructed the driver that they may leave the rapid antigen testing station.
17. A driver who records any result other than a negative test result in response to a rapid antigen test undertaken pursuant to paragraph 15(a) or paragraph 16 and who entered Western Australia prior to the non-negative test result being recorded, or who elects to enter Western Australia after the non-negative test result has been recorded, as well as any other transport, freight and logistics driver who is accompanying that driver in the same **motor vehicle**, must:
- (a) travel to a location **directed** by an authorised officer in a manner directed by that authorised officer; and
 - (b) on arrival at that location, inform a relevant officer that:
 - (i) they have recorded a non-negative test result in response to a rapid antigen test; or
 - (ii) where applicable, they are accompanying a driver who has recorded a non-negative test result; and
 - (c) comply with any directions or instructions given by a relevant officer.
18. Notwithstanding anything to the contrary in either of the **relevant directions**, a driver who undertakes a rapid antigen test pursuant to paragraph 15(a) or paragraph 16:
- (a) does not become a high risk tested person for the purposes of the Quarantine (Undiagnosed) Directions by reason only of having undertaken a rapid antigen test; and

- (b) does not become subject to obligations under the Isolation (Diagnosed) Directions (No 2) by reason only of a test result recorded after taking a rapid antigen test.

24 hour presentation protocol

- 19. A medium risk driver, low risk driver or **very low risk driver** must comply with the **24 hour presentation protocol**, unless the driver:
 - (a) produces evidence to the satisfaction of a relevant officer that the driver has been tested using an approved testing methodology in the period of five days before entering Western Australia; or
 - (b) leaves Western Australia within 24 hours of entering Western Australia; or
 - (c) is given a direction to quarantine at a **quarantine centre** or a **hospital**; or
 - (d) is required to quarantine or isolate under either or both of the relevant directions (other than paragraph 10 of the Quarantine (Undiagnosed) Directions).

- 20. A transport, freight and logistics driver who must comply with the 24 hour presentation protocol must within 24 hours after entering Western Australia:
 - (a) go to a **COVID Clinic** as early as possible within that 24 hour period; 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 driver to describe their state of health or whether the driver has or has had any **symptoms**; and
 - (e) remain at the COVID Clinic until the driver has been tested, or a relevant officer has instructed the driver that they may leave the COVID Clinic.

*Note: this paragraph DOES NOT require a person to be tested for COVID-19. A person 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).*

Seven day presentation protocol

21. A transport, freight and logistics driver must comply with the **seven day presentation protocol** for a period ending 14 days after the day on which the driver entered Western Australia, unless the driver:
- (a) leaves Western Australia by the seventh day after the day on which the driver was last tested; 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 (other than paragraph 10 of the Quarantine (Undiagnosed) Directions).
22. A transport, freight and logistics driver who must comply with the seven day presentation protocol must, on or before the seventh day after the day on which the driver was last tested at a location in Australia using an approved testing methodology:
- (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 driver to describe their state of health or whether the driver has or has had any symptoms; and
 - (e) remain at the COVID Clinic until the driver has been tested, or a relevant officer has instructed the driver that they may leave the COVID Clinic.

Note 1: this paragraph DOES NOT require a driver to be tested for COVID-19. A driver 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).

Note 2: because the seven day presentation protocol lasts for a period ending 14 days after a driver enters Western Australia, a driver may have to comply with the requirements of this paragraph more than once during that period.

Other provisions relating to testing

23. A transport, freight and logistics driver (other than a very low risk driver) must carry evidence of each COVID-19 test (other than rapid antigen tests undertaken pursuant to paragraph 15(a) or paragraph 16) that has been performed on them if the test either relates to their most recent entry into Western Australia or has been undertaken during their most recent entry into Western Australia, and produce that evidence for inspection on request by a relevant officer.
24. If a transport, freight and logistics driver is tested in accordance with the 24 hour presentation protocol or the seven day presentation protocol, the driver does not have to comply with paragraph 10 of the Quarantine (Undiagnosed) Directions.

