

House of Assembly—No 34

As laid on the table and read a first time, 8 April 2020

South Australia

**Emergency Management (COVID-19) (Kangaroo
Island Arrivals) Amendment Bill 2020**

A BILL FOR

An Act to amend the *Emergency Management Act 2004*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Emergency Management Act 2004*

- 3 Insertion of section 25A
 - 25A Special direction for Kangaroo Island arrivals during COVID-19 pandemic
- 4 Insertion of Schedule 2

Schedule 2—Essential travellers

- 1 National and State security and governance
 - 2 Health services
 - 3 Essential medical treatment
 - 4 Transport and freight services
 - 5 Skills critical to maintaining key industries or businesses
 - 6 Emergency services workers
 - 7 Cross border community members
 - 8 Compassionate grounds
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Emergency Management (COVID-19) (Kangaroo Island Arrivals) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Emergency Management Act 2004*

3—Insertion of section 25A

After section 25 insert:

25A—Special direction for Kangaroo Island arrivals during COVID-19 pandemic

- 5
- 10
- 15
- 20
- 25
- 30
- 35
- 40
- (1) Subject to this section or any direction of the State Co-ordinator relating to self quarantine or isolation on arrival on Kangaroo Island issued after the commencement of this section, all people who arrive on Kangaroo Island from a place outside of Kangaroo Island, other than an essential traveller referred to in Schedule 2, must—
 - (a) identify a suitable place and ensure arrangements are in place for them to reside and remain in that place for a 14 day period commencing on the date of their arrival on Kangaroo Island; and
 - (b) having identified a suitable place, travel by the most direct practical route and means to the place; and
 - (c) upon arrival at the place, reside and remain in that place, self-quarantined and segregated from other persons (excluding persons who usually live at the place), for the period beginning on the day of arrival and ending at midnight on the fourteenth day after arrival on Kangaroo Island; and
 - (d) remain at the place, except—
 - (i) for the purposes of obtaining medical care or medical supplies; or
 - (ii) in any other emergency situation; or
 - (iii) for any reason approved in advance by the State Co-ordinator or their delegate or an authorised officer; and
 - (e) take reasonable steps to ensure that no other person enters the place unless that other person usually lives at the place, or the other person is also complying with self-quarantine requirements, or for medical or emergency purposes.
 - (2) A person arriving on Kangaroo Island on any aircraft or vessel is taken not to arrive on Kangaroo Island for the purposes of this section if—
 - (a) in the case of an arrival on an aircraft—the person does not leave the airport on Kangaroo Island; or
 - (b) in the case of an arrival on a vessel—the person does not disembark from the vessel on Kangaroo Island.

- 5
- (3) If a crew member or a passenger of a vessel that has arrived on Kangaroo Island remains on the vessel on Kangaroo Island self-quarantined and segregated from other persons, for not less than the period beginning on the day of arrival on Kangaroo Island and ending at midnight on the fourteenth day after that arrival, the crew member or passenger will be taken to have complied with the requirements of this section.
- 10
- (4) A person who ceases to be an essential traveller (within the meaning of Schedule 2) less than 14 days after their arrival on Kangaroo Island must, on so ceasing, comply with subsection (1).
- 15
- (5) A person who, at the time of their arrival on Kangaroo Island, was an essential traveller under Schedule 2 for the purpose of performing duties, functions or activities specified in that Schedule is taken to cease to be an essential traveller for the purposes of this section during any period during which the person is not—
- (a) performing those duties, functions or activities; or
 - (b) travelling to or from the place at which they are performing those duties, functions or activities.
- 20
- (6) For the avoidance of doubt, the operation of a direction under section 25 applying to a person who arrived on Kangaroo Island before the commencement of this section is not affected by this section.
- (7) Nothing in this section derogates from the powers of authorised officers to exercise powers pursuant to this Act.
- 25
- (8) This section will expire when no declaration under Part 4 Division 3 of this Act is in effect in respect of the outbreak of the Human Disease named COVID-19 within South Australia (as a result of the cessation of a declaration or declarations under that Division).

4—Insertion of Schedule 2

After Schedule 1 insert:

Schedule 2—Essential travellers

1—National and State security and governance

35

State or Commonwealth Government officials who, in the conduct of their duties, are responsible for the safety of Australia or South Australia against threats such as terrorism, war, or espionage, and are required to be physically present on Kangaroo Island for such purposes.

Active military personnel who are required to be physically present on Kangaroo Island in the conduct of their duties and who have undergone risk mitigation strategies.

2—Health services

5 Persons who are requested by the Chief Executive of the Department for Health and Wellbeing, or by the Secretary of the Commonwealth Department of Health, or by the delegate of either, to assist in the provision of health services on Kangaroo Island and who are required to be physically present on Kangaroo Island in the conduct of those duties.

3—Essential medical treatment

10 Persons who travel to Kangaroo Island in connection with the receipt of urgent and essential medical treatment.

4—Transport and freight services

15 Persons who, in the conduct of their duties, provide transport or freight services into, within and out of Kangaroo Island (including any crew on such transport or freight services) and are required to be physically present on Kangaroo Island for such purposes.

5—Skills critical to maintaining key industries or businesses

20 Specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available on Kangaroo Island, where the service is time critical and where the provision of the service requires that the person be physically present on Kangaroo Island.

25 Persons who, in the conduct of their duties, are responsible for maintenance or repair of infrastructure critical to Kangaroo Island and are required to be physically present on Kangaroo Island for such purposes.

Persons who are employed or engaged in agricultural or primary industry activities and are required to be physically present on Kangaroo Island.

30 Persons who ordinarily live or work on Kangaroo Island and travel for work purposes for regular periods according to established work schedules (for example, FIFO workers).

6—Emergency services workers

35 Emergency services workers (including fire fighters, paramedics, ambulance officers and police officers) who are required to be physically present on Kangaroo Island in the conduct of their duties.

7—Cross border community members

Persons who are ordinarily resident on Kangaroo Island and who, in the ordinary course of their occupation, education or daily life, have reasonable cause to travel to mainland South Australia.

8—Compassionate grounds

Persons who travel to Kangaroo Island to visit a critically or terminally ill relative.