

Public Health Act 1997

DIRECTION UNDER SECTION 16
(Management of Close Contacts – No. 1)

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, commencing at 12.01am on 2 May 2022 –

- (a) a person who is a close contact in respect of the disease –
 - (i) before attending his or her workplace for the first time after becoming aware that he or she is a close contact, must notify each workplace that the person is a close contact in respect of the disease if the person intends to attend the workplace during the close contact period for the close contact; and
 - (ii) must undergo a test for the disease, in accordance with the manufacturer's instructions for the test –
 - (A) as soon as practicable after becoming aware that he or she is a close contact of a case; and
 - (B) on the 6th day after Day zero for the close contact; and
 - (iii) subject to paragraph (c), must not leave his or her primary residence on any day during the close contact period for the close contact if –
 - (A) he or she displays one or more clinical symptoms of the disease; or
 - (B) he or she has not received a negative result from a test for the disease that was performed, in accordance with the manufacturer's instructions for the test, in the immediately preceding 24-hour period; and
 - (iv) subject to paragraphs (d) and (f), must wear a fitted face covering at all times while he or she is in an indoor space, in a premises other than his or her primary residence, during the close contact period for the close contact; and

- (v) subject to paragraphs (h), (i) and (j), must not, during the close contact period for the close contact, enter or remain on the premises of –
 - (A) a high-risk facility; or
 - (B) a support school or a special school, if the close contact is present on those premises as part of his or her employment or engagement; and
- (vi) subject to paragraph (k), must not, during the close contact period for the close contact –
 - (A) provide in-home and community aged care services; or
 - (B) provide high intensity supports to an NDIS participant; and
- (b) unless otherwise directed by the Director of Public Health or his or her delegate, paragraph (a) does not apply to a person in respect of a case if –
 - (i) the person –
 - (A) is already a close contact in respect of another case; and
 - (B) complies with paragraph (a) in respect of that other case; or
 - (ii) the person has been released from isolation, in respect of the disease, within the immediately preceding 12-week period; and
- (c) paragraph (a)(iii) does not apply to a person if –
 - (i) there is an emergency that requires the close contact to leave his or her primary residence to protect his or her personal safety, or the safety of another, and the close contact immediately returns to his or her primary residence as soon as the emergency has passed; or
 - (ii) the close contact –
 - (A) requires urgent medical treatment that cannot be provided at his or her primary residence; and
 - (B) only attends another premises for the purposes of receiving that medical treatment; and
 - (C) immediately returns to his or her primary residence as soon as he or she has received that treatment; and

- (d) a person is not required to wear a fitted face covering under this direction if the person is –
 - (i) a child who has not attained the age of 12 years and it is not practicable, due to age or otherwise, for the child to wear a fitted face covering; or
 - (ii) a person who –
 - (A) holds a medical certificate, or other documentation by a medical practitioner, within the meaning of the *Acts Interpretation Act 1931*, that certifies that the person has a physical, or mental health, illness, condition or disability that makes the wearing of a fitted face covering unsuitable; and
 - (B) produces a legible copy of the medical certificate, or other documentation, if requested to do so by a person in authority; or
 - (iii) a person who –
 - (A) holds an exemption, from the requirement to wear a fitted face covering, that is given by the Director of Public Health or his or her delegate; and
 - (B) produces a legible copy of the exemption if requested to do so by a person in authority; and
- (e) paragraph (d) does not apply to the requirement, under paragraph (l)(iii)(A), for a close contact to wear a surgical mask; and
- (f) a person is not required to wear a fitted face covering under this direction in the following circumstances, if the person wears a fitted face covering as soon as is practicable after the relevant circumstances end:
 - (i) the person removes the fitted face covering to communicate with a person who is deaf, or has impaired hearing, and visibility of the mouth is essential for the communication;
 - (ii) the wearing of the fitted face covering would create a risk to the health or safety of the person;

