

*Public Health Act 1997*

**DIRECTION UNDER SECTION 16**

*(Arrival requirements for certain travellers into Tasmania – No. 9)*

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) a relevant traveller who arrives in Tasmania is required to undergo the following clinical assessments on the arrival of the relevant traveller in Tasmania:
  - (i) questions as to the health of the traveller, in respect of the clinical symptoms of the disease, on his or her arrival;
  - (ii) a check of the temperature of the traveller; and
- (b) a clinical assessment referred to in paragraph (a) is to be conducted by an authorised officer, a registered nurse or an enrolled nurse; and
- (c) a relevant traveller is taken to have complied with paragraph (a) in respect of a clinical assessment if –
  - (i) a person required to conduct the clinical assessment is not present at the location where the relevant traveller arrives in Tasmania at the time the relevant traveller arrives; and
  - (ii) the clinical assessment is conducted in accordance with this direction as soon as practicable, and no later than 24 hours, after the relevant traveller arrives in Tasmania; and
- (d) a relevant traveller who arrives in Tasmania as an unaccompanied minor is taken to have complied with paragraph (a) in respect of a clinical assessment if the clinical assessment is conducted, in accordance with this direction, no later than 24 hours after the relevant traveller arrives in Tasmania; and

- (e) paragraph (a) does not apply to a person who is not required to isolate or quarantine on his or her arrival in Tasmania, if –
  - (i) the person is arriving in Tasmania for the purposes of transport, freight or logistics; and
  - (ii) the person –
    - (A) does not leave the seaport or airport, where the person arrived in Tasmania, while the person remains in Tasmania; or
    - (B) remains in Tasmania for a period of less than 24 hours and, while the person remains in Tasmania, complies with the requirements of any directions under the *Public Health Act 1997* or the *Emergency Management Act 2006*; or
    - (C) provides evidence of a negative test for the disease that has been performed on the person in the 7-day period before he or she arrived and the person has not had a positive test for the disease within that 7-day period; and
  
- (f) as a result of a clinical assessment of a relevant traveller under paragraph (a), the Director of Public Health, or his or her delegate, may require the relevant traveller to take the action that the Director of Public Health or his or her delegate considers appropriate in the circumstances and specifies in the requirement; and
  
- (g) in addition to the requirements of paragraph (a) –
  - (i) a relevant traveller, other than a relevant traveller to whom paragraph (e)(ii)(C) applies, is required to undergo a test for the disease within 24 hours after he or she arrives in Tasmania and on, or as soon as practicable after, both the 7<sup>th</sup> day and the 12<sup>th</sup> day after he or she arrives in Tasmania, if the relevant traveller –
    - (A) within the 14-day period before arriving in Tasmania, has spent time in a high risk area or premises, as determined by the Director of Public Health or his or her delegate, other than time spent transiting directly through the area; and
    - (B) is not required to isolate or quarantine on his or her arrival in Tasmania; and

- (C) has not left Tasmania since he or she so arrived in Tasmania;  
and
- (ii) if a relevant traveller to whom paragraph (e)(ii)(C) applies has spent time in a high risk area or premises, as determined by the Director of Public Health or his or her delegate, within the 14-day period before arriving in Tasmania, the relevant traveller is required, while he or she remains in Tasmania, to –
  - (A) undergo a test for the disease within each 7-day period after his or her last preceding test for the disease until –
    - (I) at least 14 days have passed since he or she so arrived in Tasmania; and
    - (II) he or she has undergone at least 2 tests for the disease since he or she last spent time in the high risk area or premises; and
  - (B) carry evidence of the date of his or her last test for the disease;  
and
- (iii) a relevant traveller is required to undergo a test for the disease before the 3<sup>rd</sup> day after he or she arrives in Tasmania and on, or as soon as practicable after, the 12<sup>th</sup> day after he or she arrives in Tasmania, if the relevant traveller –
  - (A) within the 14-day period before arriving in Tasmania, has spent time in a high risk area or premises, as determined by the Director of Public Health or his or her delegate, other than time spent transiting directly through the area; and
  - (B) is required to isolate or quarantine on his or her arrival in Tasmania; and
- (iv) in addition to sub-paragraph (iii), a relevant traveller to whom that sub-paragraph applies is required to undergo a test for the disease on, or as soon as practicable after, the 7<sup>th</sup> day after he or she arrives in Tasmania, if –
  - (A) the relevant traveller leaves isolation or quarantine, or intends to leave isolation or quarantine, within the 14-day period after his or her arrival in Tasmania; and

