

Australian Capital Territory

Public Health (COVID-19 Interstate Hotspots) Emergency Direction 2020 (No 7)

Notifiable Instrument NI2020–819

made under the

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

1. Name of instrument

This instrument is the *Public Health (COVID-19 Interstate Hotspots) Emergency Direction 2020 (No 7)*.

2. Commencement

This instrument commences at 11:59pm on 18 December 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 in the schedule.

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 Direction revokes and replaces the *Public Health (COVID-19 Interstate Hotspots) Emergency Direction (No 6)* [NI2020-812].

Dr Kerryn Coleman
Chief Health Officer

18 December 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.

The purpose of this Direction is to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

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 – QUARANTINE FOLLOWING TRAVEL TO AND FROM COVID-19 HOTSPOTS

Direction

1. An **affected person** who is in or arrives into the Australian Capital Territory must:
 - a. travel immediately to **designated premises** to undertake a **period of quarantine**; and
 - b. not leave the **designated premises** other than in an emergency; and
 - c. not permit any other person who does not reside at the **designated premises** to enter the premises, unless for medical, law enforcement or emergency purposes; and
 - d. comply with any request by an **authorised person** to produce proof of identification.

PART 2 — MATTERS RELEVANT TO THESE DIRECTIONS

2. For the purposes of Part 1, the point at which a person arrives into the Australian Capital Territory means:
 - a. for travel by air – from the Canberra airport;
 - b. for travel by bus – from the bus station or other place where the person disembarks;

- c. for travel by train – from the train station where the person disembarks;
 - d. for travel by car – from the point at which the car crosses the border from New South Wales into the Australian Capital Territory; and
 - e. by any other means – from the point at which the person crosses the border from New South Wales into the Australian Capital Territory.
3. The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from the directions in Part 1.
 4. An **authorised person** may, in writing and subject to any conditions that the **authorised person** considers necessary, exempt a person from the full **period of quarantine**.

Enforcement

5. If a person fails to comply with this Direction, an **authorised person** may direct the person to do such things as are reasonably necessary to comply with this Direction including, upon request, to produce proof of identification to the **authorised person**.
6. If a person fails to comply with any direction given under paragraph 5, then the **authorised person** may take all reasonable steps to enforce compliance with the direction.

Guidance

7. If a person tests positive to COVID-19 during the **period of quarantine** they must comply with the *Public Health (Self-Isolation) Emergency Direction 2020 (No 4)* [NI2020-662].

Definitions

For the purposes of these directions:

8. **Affected person** means a person who has been in a declared **COVID-19 affected area** on one of the dates specified in Column 2 of Schedule 1.
9. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
10. **COVID-19 hotspot** means a location outside of the Australian Capital Territory that is specified in Column 1 of Schedule 1 on the dates specified in Column 2 of Schedule 1.
11. Unless stated otherwise in writing by the Chief Health Officer, **designated premises** means:
 - a. the person's usual place of residence or other premises that is suitable for the person to reside in for a **period of quarantine**; 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 a **period of quarantine**.



12. A **period of quarantine** means a period of 14 days, including any period of time that has already elapsed since the person was last in a **COVID-19 hotspot**.

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

18 December 2020

SCHEDULE 1 – COVID-19 HOTSPOTS

COLUMN 1	COLUMN 2
Location	Dates
Northern Beaches local government area, New South Wales	Any date on or after 11 December 2020

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