- (iii) the person removes the fitted face covering to enable clear enunciation, or visibility of the mouth, as part of his or her employment or training;
 - (iv) the person is orally consuming food, drink or medicine;
 - (v) the person is undergoing medical care, or treatment, that is unable to be provided while the person wears a fitted face covering;
 - (vi) the person is requested to remove the fitted face covering, by a person in authority, to ascertain or confirm the identity of the person;
 - (vii) the person may lawfully remove, or is lawfully required to remove, the fitted face covering;
 - (viii) an emergency where it is not practicable or safe to wear the fitted face covering;
 - (ix) such other circumstances that are specified in an exemption, from the requirement to wear a fitted face covering, that is given by the Director of Public Health or his or her delegate; and
- (g) a person who is required to wear a fitted face covering under this direction, other than a person to whom paragraph (d) applies, must carry a fitted face covering while he or she is away from his or her primary residence; and
- (h) despite paragraph (a)(v), a close contact may enter, and remain, on the premises of a high-risk facility if –
- (i) the person is a permanent, or temporary, resident of the facility; or
 - (ii) the person is seeking or receiving medical treatment at the facility, if the facility is a reasonable place to provide the treatment; or
 - (iii) the person –
 - (A) has been notified by the Director of Public Health, or his or her delegate, that the person may enter and remain on the premises of such a facility, subject to such conditions as may be specified in the notification; and
 - (B) complies with each relevant condition specified in the notification; and

- (i) despite paragraph (a)(v), a close contact may enter, and remain, on the premises of a support school or a special school, as part of his or her employment or engagement, if the person –
 - (i) has been notified by the Director of Public Health, or his or her delegate, that the person may enter and remain on the premises of such a school, subject to such conditions as may be specified in the notification; and
 - (ii) complies with each relevant condition specified in the notification; and

- (j) despite paragraph (a)(v), a close contact may enter, and remain, on the premises of a high-risk facility, support school or special school if –
 - (i) the close contact is a worker at the high-risk facility or school; and
 - (ii) the operator of the high-risk facility or school has –
 - (A) lodged a form, as approved by the Director of Public Health or his or her delegate, that specifies the roles within the facility or school that, if those roles were not performed, would disrupt the delivery of essential services within the facility or school; and
 - (B) received written evidence from the Director of Public Health, or his or her delegate, that the roles specified in the approved form, lodged by the employer under sub-subparagraph (A), have been registered for the purposes of this direction; and
 - (iii) the close contact –
 - (A) is a critical worker who performs a role which has been registered, in respect of his or her employer, under subparagraph (ii)(B); and
 - (B) is fully vaccinated in respect of the disease; and
 - (C) does not have one or more clinical symptoms of the disease; and
 - (D) in the case of the high-risk facility, only enters, or remains, on the premises of the facility for the purposes of his or her employment; and

- (k) despite paragraph (a)(vi), a close contact may provide the services or supports specified in that sub-paragraph if –
 - (i) the close contact is employed, or engaged, to provide the services or supports; and
 - (ii) the employer for the close contact has –
 - (A) lodged a form, as approved by the Director of Public Health or his or her delegate, that specifies the roles performed as part of the services or supports that, if those roles were not performed, would disrupt the delivery of the services or supports; and
 - (B) received written evidence from the Director of Public Health, or his or her delegate, that the roles specified in the approved form, lodged by the employer under sub-subparagraph (A), have been registered for the purposes of this direction; and
 - (iii) the close contact –
 - (A) is a critical worker who performs a role which has been registered, in respect of his or her employer, under subparagraph (ii)(B); and
 - (B) is fully vaccinated in respect of the disease; and
 - (C) does not have one or more clinical symptoms of the disease; and

- (l) if a close contact is a critical worker who enters, or remains, on the premises of a high-risk facility or school in accordance with paragraphs (h), (i) or (j) or provides in-home and community aged care services or high intensity supports in accordance with paragraph (k), the worker –
 - (i) must undertake a test for the disease each day before attending his or her workplace; and
 - (ii) must not attend his or her workplace if –
 - (A) he or she has not received the results of the test of the disease, undertaken in accordance with subparagraph (i); or
 - (B) the test of the disease, undertaken in accordance with subparagraph (i), is positive; and
 - (iii) must do each of the following while the worker is on the premises of his or her workplace:

