

Public Health Act 1997

DIRECTION UNDER SECTION 16

(Quarantine – No. 8)

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 midday on 14 January 2022 –

- (a) a person who is a close contact in respect of the disease must –
 - (i) travel directly to a suitable place in respect of the close contact; and
 - (ii) undergo a test for the disease on, or as soon as practicable after the 1st day, and the 6th day, after he or she last had contact with the confirmed case in respect of which he or she is a close contact; and
 - (iii) subject to paragraphs (b), (e) and (f), remain in quarantine at a suitable place in respect of the close contact for at least 7 days after he or she last had contact with the confirmed case in respect of which he or she is a close contact; and

- (b) a person who is a close contact in respect of the disease must remain at a suitable place in respect of the close contact while he or she is required to so quarantine unless –
 - (i) the person is travelling directly to, or from, another suitable place in respect of the person; or
 - (ii) the person is travelling directly to, or from, a location where he or she is undertaking, or collecting, a test for the disease as required under this direction; or
 - (iii) the person is a critical worker who is travelling directly to, or from, his or her workplace, in accordance with paragraph (f); or
 - (iv) there is an emergency that requires the person to leave the suitable place in respect of the person to protect his or her personal safety, or the safety of another, and the person immediately returns to a

suitable place in respect of the person as soon as the emergency has passed; and

- (c) if a person who is required to quarantine under this direction leaves a suitable place in respect of the person while he or she is required to so quarantine, the person must wear a fitted face covering; and
- (d) if a person (a “quarantined person”) who is required to remain in quarantine under this direction is quarantining at a suitable place in respect of the person (other than premises referred to in paragraph (A) of the definition of suitable place) with one or more persons (“the isolated persons”) who are in isolation at that place and who are diagnosed with the disease, the quarantined person must remain in quarantine at a suitable place in respect of the person until the end of the 7-day period after each of the isolated persons is no longer required under the Act to be isolated and the quarantined person is not otherwise required under this direction to be in quarantine; and
- (e) despite paragraph (a)(iii), a person in quarantine under this direction may leave his or her suitable place if –
 - (i) the Director of Public Health, or his or her delegate, has notified the person that that the person may leave his or her suitable place for the reason specified in the notification, subject to such conditions as may be specified in the notification; and
 - (ii) the person complies with each relevant condition specified in the notification; and
- (f) despite paragraph (a)(iii) a critical worker in quarantine under this direction may leave his or her suitable place if –
 - (i) the employer of the critical worker has lodged a form, as approved by the Director of Public Health or his or her delegate, that –
 - (A) states that the workplace operated by the employer provides critical services; and

- (B) specifies the roles within the workplace that, if those roles were not performed, would disrupt the delivery of those critical services; and
 - (ii) the employer of the critical worker has received written evidence from the Director of Public Health, or his or her delegate, that the critical services and roles specified in the approved form, lodged by the employer under subparagraph (i), have been registered for the purposes of this direction; and
 - (iii) the critical worker –
 - (A) performs a role which has been registered by his or her employer under subparagraph (ii); and
 - (B) is fully vaccinated in respect of the disease; and
 - (C) does not have one or more clinical symptoms of the disease; and
- (g) if a critical worker in quarantine under this direction leaves his or her suitable places to attend his or her workplace in accordance with paragraph (f), the worker –
- (i) must undertake a test for the disease each day before attending his or her workplace; and
 - (ii) must not leave his or her suitable place to 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 away from his or her suitable place to attend his or her workplace:
 - (A) use a surgical mask when complying with paragraph (c);
 - (B) not use a passenger transport service within the meaning of the *Passenger Transport Services Act 2011*, other than a private passenger service within the meaning of that Act, when travelling to, or from, his or her workplace;

- (C) immediately return to his or her suitable place if he or she shows one or more clinical symptoms of the disease;
 - (D) comply with each relevant condition specified in the written evidence provided, under paragraph (f)(ii), to the employer for that workplace; and
- (h) 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
- (i) paragraph (h) does not apply to a critical worker who is leaving his or her suitable place to attend his or her workplace in accordance with paragraph (f); and
- (j) 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
- (k) a person who is required to wear a fitted face covering under this direction, other than a person to whom paragraph (h) applies, must carry a fitted face covering while he or she is away from his or her primary residence; and
- (l) 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

