

Public Health Act 1997

DIRECTION UNDER SECTION 16

(Testing of certain essential travellers – No. 2)

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 on 1 January 2022 –

- (a) this direction applies to a person –
 - (i) who arrives in Tasmania –
 - (A) for the purposes of transport, freight or logistics; or
 - (B) from a country other than Australia, due to his or her employment, or engagement, as a crewmember of an aircraft; and
 - (ii) who is not required to isolate or quarantine on his or her arrival in Tasmania; and
 - (iii) who –
 - (A) is not fully vaccinated in respect of the disease; or
 - (B) is fully vaccinated but has spent time in a high risk area, or an extreme risk area, within the 14-day period immediately before the person's arrival in Tasmania; and

- (b) on his or her arrival in Tasmania, a person to whom this direction applies is required to –
 - (i) provide evidence that the most recent test for the disease that has been performed on the person was negative for the disease; and
 - (ii) undergo a test for the disease within the 24-hour period after his or her arrival in Tasmania if –
 - (A) the test referred to in subparagraph (i) was not performed within the 7-day period before the person arrived in Tasmania; or

- (B) the person does not provide evidence of a test as required by subparagraph (i); and
- (c) while he or she remains in Tasmania, a person to whom this direction applies is required to –
 - (i) undergo a test for the disease within each 7-day period after his or her most recent test for the disease until –
 - (A) at least 14 days have passed since he or she so arrived in Tasmania and he or she has not left Tasmania within those 14 days; and
 - (B) he or she has undergone at least 2 tests for the disease since he or she most recently arrived in Tasmania; and
 - (ii) carry evidence of the date of his or her most recent test for the disease; and
- (d) paragraph (b)(ii) does not apply to a person if the person does not leave the seaport or airport, where the person arrived in Tasmania, while the person remains in Tasmania; and
- (e) 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
- (f) in this direction –
 - (i) **arrives in Tasmania**, in relation to a person, means that the person has entered the land within Tasmania; and
 - (ii) **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 Government; or

- (B) an equivalent document from a jurisdiction outside of Australia that is issued to the person and is recognised by the Commonwealth Government or the Director of Public Health; or
 - (C) evidence, that is recognised by the Director of Public Health, that a person has been issued with a document referred to in paragraph (A) or (B); and
 - (iii) **extreme risk area** means an area declared by the Director of Public Health, or his or her delegate, to be an area with an extreme risk in respect of the disease; and
 - (iv) **fully vaccinated**, in respect of the disease, means having 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
 - (v) **high risk area** means an area declared by the Director of Public Health, or his or her delegate, to be an area with a high risk in respect of the disease; and
 - (vi) **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
 - (vii) **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
 - (viii) **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, given by me on 9 December 2021 and entitled *Testing of certain essential travellers – No. 1*, is revoked.

Dated: 30 December 2021

Signed: 

Director of Public Health