- (A) use a surgical mask when complying with paragraph (a)(iv);
 - (B) immediately return to his or her primary residence if he or she shows one or more clinical symptoms of the disease;
 - (C) comply with each relevant condition specified in the written evidence provided, under paragraph (j)(ii)(B) or paragraph (k)(ii)(B), to the operator of that workplace; and
- (m) a person to whom this direction applies must, while this direction applies to the person –
- (i) monitor his or her health for clinical symptoms of the disease; and
 - (ii) if he or she develops clinical symptoms of the disease, undergo a test for the disease as soon as practicable; and
 - (iii) undergo a test for the disease if required to do so by the Director of Public Health or his or her delegate; and
- (n) in this direction –
- (i) **case** means a person who is –
 - (A) a confirmed case, in respect of the disease, within the meaning of the *Coronavirus Disease 2019 (COVID-19) CDNA National Guidelines for Public Health Units*; or
 - (B) a probable case, in respect of the disease, within the meaning of the *Coronavirus Disease 2019 (COVID-19) CDNA National Guidelines for Public Health Units*; and
 - (ii) **clinical symptoms of the disease** means the following symptoms:
 - (A) a temperature of 37.5°C or more;
 - (B) night sweats;
 - (C) chills;
 - (D) coughing;
 - (E) shortness of breath;
 - (F) sore throat;
 - (G) loss of taste;
 - (H) loss of smell; and
 - (iii) **close contact**, in respect of the disease, means a person who –

- (A) ordinarily resides at the same primary residence as a case if the person and the case spent time at that primary residence within the 48-hour period immediately before the case was identified; or
 - (B) has stayed overnight on the same premises as a case in the 48-hour period immediately before the case was identified; or
 - (C) has spent more than 4 hours, in total, with a case –
 - (I) in the primary residence of the person, case or another person; and
 - (II) in the 48-hour period immediately before the case was identified; or
 - (D) has been notified by the Director of Public Health, or his or her delegate, that he or she is a close contact; and
- (iv) **close contact period**, for a close contact, includes –
- (A) Day zero for the close contact; and
 - (B) the 7-day period that commences on the day immediately after that Day zero; and
- (v) **Commonwealth funded service provider** means one of the following providers:
- (A) an approved provider within the meaning of the meaning of the *Aged Care Quality and Safety Commission Act 2018* of the Commonwealth;
 - (B) a service provider within the meaning of the meaning of the *Aged Care Quality and Safety Commission Act 2018* of the Commonwealth; and
- (vi) **Coronavirus Disease 2019 (COVID-19) CDNA National Guidelines for Public Health Units** means the national guidelines, published on 22 March 2022 by the Communicable Diseases Network Australia and endorsed by the Australian Health Protection Principle Committee, as amended or substituted from time to time; and
- (vii) **critical worker** means a person with particular skills who, as part of his or her employment, performs a role that –
- (A) is unable to be performed at home; and

- (B) if that role was not performed, would disrupt the delivery of essential services at a high-risk facility; and
- (viii) **Day zero**, in relation to a close contact, means such part of the calendar day that remains of the day –
 - (A) the close contact last had contact with the case that has resulted in the person being a close contact; or
 - (B) if the close contact shares a residence with the case that has resulted in the person being a close contact, the case received a positive result from a test for the disease; or
 - (C) the close contact was notified by the Director of Public Health, or his or her delegate, that he or she is a close contact; and
- (ix) **evidence of the vaccination status**, in respect of a person, means –
 - (A) a vaccination certificate in respect of the disease issued to the person by the Australian Immunisation Register, operated by or on behalf of the Commonwealth; or
 - (B) an equivalent document from a jurisdiction outside of Australia that is issued to the person and is recognised by the Commonwealth or the Director of Public Health; and
- (x) **fitted face covering** means a covering, other than a shield, that fits securely around the face and is designed, or made, to be worn over the nose and mouth to provide protection against infection; and
- (xi) **flexible care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and
- (xii) **fully vaccinated**, in respect of the disease, means a person has received all of the doses of a vaccine for the disease that is necessary for the person to be issued with evidence of the vaccination status of the person; and
- (xiii) **high intensity support** means –
 - (A) one of the following supports that, if provided as part of the NDIS, requires certification under the *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018*:

