

Australian Capital Territory

Public Health (Self-Isolation) Emergency Direction 2020 (No 4)

Notifiable Instrument NI2020–662

made under the

Public Health Act 1997, s 120 (Emergency actions and directions)

1. Name of instrument

This instrument is the *Public Health (Self-Isolation) Emergency Direction 2020 (No 4)*.

2. Commencement

This instrument commences at 9:00am on 9 October 2020.

3. Public Health Emergency Direction

I, Dr Kerryn Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below.

4. Duration

This direction is in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

5. Revocation

This instrument revokes the *Public Health (Self-Isolation) Emergency Direction 2020 (No 3)* [NI2020-534].

Dr Kerryn Coleman
Chief Health Officer

8 October 2020

Public Health Emergency Direction

Public Health Act 1997

*Made under the Public Health Act 1997,
section 120 (Emergency actions and directions)*

I, Dr Kerryn Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below. In order to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2, the purpose of these directions is to require people who are diagnosed with **COVID-19** and people identified as a **close contact** to self-isolate..

In making these directions I have had regard to relevant human rights and I am satisfied that the limitations imposed as a result of these Directions are both demonstrably justifiable in a free and democratic society and necessary to protect the ACT community from the serious public health risk posed by COVID-19.

PART 1 — SELF-ISOLATION - COVID-19 DIAGNOSED

Directions

1. A person who is diagnosed with **COVID-19** must:
 - a. self-isolate in suitable premises beginning on the day of the diagnosis and ending when **clearance from self-isolation** is given by an **authorised medical officer**; or
 - b. if the diagnosis is communicated to the person (other than a **returned traveller** or **interstate traveller**) in a place other than where the person resides:
 - i. travel directly from that place to a premises that is suitable for the person to reside in until **clearance from self-isolation** is given by an **authorised medical officer**; or
 - ii. travel directly to a hospital for medical treatment and, following treatment and discharge from the hospital, travel directly to a premises that is suitable for the person to reside in until **clearance from self-isolation** is given by an **authorised medical officer**; or
 - c. if the person is a **returned traveller** or **interstate traveller** self-isolate in **designated premises** beginning on the day of the diagnosis and ending when **clearance from self-isolation** is given by an **authorised medical officer**; and
 - d. communicate their diagnosis of **COVID-19** to any person whom they may come into contact with; and

- e. comply with any request by an **authorised person** to produce proof of identification; and
- f. not leave the premises, except:
 - i. for the purposes of accessing medical care or medical supplies; or
 - ii. in any other emergency situation; and
- g. not permit any other person to enter the premises unless that other person:
 - i. usually lives at the premises; or
 - ii. is living at the premises for the purposes of self-isolation; or
 - iii. attends for medical, law enforcement or emergency purposes.

PART 2 — SELF-ISOLATION - CLOSE CONTACT

Directions

2. A person who has been notified by **authorised person** that they are a **close contact** of a person who is diagnosed with **COVID-19** must:
 - a. if the notification is communicated to the person in suitable premises where the person resides, self-isolate in those premises beginning immediately and ending on the day or time the person is told by an **authorised person** the self-isolation ends; or
 - b. if the notification is communicated to the person when they are in a place other than where the person resides, travel directly from that place to a premises that is suitable for the person to reside in until the day or time the person is told by an **authorised person** the self-isolation ends; and
 - c. communicate any person whom they may come into contact with that they are in self-isolation due to being a close contact of a person diagnosed with COVID-19; and
 - d. comply with any request by an **authorised person** to produce proof of identification; and
 - e. not leave the premises, except:
 - i. for the purposes of accessing medical care or medical supplies; or
 - ii. in any other emergency situation; or
 - iii. to go outdoors in limited circumstances, only where it is possible to avoid contact with other people and not to enter any other building; and
 - f. not permit any other person to enter the premises unless that other person:
 - i. usually lives at the premises; or
 - ii. is living at the premises for the purposes of self-isolation; or
 - iii. attends for medical, law enforcement or emergency purposes.



PART 3 — MATTERS RELEVANT TO THESE DIRECTIONS

A. Guidance

3. Guidance about how an **authorised person** determines whether a person is a **close contact** can be found at <https://www.covid19.act.gov.au/>.
4. Guidance about how an **authorised medical officer** determines whether a person meets the criteria for discharge from self-isolation can be found at <https://www.covid19.act.gov.au/>.

B. Definitions

For the purposes of these directions:

5. **COVID-19** means the coronavirus disease 2019, caused by the novel coronavirus SARS-CoV-2.
6. **Authorised medical officer** means an authorised medical officer under the *Public Health Act 1997*.
7. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
8. A person has **clearance from self-isolation** when an **authorised medical officer** confirms that the person meets the criteria for discharge from self-isolation.
9. A **close contact** is a person who:
 - a. is a member of the same household as a person who is diagnosed with **COVID-19**; or
 - b. has been notified by an **authorised person** that they are a **close contact**.
10. A **household** means people who ordinarily reside at the same residential premises.
11. Unless stated otherwise in writing by the Chief Health Officer, **designated premises** means either:
 - a. the person's usual place of residence or other premises that is suitable for the person to reside in for self-isolation; or
 - b. if the person is not normally a resident of the Australian Capital Territory, a hotel or other premises that has been approved in writing by the Chief Health Officer



as suitable to reside in for self-isolation; or

- c. a room allocated on check-in at any hotel, serviced-apartment, or similar accommodation approved in writing by the Chief Health Officer or an **authorised person** for the purposes of quarantine.

12. **Interstate traveller** means a person in quarantine in accordance with either the:

- a. *Public Health (COVID-19 Interstate Travellers) Emergency Direction 2020 (No 2)* [NI2020-661], including a person given an exemption under paragraph 8 of that Direction on condition that they undertake a period of quarantine.

13. **Returned traveller** means a person in quarantine in accordance with the *Public Health (Returned Travellers) Emergency Direction 2020 (No 8)* [NI2020-663].

PENALTIES

Section 120 (4) of the *Public Health Act 1997* provides:

A person must not, without reasonable excuse, fail to comply with a direction under this section.

Maximum Penalty:

In the case of a natural person, \$8,000 (50 penalty units).

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Dr Kerry Coleman

Chief Health Officer

8 October 2020

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