General obligations on all transport, freight and logistics drivers (except very low risk drivers)

25. At all times whilst a transport, freight and logistics driver (other than a very low risk driver) is outside the motor vehicle in which they travel in connection with their duties as a driver, the driver must:
 - (a) take all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (b) when coughing or sneezing do so into their elbow or a tissue; and
 - (c) wash their hands often with soap and water or using alcohol hand rub, particularly before or after eating and after attending a bathroom; and
 - (d) wear a **face mask** when the driver is in public or in the same room with one or more other persons unless one or more of the **face covering exceptions** apply at that time.
26. If a transport, freight and logistics driver (other than a very low risk driver) rests overnight in Western Australia at a location outside of the motor vehicle in which they travel in connection with their duties as a driver, the driver must:
 - (a) stay only in **suitable accommodation**; and
 - (b) unless the suitable accommodation is the driver's home, prior to their arrival at the suitable accommodation:
 - (i) notify the accommodation provider that the driver is subject to these directions; and

- (ii) ensure the accommodation provider is willing to accept the driver;
and
- (c) while at the suitable accommodation:
 - (i) proceed directly to their **allotted room** and remain within that room until the driver leaves pursuant to subparagraph (d) unless:
 - (A) the driver needs to leave their allotted room to escape an immediate threat to their safety; or
 - (B) the suitable accommodation is the driver's home, in which case the driver may utilise other areas of that home provided they are not occupied by any other person; and
 - (ii) obtain food or refreshments via room service or delivery only and using contactless payment where practicable unless the driver has been at the suitable accommodation for a continuous period of more than 48 hours, in which case the driver may leave the suitable accommodation to obtain food or beverages in accordance with paragraph 28; and
 - (iii) keep the door to the allotted room closed at all times, except to the extent necessary:
 - (A) to allow a person referred to in subparagraph (iv) to enter the room; or
 - (B) for receiving deliveries including meals, packages or medical treatment; and
 - (iv) not allow any person to access their allotted room unless the person:
 - (A) is a relevant officer, or a person assisting a relevant officer;
or
 - (B) accesses the driver's allotted room for medical or emergency purposes; or
 - (C) is required to access the driver's allotted room for the purpose of performing critical and time-sensitive maintenance at the suitable accommodation; or

- (D) is acting in compliance with a direction or instruction given by a relevant officer; or
 - (E) usually resides at the suitable accommodation and is also subject to a **quarantine requirement**; and
- (d) leave the suitable accommodation only:
- (i) to provide **transport, freight and logistics services**; or
 - (ii) to attend a place of business or publicly accessible indoor space that the driver is entitled to attend pursuant to paragraph 28; or
 - (iii) to present for COVID-19 testing; or
 - (iv) to seek urgent medical treatment at a hospital, provided that the driver:
 - (A) notifies the hospital that the driver is subject to these requirements and obtains the approval of the relevant hospital to attend for treatment; and
 - (B) contacts an authorised officer as soon as practicable after leaving the suitable accommodation and complies with any directions or instructions given by that authorised officer; or
 - (v) to escape an immediate threat to their safety, provided that the driver contacts an authorised officer as soon as practicable after leaving the suitable accommodation and complies with any directions or instructions given by that authorised officer; or
 - (vi) when the person ceases to be a transport; freight and logistics driver pursuant to paragraph 33.

27. A transport, freight and logistics driver (other than a very low risk driver) must not allow another person to enter or gain or have access to or remain inside the motor vehicle that they utilise in connection with their duties as a driver unless:

- (a) the other person is also a transport, freight and logistics driver who entered Western Australia in the same motor vehicle and at the same time as the transport, freight and logistics driver; or

- (b) the primary purpose of the relevant journey is the transport of passengers on a commercial basis, and the other person is a passenger who entered Western Australia in the same motor vehicle and at the same time as the transport, freight and logistics driver; or
 - (c) the other person's presence in the motor vehicle is essential for the provision of the relevant transport, freight and logistics services, and they wear a face mask at all times they are in the motor vehicle, and minimise the time they spend inside the motor vehicle.
28. A transport, freight and logistics driver (other than a very low risk driver) must not enter any place of business or publicly accessible indoor space unless:
- (a) such entry is required or permitted under these directions; or
 - (b) such entry is necessary:
 - (i) for the purposes of the driver's duties as a transport, freight and logistics driver; or
 - (ii) to obtain food, beverages, fuel or other necessities where such items cannot be obtained by delivery to the driver or in another contactless manner; or
 - (iii) to obtain or access goods or services for health or medical purposes.
29. Whilst the transport, freight and logistics driver (other than a very low risk driver) is in Western Australia, the driver must take all reasonable steps to keep a written record of the following details relating to any person (**A**) with whom they have **direct contact**:
- (a) A's name; and
 - (b) A's contact telephone number; and
 - (c) the date and time when the driver had direct contact with A; and
 - (d) the location at which the driver had direct contact with A.
30. If requested by a relevant officer, the transport, freight and logistics driver must produce the written record referred to in paragraph 29 for inspection.

