

CHIEF HEALTH OFFICER

TEMPORARY EXEMPTION OF CLASS OF PERSONS UNDER PARAGRAPH 29 OF THE BOOSTER VACCINATION (RESTRICTIONS ON ACCESS) DIRECTIONS (NO 2)

1. I, Dr Andrew Robertson, Chief Health Officer, for the purposes of paragraph 29 of the Booster Vaccination (Restrictions on Access) Directions (No 2) (**the Directions**), made under sections 157(1)(e), 157(1)(k), 180 and 190(1)(p) of the *Public Health Act 2016*, subject to paragraph 2 of this Instrument, hereby approve a temporary exemption for a **diagnosed person** (class of persons) from the requirements of paragraph 5 of the Directions for a period of four months from the day the diagnosed person took the **test** that resulted in the person becoming a diagnosed person.

Note: A person who took a test on 7 February 2022 that diagnosed them with COVID-19 is exempt from the booster vaccination requirements until 6 June 2022. The person must receive their booster vaccination by 7 June 2022 to enter, or remain at, a site that is subject to the vaccine requirements.

2. The temporary exemption granted under paragraph 1 is subject to the following condition:
 - a. A person who falls within the class of persons described in paragraph 1 must provide **approved evidence** that they have tested positive for COVID-19 or been diagnosed with COVID-19 for inspection, recording and retention of a copy, if:
 - i. directed to do so by an emergency officer or a nominated officer; or
 - ii. required to do so by a responsible person.

Note: A responsible person means a person who has authority to require a vaccination directed person to provide evidence of their vaccination status, such as the employer of the person or the owner of the premises where they work.

3. For the purposes of this Instrument:
 - a. **Approved evidence** means:
 - i. an sms or email that the person has received from the Western Australian Health Department confirming registration of the person's positive **rapid antigen test** result or confirmation of the person's positive **PCR test** result;
 - ii. an sms or email from another State or Territory health department confirming registration of the person's positive rapid antigen test result or confirmation of the person's positive PCR test result;
 - iii. a printout from a pathology laboratory of the person's positive PCR test result;

- iv. a doctor's letter confirming that the person has been diagnosed with COVID-19 and the date of infection; or
 - v. any other evidence approved in writing by the Chief Health Officer or a person authorised by the Chief Health Officer for the purposes of this Instrument.
- b. **Diagnosed person** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions (No 13) as amended or replaced from time to time.
 - c. **PCR test** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions (No 13) as amended or replaced from time to time.
 - d. **Rapid antigen test** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions (No 13) as amended or replaced from time to time.
 - e. **Test** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions (No 13) as amended or replaced from time to time.
4. This instrument shall take effect upon signing and shall remain in force until otherwise amended or revoked.

DATED this *9th* day of *May* 2022 at *17:35* hours



Dr Andrew Robertson
CHIEF HEALTH OFFICER