- (I) assistance with daily life tasks in a group or shared living arrangement;
 - (II) group and centre-based activities;
 - (III) specialised supported employment;
 - (IV) assistance with daily personal activities;
- (B) one of the following supports that, if provided as part of the NDIS, requires verification under the *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018*:
 - (I) community nursing care;
 - (II) therapeutic supports; and
- (xiv) **high-risk facility** includes the following facilities:
 - (A) a public hospital, or private hospital, within the meaning of the *Health Services Establishment Act 2006*;
 - (B) a residential aged care facility;
 - (C) a residential facility operated by a disability services provider within the meaning of the *Disability Services Act 2011* or a registered provider of supports within the meaning of the *National Disability Insurance Scheme Act 2013*;
 - (D) a prison, correctional facility, detention centre or other place where persons are lawfully detained in custody; and
- (xv) **in-home and community aged care services** means the following care or services provided by, or on behalf of, a Commonwealth funded service provider:
 - (A) Commonwealth-funded aged care services, within the meaning of the *Aged Care Quality and Safety Commission Act 2018* of the Commonwealth;
 - (B) flexible care, within the meaning of the *Aged Care Act 1997* of the Commonwealth;
 - (C) home care, within the meaning of the *Aged Care Act 1997* of the Commonwealth; and
- (xvi) **NDIS** means the National Disability Insurance Scheme, established by the *National Disability Insurance Scheme Act 2013* of the Commonwealth; and

- (xvii) **NDIS participant** means a participant within the meaning of the *National Disability Insurance Scheme Act 2013* of the Commonwealth; and
- (xviii) **person in authority** includes –
 - (A) an authorised officer within the meaning of the Act; and
 - (B) an authorised officer within the meaning of the *Emergency Management Act 2006*; and
- (xix) **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
- (xx) **premises** has the same meaning as in the Act; and
- (xxi) **primary residence**, of a person, means –
 - (A) if the person is not a permanent resident in Tasmania, or resides in Tasmania for a fixed period, the location in Tasmania where the person intends to lawfully reside while in Tasmania; or
 - (B) in any other case, the location in Tasmania where the person intends to reside while this direction is in force; and
- (xxii) **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
- (xxiii) **residential aged care facility** means a facility at which accommodation, and personal care or nursing care or both, are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the *Aged Care Act 1997* of the Commonwealth; and
- (xxiv) **residential care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and

- (xxv) **special school** has the same meaning as in the *Australian Education Act 2013* of the Commonwealth; and
- (xxvi) **support school** has the same meaning as in the *Education Act 2016*; and
- (xxvii) **surgical mask** means a fitted face covering that is –
- (A) designed to be disposed of after a single use; and
 - (B) is recognised by the Therapeutic Goods Administration, of the Commonwealth, as a medical device; and
- (xxviii) **test for the disease** means a PCR test or a Rapid Antigen Test; and
- (xxix) **workplace**, in respect of a critical worker, means the high-risk facility that is the workplace, within the meaning of the *Work Health and Safety Act 2012*, of the worker; and
- (o) the *Acts Interpretation Act 1931* applies to the interpretation of this direction as if it were regulations made under the Act; and
- (p) at 12.02 am on 2 May 2022, the direction, given by me on 14 April 2022 and entitled *Quarantine – No. 11*, is revoked.

Dated: 29 April 2022

Signed: Mark Ventel

Director of Public Health