- (B) the leave is with the permission of the Deputy State Controller under a direction under the *Emergency Management Act 2006*, regardless of whether such permission has been given for a single period of leave or multiple periods of leave; and
- (v) if a relevant traveller is required to isolate or quarantine on his or her arrival in Tasmania, other than a relevant traveller to whom subparagraph (vi) applies, the relevant traveller is required to undergo a test for the disease before the 3<sup>rd</sup> day after he or she arrives in Tasmania and on, or as soon as practicable after, the 12<sup>th</sup> day after he or she arrives in Tasmania, if –
  - (A) where the relevant traveller arrives in Tasmania due to his or her employment or engagement as a crewmember of a vessel, the relevant traveller has spent time in a country other than Australia or New Zealand, or spent time in an at-risk area of New Zealand, within the 28-day period before arriving in Tasmania; and
  - (B) for any other relevant traveller, the relevant traveller has spent time in a country other than Australia or New Zealand, or spent time in an at-risk area of New Zealand, within the 14-day period before arriving in Tasmania; and
  - (C) the relevant traveller has not completed isolation, or quarantine, requirements imposed by the Commonwealth, or a State or Territory of Australia, since his or her return to Australia from the other country; and
- (vi) if a relevant traveller -
  - (A) arrives in Tasmania from a country other than Australia or New Zealand, or from an at-risk area of New Zealand, due to his or her employment or engagement as a crewmember of an aircraft; and
  - (B) is required to isolate or quarantine on his or her arrival in Tasmania –

the relevant traveller is required to undergo a test for the disease –
  - (C) as soon as is practicable, and no later than 24 hours, after his or her arrival in Tasmania unless he or she has had a test for the

- disease, performed in Australia within the 7-day period immediately before his or her arrival in Tasmania, that was negative for the disease; and
- (D) within each 7-day period after his or her last preceding test for the disease, performed in Australia, until –
- (I) at least 14 days have passed since he or she so arrived in Tasmania; and
  - (II) he or she has undergone at least 2 tests for the disease since he or she last arrived in Tasmania; and
- (h) paragraph (g)(iii), (iv), (v) and (vi) does not apply to a relevant traveller if the relevant traveller is required to isolate in respect of the disease under another direction under section 16 or 42 of the Act; and
- (i) paragraph (g) ceases to apply to a relevant traveller if –
- (i) the person is only a relevant traveller by virtue of spending time in a high risk area as determined by the Director of Public Health or his or her delegate; and
  - (ii) after the relevant traveller's arrival in Tasmania, the high risk area ceases to a high risk area and is not a medium risk area determined by the Director of Public Health or his or her delegate; and
- (j) if a relevant traveller is required to isolate or quarantine on arriving in Tasmania, the relevant traveller must wear a mask from the time of his or her arrival in Tasmania until the relevant traveller arrives at the part, of premises, where he or she intends to isolate or quarantine as so required; and
- (k) the Director of Public Health, or his or her delegate, may exempt a person, or a specified class of persons, from undergoing one or more of the clinical assessments and tests required under this direction, subject to the conditions, if any, that the Director of Public Health or his or her delegate, respectively, consider appropriate in the circumstances; and


- (l) in this direction –
- (i) **arrives in Tasmania**, in relation to a person, means that the person has entered the land within Tasmania; and
  - (ii) **at-risk area of New Zealand** means an area, or premises, within New Zealand which the Director of Public Health, or his or her delegate, has determined to be a high risk, or medium risk, to public health in respect of the disease; and
  - (iii) **authorised officer** has the same meaning as in the *Emergency Management Act 2006*; and
  - (iv) **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
  - (v) **relevant traveller** means a person arriving in Tasmania who –
    - (A) within the 14-day period before arriving in Tasmania, has spent time in a medium risk area or premises, or a high risk area or premises, as determined by the Director of Public Health or his or her delegate, other than time spent transiting directly through the area; or
    - (B) within the 14-day period before arriving in Tasmania, has spent time in –
      - (I) a country other than Australia or New Zealand; or
      - (II) an at-risk area of New Zealand; or
    - (C) within the 14-day period before arriving in Tasmania, has disembarked from a cruise ship; or
    - (D) within the 28-day period before arriving in Tasmania, has spent time in a country other than Australia or New Zealand, or spent time in an at-risk area of New Zealand, due to his or

her employment or engagement as a crewmember of a vessel; and

- (vi) **test for the disease** 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
- (vii) **transiting directly**, through an area, means the person transiting through the area only stopped in the area to –
  - (A) disembark, at an airport within the area, from a flight that originated outside the area, if the person only leaves that airport on a flight where the destination is outside of the area; or
  - (B) refuel the vehicle being used to transit through the area; and

(m) the direction, given by me on 4 August 2021 and entitled *Arrival requirements for certain travellers into Tasmania – No. 8*, is revoked.

Dated: 19 August 2021

Signed: 

Director of Public Health