General obligations on all transport, freight and logistics drivers

31. If the transport, freight and logistics driver develops or has recently experienced symptoms, the driver must:
- (a) immediately telephone 13 COVID (13 268 43) and ask for an instruction; and
 - (b) comply with any instruction given.
32. If, whilst in Western Australia, a transport, freight and logistics driver receives a **positive result** or is otherwise **informed** that they have been diagnosed with COVID-19 as a result of being tested for COVID-19 using an approved testing methodology outside of Western Australia (other than in respect of a rapid antigen test undertaken pursuant to paragraph 15(a) or paragraph 16), the driver must:
- (a) immediately telephone 13 COVID (13 268 43) and tell the operator that they have been diagnosed with COVID-19 as a result of a test that was conducted outside of Western Australia; and
 - (b) comply with the Isolation (Diagnosed) Directions (No 2) as if the transport, freight and logistics driver had been informed by a relevant officer that they had tested positive for COVID-19.

Note: for the avoidance of doubt, a driver must also comply with the Isolation (Diagnosed) Directions (No 2) if they receive a positive result or are otherwise informed that they have been diagnosed with COVID-19 as a result of a test conducted in Western Australia (other than a rapid antigen test conducted pursuant to paragraph 15(a) or paragraph 16).

Duration a person remains a transport, freight and logistics driver

33. A person who entered Western Australia as a transport, freight and logistics driver will remain a transport, freight and logistics driver for the purposes of these directions for 14 days after the day on which the person most recently entered Western Australia as a transport, freight and logistics driver, irrespective of:
- (a) whether such person provides transport, freight and logistics services in that 14 day period; and
 - (b) that person's intentions concerning future work as a transport, freight and logistics driver.

SPECIFIC PROVISION FOR REMOVALISTS

34. A transport, freight and logistics driver who is a furniture removalist must:
- (a) travel to the **removal premises** as soon as possible and by the most direct route available and without stopping except:
 - (i) as required by law; or
 - (ii) as necessary for fuel or rest, including at suitable accommodation in accordance with paragraph 26; or
 - (iii) to obtain or access essential goods or services from the closest practicable location; or
 - (iv) to obtain or access goods or services for health or medical purposes; and
 - (b) not enter the removal premises unless each person inside the removal premises is necessary for the removal process; and
 - (c) not enter the removal premises unless each person inside the removal premises is wearing a face mask, unless one or more of the face covering exceptions apply to that person at that time; and
 - (d) wear a face mask at all times when inside the removal premises unless one or more of the face covering exceptions apply to the furniture removalist at that time.
35. A person who is inside the removal premises at the same time as a transport, freight and logistics driver who is a furniture removalist must wear a face mask at all times, unless one or more of the face covering exceptions apply to that person at that time.

AUTHORISATION

36. Any police officer acting at or above the rank of Inspector is authorised to give a direction for the purposes of paragraph 14 of these directions, including any terms or conditions to which that direction is subject.

INTERPRETATION

37. 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

38. **24 hour presentation protocol** means the requirements of paragraph 20 of these directions.
39. **Accepted proof of vaccination** has the same meaning that it has in the Controlled Border for Western Australia Directions.
40. **Accepted proof of vaccination exemption** has the same meaning that it has in the Controlled Border for Western Australia Directions.
41. **Allotted room** means your allotted room at suitable accommodation.
42. **Approved COVID-19 vaccine** means:
- (a) any vaccine that has been approved by the Therapeutic Goods Administration for use in Australia for the purpose of vaccinating persons against COVID-19; or
 - (b) any other vaccine specified by the Chief Health Officer, or any other person authorised by the Chief Health Officer for that purpose, as an approved COVID-19 vaccine.
43. **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.
44. **Authorised officer** has the same meaning that it has in the Act.
45. **COVID Clinic** has the same meaning that it has in the Presentation for Testing Directions (No 36).
46. **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.
47. **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.

48. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).
49. **Enter** means:
- (a) cross the border into Western Australia by road; or
 - (b) cross the border into Western Australia by rail.
50. **Eucla border crossing** means the location where the Eyre Highway crosses the Western Australia/South Australia border.
51. **Extreme risk driver** means a transport, freight and logistics driver who has been in an **extreme risk jurisdiction**:
- (a) after the **relevant time** for that jurisdiction; and
 - (b) in the 14 days before the person enters or intends to enter Western Australia as a transport, freight and logistics driver.
52. **Extreme risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
53. **Face covering exception** means any of the following circumstances or situations that apply to the person at the relevant time:
- (a) the person is within or at their home unless another direction requires a face covering to be worn in that circumstance; or
 - (b) the person has a physical, developmental or mental illness, injury, condition or disability which makes wearing a face covering unsuitable; or
 - (c) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
 - (d) the nature of a person's occupation means that wearing a face covering is impractical to perform that occupation or creates a risk to their health and safety; or
 - (e) the person needs to temporarily remove their face covering so as to enable another person to appropriately perform their occupation; or
 - (f) the nature of a person's work or the activity that they are engaging in means that clear enunciation or visibility of the mouth is essential; or

- (g) the person is consuming food, drink or medicine; or
- (h) the person is asked to remove the face covering to ascertain identity; or
- (i) 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
- (j) the person is working in the absence of others in an enclosed indoor space (unless and until another person enters that indoor space); or
- (k) the person is running or jogging or otherwise engaged in some form of strenuous or vigorous exercise or physical activity; or
- (l) the person is travelling in a motor vehicle and is the sole occupant of that vehicle; or
- (m) the person is undergoing medical, dental or beauty related care or treatment to the extent that such care or treatment requires that no face covering be worn; or
- (n) 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
- (o) not wearing a face covering is otherwise required or authorised by law; or
- (p) wearing a face covering is not safe in all the circumstances,

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

54. **Face mask** means a disposable surgical mask or fitted cloth mask that covers the nose and mouth (but does not include a face shield).

55. **Full course** means:

- (a) in respect of the SPIKEVAX, VAXZEVRIA and COMIRNATY – BNT162b2 vaccines, two doses of the vaccine administered with an appropriate interval between doses; and
- (b) in respect of the COVID-19 Vaccine Janssen, a single dose of that vaccine; and

- (c) in respect of any other approved COVID-19 vaccine, such number of doses of that vaccine as specified by the Chief Health Officer or a person authorised by the Chief Health Officer for that purpose.
56. **Health service provider** has the same meaning that it has in the *Health Services Act 2016* (WA).
57. **High risk driver** means a transport, freight and logistics driver who has been in a **high risk jurisdiction**:
- (a) after the relevant time for that jurisdiction; and
- (b) in the 14 days before the person enters or intends to enter Western Australia as a transport, freight and logistics driver,
- but excludes any person who is an extreme risk driver.
58. **High risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
59. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
60. **Indirect international arrival** has the same meaning that it has in the Controlled Border for Western Australia Directions.
61. **Informed** means given **oral or written notice**, irrespective of whether that oral or written notice is correct.
62. **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.
63. **Kununurra border crossing** means the location where the Victoria Highway crosses the Western Australia/Northern Territory border.
64. **Low risk driver** means a transport, freight and logistics driver who has been in a **low risk jurisdiction**:
- (a) after the relevant time for that jurisdiction; and
- (b) in the 14 days before the person enters or intends to enter Western Australia as a transport, freight and logistics driver,

but excludes any person who is an extreme risk driver, a high risk driver, or a medium risk driver.

65. **Low risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.

66. **Medium risk driver** means a transport, freight and logistics driver who has been in a **medium risk jurisdiction**:

(a) after the relevant time for that jurisdiction; and

(b) in the 14 days before the person enters or intends to enter Western Australia as a transport, freight and logistics driver,

but excludes any person who is an extreme risk driver or a high risk driver.

