

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 70 and 72A

COVID TRANSITION (MODIFICATION OF OBLIGATIONS) 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 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 persons who meet certain conditions being released from **quarantine requirements** after 7 days.

CITATION

2. These directions may be referred to as the COVID Transition (Modification of Obligations) Directions.

COMMENCEMENT

3. These directions come into effect at 12:01am on 9 February 2021.

DIRECTIONS

4. A person who:
 - (a) is subject to a quarantine requirement at the date and time specified in paragraph 3; and
 - (b) meets each of the **release conditions**; and
 - (c) is not a person who falls within paragraph 5(a) or (b),is released from the quarantine requirements from the later of:
 - (d) the date and time specified in paragraph 3; or

- (e) the time the person first satisfied all of the release conditions.
5. A person who is subject to:
- (a) the **centre quarantine requirements**; or
 - (b) the **children requirements** in respect of a child who falls within paragraph 12(b) of the COVID Transition (Border Requirements) Directions, at the date and time specified in paragraph 3, and who meets each of the release conditions and the **additional condition**, is released from those quarantine requirements from the time the person satisfies:
 - (c) each of the release conditions; and
 - (d) the additional condition.
6. A person who is subject to the children requirements must ensure that a child in connection with whom the person is required to comply with the children requirements also satisfies all of the release conditions and, if the person falls within paragraph 5(b), the additional condition.
7. The release conditions are as follows:
- (a) the person has been subject to the quarantine requirement for a minimum of 7 full calendar days; and
 - (b) the person is not displaying any **symptoms**; and
 - (c) the person has undertaken a **test**:
 - (i) pursuant to the **6th day presentation requirement**; or
 - (ii) pursuant to the **7th day protocol**, or
 - (iii) at an alternate time that has been approved by a **relevant officer**; and
 - (d) the person has received a negative result for the test referred to in paragraph 7(c), and produces **acceptable evidence** showing that negative result on request by a relevant officer.
8. The additional condition is that the person has received oral or written notice from a relevant officer that the person may leave the quarantine centre.

9. A person who is released from a quarantine requirement pursuant to paragraph 4 or 5 of these directions must not enter a **high risk setting** during the period ending 14 days after the date and time when the person became subject to the relevant quarantine requirement unless the person:
- (a) is authorised, or is a member of a class of persons authorised by the Chief Health Officer (or a person designated by the Chief Health Officer to authorise a person or class of persons for the purposes of this paragraph) to enter the high risk setting and complies with all terms or conditions to which that authorisation is subject; or
 - (b) does so for the purposes of obtaining emergency medical treatment at a hospital or other appropriate medical facility and the person advises a relevant officer prior to attending or as soon as possible upon their arrival that they are subject to this clause.

INTERPRETATION

10. Any reference in these directions to any other direction made by me as the State Emergency Coordinator is deemed to be a reference to that direction as amended or replaced from time to time.

DEFINITIONS

11. **6th day presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 40).
12. **7th day protocol** has the same meaning that it has in the Presentation for Testing Directions (No 40).
13. **Acceptable evidence** means:
- (a) in relation to a rapid antigen test, photographic evidence of that test; and
 - (b) in relation to a **PCR test**, evidence to the satisfaction of a relevant officer.
14. **Additional condition** means the condition specified in paragraph 8 of these directions.
15. **Centre quarantine requirements** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

16. **Children requirements** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
17. **High risk setting** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions.
18. **PCR test** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
19. **Quarantine requirements** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
20. **Release conditions** mean the conditions specified in paragraph 7 of these directions.
21. **Relevant officer** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
22. **Symptoms** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
23. **Test** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

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.



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Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

8 February 2022 1953 hours