- (m) a person to whom this direction applies must take reasonable steps to ensure that no other person enters the primary residence of the person unless that other person –
- (i) usually lives at the premises; or
 - (ii) is also complying with this direction or another direction under which the person is required to isolate or quarantine at the premises; or
 - (iii) is at the premises in order to provide care and support to, or receive care and support from, the person; or
 - (iv) is required for medical or emergency purposes; and
- (n) in this direction –
- (i) **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
 - (ii) **close contact**, in respect of the disease, means a person who –
 - (A) ordinarily resides at the same primary residence as a confirmed case; or
 - (B) has been notified by the Director of Public Health, or his or her delegate, that he or she is a close contact; and
 - (iii) **confirmed case** means a person who has been diagnosed with the disease; and
 - (iv) **critical services** includes –
 - (A) a service specified in Schedule 1; and
 - (B) such part of a service as is specified in Schedule 1; and
 - (v) **critical worker** means a person with particular skills who, as part of his or her employment, performs a critical role that –
 - (A) is unable to be performed at home; and

- (B) if that role was not performed, would disrupt the delivery of critical services; and
- (vi) **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
- (vii) **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
- (viii) **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
- (ix) **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
- (x) **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
- (xi) **premises** has the same meaning as in the Act; and
- (xii) **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
- (xiii) **suitable place**, in respect of a person, means –

- (A) if the person requires medical treatment – a hospital, or other place for medical treatment, as directed by –
 - (I) 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
 - (II) a person registered under the *Health Practitioner Regulation National Law (Tasmania)* in the medical, dental, paramedicine or midwifery profession; or
 - (B) if the person intends to be in quarantine at his or her primary residence – the primary residence of the person; or
 - (C) if the person does not intend, or is unable, to be in quarantine 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 quarantine; or
 - (D) the place where the person has been directed, under the Act or the *Emergency Management Act 2006*, to complete his or her quarantine; or
 - (E) if the person is in quarantine 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 that relocation to the primary residence; and
- (xiv) **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
- (xv) **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

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

(xvii) **workplace**, in respect of a critical worker, means the workplace, within the meaning of the *Work Health and Safety Act 2012*, where the worker performs a role in providing critical services; 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 12.01 pm on 14 January 2022, the direction, given by the Deputy Director of Public Health on 31 December 2021 and entitled *Quarantine – No. 7*, is revoked.

Dated:.....14 January 2022

Signed:.....Mark Vitch

Director of Public Health

Schedule 1

1. Agriculture and aquaculture services including, but not limited to –
 - (a) services relating to biosecurity and food safety; and
 - (b) food and fisheries production.

2. The following emergency services:
 - (a) the Police Service;
 - (b) the State Emergency Service, as continued under the *Emergency Management Act 2006*;
 - (c) the Tasmania Fire Service, established under the *Fire Service Act 1979*;
 - (d) services provided by a forest officer in accordance with section 43 or 58 of the *Fire Service Act 1979*;
 - (e) services provided by an authorized officer of the Hydro-Electric Corporation in accordance with section 44 of the *Fire Service Act 1979*;
 - (f) services provided by an authorized national park officer in accordance with section 45 or 58 of the *Fire Service Act 1979*.

3. Health services provided at a day procedure centre within the meaning of the *Health Service Establishments Act 2006*.

4. Laundry services that are provided by a commercial operator to another organisation or entity.

5. Cleaning services that are provided by a commercial operator if those services are not provided in respect of such part of a residential premises where persons ordinarily reside.

6. Services provided at a prison, correctional facility, detention centre or other place where persons are lawfully detained in custody if the services are essential to the safety, security, health and wellbeing of the persons detained at, or the staff of, those premises.

7. Passenger transport services, if those services are –
 - (a) regular passenger services, within the meaning of the *Passenger Transport Services Act 2011*, that are provided –
 - (i) by the Company, within the meaning of the *Metro Tasmania Act 1997*; or

- (ii) under a passenger service contract, within the meaning of the *Passenger Transport Services Act 2011*; or
 - (b) passenger services that are provided in accordance with a contract, or agreement, with the Tasmanian Government.

- 8. Manufacturing, freight, logistics and distribution services, if the services relate to –
 - (a) the manufacture, freight, logistics, distribution or warehousing of essential goods including, but not limited to, food, beverages, groceries, cleaning and sanitary products, medication and other medical products; and
 - (b) the storage and stocking of merchandise at the following locations including, but not limited to, shelf packing and stock refills:
 - (i) supermarkets and grocery stores;
 - (ii) butchers, bakeries, greengrocers and similar retail premises;
 - (iii) chemists and pharmacies;
 - (c) the freight, logistics, distribution or warehousing of mail or post, including courier or delivery services.

- 9. Power, utilities and other essential infrastructure services.