67. **Medium risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.

68. **Motor vehicle**:

(a) has the same meaning as in paragraph (b) of the definition of "motor vehicle" in section 4 of the *Road Traffic (Administration) Act 2008* (WA); or

(b) means a vehicle that is operated on rails.

69. **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.

70. **Oral or written notice** means notice by oral or written means (including by text message or other electronic means) or by a combination of those means.

71. **Outbreak directions** means the Outbreak Outside of Western Australia Response Directions (No 17).

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

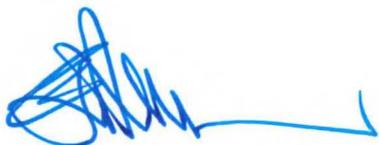
73. **Positive result** means oral or written notice that the transport, freight and logistics driver has tested positive for COVID-19, irrespective of whether the driver has in fact tested positive for COVID-19.
74. **Premises** has the same meaning that it has in the Act.
75. **Quarantine centre** means a place specified as a quarantine centre by an authorised officer.
76. **Quarantine requirement** has the same meaning that it has under the Controlled Border for Western Australia Directions.
77. **Rapid antigen test** means a rapid screening test for COVID-19.
78. **Rapid antigen testing presentation condition** means the condition set out in paragraph 16 of these directions.
79. **Rapid antigen testing station** means:
- (a) the facility immediately on the Western Australian side of the Kununurra border crossing at which rapid antigen testing is undertaken; and
 - (b) the facility spanning the Western Australia/South Australia border at the Eucla border crossing at which rapid antigen testing is undertaken.
80. **Relevant directions** means:
- (a) the Quarantine (Undiagnosed) Directions; and
 - (b) the Isolation (Diagnosed) Directions (No 2).
81. **Relevant officer** means:
- (a) an authorised officer; or
 - (b) an emergency officer; or
 - (c) a **responsible officer**.
82. **Relevant time** has the same meaning that it has in the Controlled Border for Western Australia Directions.
83. **Removal premises** means a **premises** at which the transport, freight and logistics driver who is a furniture removalist must remove or deliver furniture as part of the driver's duties as a transport, freight and logistics driver.

84. **Responsible officer** means:
- (a) an officer, employee or contractor of the Department of Health; or
 - (b) an officer, employee or contractor of a **health service provider**; or
 - (c) any other person authorised by the Chief Health Officer orally or in writing to perform a function for the purposes of these directions.
85. **Seven day presentation protocol** means the requirements of paragraph 22 of these directions.
86. **Suitable accommodation** means accommodation where you will have your own room and will not be required to share bathrooms or other facilities with any other persons.
87. **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.
88. **Test** and **tested** means test for COVID-19 and tested for COVID-19 respectively.
89. **Transport, freight and logistics driver** or **driver** means a person:
- (a) whose primary occupation is:
 - (i) driving motor vehicles for the purposes of providing transport, freight and logistics services; or
 - (ii) working on motor vehicles in a role other than as a driver for the purposes of providing transport, freight and logistics services; and
 - (b) who imminently intends to enter Western Australia by road or rail, or who has recently entered Western Australia by road or rail, for the purpose of providing transport, freight and logistics services; and
 - (c) in the case of a person contemplated in subparagraph (a)(ii), whose presence on the relevant motor vehicle is reasonably necessary for the provision of transport, freight and logistics services from that motor vehicle.

90. **Transport, freight and logistics services** means the transport of goods, items, commodities, food, livestock or other animals, or passengers on a commercial basis, but excludes:
- (a) the provision of taxi or rideshare services; and
 - (b) the provision of transport services where:
 - (i) those transport services are provided as part of a package involving both transport services and tourism related services or experiences; and
 - (ii) the transport services are ancillary to the tourism related service or experiences.
91. **Vaccine exempt** has the same meaning that it has in the Controlled Border for Western Australia Directions.
92. **Vaccine ineligible** has the same meaning that it has in the Controlled Border for Western Australia Directions.
93. **Very low risk driver** means any transport, freight and logistics driver who is not an extreme risk driver, high risk driver, medium risk driver or low risk driver.

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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Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

31 December 2021 1603 hours