

Public Health Act 1997

DIRECTION UNDER SECTION 16

(Isolation – No. 6)

I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997* ("the Act"), in order to manage the threat to public health posed by the notifiable disease known as COVID-19 ("the disease"), direct that –

- (a) each person diagnosed with the disease must, on being diagnosed with the disease –
 - (i) travel directly to, or remain at, a suitable place in respect of the person; and
 - (ii) remain, subject to paragraph (b), at that place until the person is released from isolation in accordance with paragraph (d); and
 - (iii) if the person is diagnosed with the disease by receiving a positive result on a Rapid Antigen Test, the person must notify the Department, in an approved manner, of the positive result; and

- (b) a person diagnosed with the disease must remain at a suitable place unless –
 - (i) the person is travelling directly to, or from, another suitable place; or
 - (ii) there is an emergency that requires the person to leave the suitable place to protect his or her personal safety, or the safety of another, and the person immediately returns to a suitable place as soon as the emergency has passed; and

- (c) a person who leaves a suitable place before he or she is released from isolation must wear a fitted face covering that fits securely around the face and is designed, or made, to be worn over the nose and mouth to provide protection against infection –
 - (i) unless –
 - (A) the person has left the suitable place due to an emergency in accordance with paragraph (b)(ii); and

- (B) it is not practicable in the circumstances for the person to obtain, or wear, the fitted face covering; or
 - (ii) unless the person holds an exemption, or is a person within a class of persons specified in an exemption, from the requirements of this paragraph that is given by the Director of Public Health or his or her delegate; and

- (d) unless otherwise directed by the Director of Public Health or his or her delegate, a person diagnosed with the disease is released from isolation if –
 - (i) a relevant authority has notified the person that the person is released from isolation; or
 - (ii) if the person meets the criteria for the release from isolation, as approved by the Director of Public Health, or his or her delegate, and published on the website operated by, or on behalf of, the Tasmanian Government in respect of the disease; and

- (e) until a person diagnosed with the disease has been released from isolation in accordance with paragraph (d), the person must not have contact with another person unless –
 - (i) the other person –
 - (A) is providing medical care or treatment to the person so diagnosed or providing assistance to the person providing that medical care or treatment; or
 - (B) is responding to an emergency, whether that emergency is medical or otherwise; or
 - (C) is also diagnosed with the disease; or
 - (D) has not attained the age of 18 and the person diagnosed with the disease is the sole available care giver for the other person; or
 - (E) is a close contact of the person diagnosed with the disease and is in quarantine at the same suitable place as that person; or

- (ii) the contact does not require the two persons to be in the same physical space while the contact occurs; and
- (f) in this direction –
- (i) **approved manner**, in relation to a notification to the Department, means a manner approved by the Director of Public Health, or his or her delegate, and published on the website operated by, or on behalf of, the Tasmanian Government in respect of the disease; and
 - (ii) ***Coronavirus Disease 2019 (COVID-19) CDNA National Guidelines for Public Health Units*** means the national guidelines, published on 24 December 2021 by the Communicable Diseases Network Australia and endorsed by the Australian Health Protection Principle Committee, as amended or substituted from time to time; and
 - (iii) **diagnosed with the disease**, in relation to a person, means the person has received a positive result from a test for the disease; and
 - (iv) **PCR test** means a nucleic acid detection test, for the genetic material of SARS-CoV-2, conducted by a laboratory with the relevant accreditation, for such a test, by the National Association of Testing Authorities; and
 - (v) **premises** has the same meaning as in the Act; and
 - (vi) **Rapid Antigen Test** means a test, to detect the presence of viral protein from SARS Cov-2, that –
 - (A) is intended for use primarily outside a laboratory; and
 - (B) is not based on nucleic acid detection methods such as a polymerase chain reaction; and
 - (C) is approved by the Therapeutic Goods Administration for use in Australia; and
 - (vii) **relevant authority** means –
 - (A) a medical practitioner; or
 - (B) such other person approved by the Director of Public Health, or his or her delegate, as a relevant person; and
 - (viii) **suitable place**, in relation to a person diagnosed with the disease, means –

- (A) if the person requires medical treatment, the hospital, or another place, for medical treatment as directed by –
 - (I) the person who diagnosed the disease; or
 - (II) the operator of the Tasmanian Public Health Hotline, operated by the Department of Health in respect of the disease, who is responding to a call to that Hotline by the person; or
 - (III) a person registered under the *Health Practitioner Regulation National Law (Tasmania)* in the medical, dental, paramedicine or midwifery profession; or
- (B) if the person does not require medical treatment and intends to isolate at his or her primary residence, the primary residence of the person; or
- (C) if the person does not require medical treatment and does not intend, or is unable, to isolate at his or her primary residence, other premises that are approved by the Director of Public Health, or his or her delegate, as suitable premises for the person to be in isolation; or
- (D) the place where the person has been directed, under the Act or the *Emergency Management Act 2006*, to complete his or her isolation; or
- (E) if the person is in isolation at premises other than his or her primary residence and wishes to return to his or her primary residence, the primary residence of the person if the Director of Public Health, or his or her delegate, has approved the relocation to the primary residence; and

(ix) **test for the disease** means a PCR test or a Rapid Antigen Test;
and

(g) the *Acts Interpretation Act 1931* applies to the interpretation of this direction as if it were regulations made under the Act; and

(h) the direction, made by me on 10 December 2021 and entitled *Isolation – No. 5*, is revoked.

Dated: 7 January 2022

Signed: Marko Veitoh

Director of Public Health