

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67 and 72A

NEW SOUTH WALES QUARANTINE, ISOLATION AND PRESENTATION FOR TESTING MODIFICATION 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 a.m. 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 and 72A of the Act.

PREAMBLE

1. The purpose of these directions is to modify the operation of existing requirements to self-quarantine and present for testing that apply to a limited class of people who **entered** Western Australia within 14 days of:
 - (a) having been in New South Wales; or
 - (b) having been in **direct contact** with a person who, in the 14 days prior to the direct contact, had been in New South Wales.

CITATION

2. These directions may be referred to as the **New South Wales Quarantine, Isolation and Presentation for Testing Modification Directions**.

COMMENCEMENT

3. These directions come into effect at 12.01 am on 16 February 2021.

DIRECTIONS

4. A person who:
 - (a) entered Western Australia prior to these directions coming into effect; and
 - (b) in the 14 days before entering Western Australia:
 - (i) had been in New South Wales but had not been in Victoria or any place

outside of Australia; or

- (ii) had been in direct contact with a person who, in the 14 days prior to the direct contact, had been in New South Wales but not in Victoria or any place outside of Australia; and
- (c) at the time of these directions coming into effect was subject to a **quarantine requirement**; and
- (d) is not quarantined in premises with another person (Person B) who is subject to a quarantine requirement by reason of Person B, in the 14 days prior to Person B having entered Western Australia, having been:
 - (i) in Victoria or any place outside of Australia; or
 - (ii) in direct contact with a person who, in the 14 days prior to having direct contact with Person B, had been in Victoria or any place outside of Australia,

is no longer required to comply with the quarantine requirement.

Note: a person who is undertaking supervised quarantine or who is a close contact of a person with COVID-19 or has returned a positive test for COVID-19 will still be required to quarantine or isolate in accordance with the directions they were issued. Supervised quarantine is defined in the definitions section of these directions.

5. A person who:

- (a) is a person falling within all of subparagraphs 4(a) - (b); and
- (b) at the time of these directions coming into effect was subject to a **presentation for testing requirement**,

is no longer required to comply with the presentation for testing requirement.

6. A person who:

- (a) is a person falling within all of subparagraphs 4(a) - 4(b); and
- (b) at the time of these directions coming into effect was subject to an **isolation following testing requirement**,

is no longer required to comply with the isolation requirement unless the person has **symptoms**.

7. Nothing in these directions affects, cures or relieves any breach of any quarantine requirement or presentation for testing requirement that occurred prior to the commencement date.

DEFINITIONS

8. **Children requirements** has the same meaning that it has in the Controlled Border for Western Australia Directions.
9. **Commencement date** means the date and time set out in paragraph 3.
10. **Direct contact** has the same meaning that it has in the Controlled Border for Western Australia Directions.
11. **Direction** means any other direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
12. **Entered** means:
 - (a) in relation to a person to whom the Controlled Border for Western Australia Directions applies, has a meaning that corresponds to the meaning of the term enter in the Controlled Border for Western Australia Directions; and
 - (b) in relation to a person to whom a specified arrangement applies, has a meaning that corresponds to the meaning of the term enter in the specified arrangement.
13. **Isolation following testing requirement** means a requirement to isolate under paragraph 5 of the Quarantine and Isolation (Undiagnosed) Directions (No 2) where the person was tested for COVID-19 after complying with a presentation for testing requirement.
14. **Modified quarantine direction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
15. **Presentation for testing requirement** means:
 - (a) any requirement to present for testing under the Presentation for Testing Directions (No 15) or the Presentation for Testing Directions (No 16); or
 - (b) any requirement to present for testing under any other direction where the obligation to present for testing arises by virtue of the person having been in New South Wales.
16. **Quarantine centre** means any quarantine centre operated by the State Health Incident

Coordination Centre (including hotel quarantine centres) or which has been arranged by the State Health Incident Coordination Centre for the quarantining of people for public health purposes in connection with COVID-19.

17. **Quarantine requirement** means:

- (a) the **self-quarantine requirements**; or
- (b) a **modified quarantine direction**; or
- (c) the **children requirements**; or
- (d) a requirement to quarantine under or pursuant to a **specified arrangement**; or
- (e) any other requirement to undertake a period of quarantine pursuant to a **direction**,

but does not include **supervised quarantine** or a requirement to quarantine or isolate under either or both of the **relevant directions**.

18. **Relevant directions** mean each of the Quarantine and Isolation (Undiagnosed) Directions (No 2) and the Isolation (Diagnosed) Directions (No 2).

19. **Self-quarantine requirements** has the same meaning that it has in the Controlled Border for Western Australia Directions.

20. **Specified arrangement** has the same meaning that it has in the Controlled Border for Western Australia Directions.

21. **Supervised quarantine** means quarantine that is being undertaken in a **quarantine centre**.

22. **Symptoms** has the same meaning that it has in the Controlled Border for Western Australia Directions.

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

State Emergency Coordinator and Commissioner of Police

15 February 2021 1537 hours