

South Australia

South Australian Public Health (COVID-19 Directions) Notice 2022

under section 90C of the *South Australian Public Health Act 2011*

Part 1—Preliminary

1—Short title

This notice may be cited as the *South Australian Public Health (COVID-19 Directions) Notice 2022*.

2—Commencement

This notice comes into operation on the expiry of clause 13 of the *Emergency Management (COVID-19 Requirements) (Consolidated Measures) Direction 2022*.

3—Interpretation

(1) In this notice—

allied health service means a service provided by any of the following:

- (a) an art or creative therapist;
- (b) an audiologist;
- (c) a bowen therapist;
- (d) a chiropractor;
- (e) a counsellor;
- (f) a dietitian;
- (g) an exercise physiologist;
- (h) a genetic counsellor;
- (i) a music therapist;
- (j) an occupational therapist;
- (k) an optometrist;
- (l) an orthoptist;
- (m) an osteopath;
- (n) a physiotherapist;
- (o) a podiatrist;
- (p) a prosthetist/orthotist;
- (q) a psychologist;

- (r) a radiation therapist;
- (s) a radiographer;
- (t) a rehabilitation counsellor;
- (u) a social worker;
- (v) a sonographer;
- (w) a speech pathologist;

close contact means—

- (a) a person who is a household member of a COVID-19 case during the relevant period of the COVID-19 case; or
- (b) a person who is an intimate partner of a COVID-19 case during the relevant period of the COVID-19 case; or
- (c) a person who has had close personal interaction with a COVID-19 case for a cumulative period of 4 hours or more during the relevant period of the COVID-19 case; or
- (d) a person who has been at an exposure site during the exposure period for that site;

close personal interaction between a person and a COVID-19 case means interaction in close physical proximity occurring in an indoor setting where masks are not worn by the person and the COVID-19 case;

COVID-19 case means a person who has tested positive for COVID-19 (whether by COVID-19 PCR test or by COVID-19 Rapid Antigen Test);

COVID-19 PCR test means analysis of a combined oropharyngeal/nasal specimen taken by an appropriately trained and qualified health care worker to test for COVID-19 (also referred to as SARS-CoV-2) using Polymerase Chain Reaction;

COVID-19 Rapid Antigen test means a self-collected antigen based test (upper respiratory tract or oropharyngeal specimen test) to test for COVID-19;

defined close contact period, in relation to a close contact, means the period comprised of—

- (a) the day that is the close contact's exposure date; and
- (b) the period of 7 days immediately following the close contact's exposure date;

disability care facility means a facility at which accommodation, and personal care or nursing care or both, are provided to persons with disability;

exposure date, in relation to a close contact, means—

- (a) in relation to a close contact who is a household member of a COVID-19 case, the date the COVID-19 case first tested positive to COVID-19; or
- (b) in relation to a close contact who is an intimate partner of, or has had close personal interaction with, a COVID-19 case, the date on which the close contact last had contact with the COVID-19 case; or

- (c) in relation to a person who was present at an exposure site during an exposure period, the date on which they were last present at the site during the exposure period;

exposure site means a site listed on the SA Health website as an exposure site;

flexible care subsidy has the same meaning as the *Aged Care Act 1997* of the Commonwealth;

health care services includes the following:

- (a) a hospital;
- (b) a general practice;
- (c) a medical specialist service or practice;
- (d) a mental health service or practice (including a drug and alcohol service);
- (e) an allied health service;
- (f) a service provided by a social worker in a health care centre;
- (g) a complementary or alternative therapy service or practice (including Chinese medicine);
- (h) a community health service (including an Aboriginal Community Controlled Health Service);
- (i) a dental service;
- (j) a reproductive health service (including a termination of pregnancy service);
- (k) a sexual health service;
- (l) a radiology service (including a screening service);
- (m) a disability service;
- (n) a rehabilitation service;

household member, of a COVID-19 case, means a member of a household of the COVID-19 case (being a person regularly living in such a household);

nominated residential premises means a residential premises nominated by a close contact or a COVID-19 case to undertake a period of quarantine or isolation;

notified—see subclause (2);

private pathology laboratory means a non-government pathology laboratory conducting Polymerase Chain Reaction COVID-19 tests (including Clinpath and Australian Clinical Labs);

relevant period, in relation to a COVID-19 case, means the period commencing 2 days prior to the onset of symptoms or a positive COVID-19 test result (whichever is earlier) and ending 7 days after their first positive COVID-19 test result;

residential aged care facility means—

- (a) 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; or

- (b) the aged care portion of a Multi-purpose Service (MPS) in which accommodation, and personal care or nursing care (or both), are provided to aged care residents, in aged care beds that are funded through the Commonwealth Government Multi-purpose Service Program; or
- (c) that part of a regional hospital providing State funded residential aged care beds where accommodation, and personal care or nursing care (or both), are provided to a person in the same way as they would be if a residential care subsidy or a flexible care subsidy was payable under the *Aged Care Act 1997* of the Commonwealth;

residential care subsidy has the same meaning as in the *Aged Care Act 1997* of the Commonwealth;

SA Health website means <https://www.sahealth.sa.gov.au/>;

SoNG means the *Series of National Guidelines—Coronavirus Disease 2019 (COVID19) CDNA National Guidelines for Public Health Units* published by the Australian Commonwealth Government Department of Health;

symptoms of COVID-19 means any of the following symptoms:

- (a) cough;
- (b) sore throat;
- (c) shortness of breath;
- (d) runny nose;
- (e) fever or history of fever or chills;
- (f) acute loss of smell or taste;
- (g) headache;
- (h) muscle aches;
- (i) unexplained fatigue;
- (j) nausea;
- (k) vomiting;
- (l) diarrhoea;

Tier 1 sensitive setting means—

- (a) a residential aged care facility; or
- (b) a disability care facility; or
- (c) a residential prison or correctional facility, training centre or other place of residential custody (other than short-term holding facilities); or
- (d) a public or private hospital;

Tier 2 sensitive setting means—

- (a) a health care service (other than a health care service that is a Tier 1 sensitive setting);
- (b) a pharmacy;
- (c) a pathology collection centre.

- (2) For the purposes of this notice and without limiting the manner in which a person may be notified that they have tested positive for COVID-19 or are a close contact, a person is taken to have been *notified* that—
- (a) they are a COVID-19 case upon—
 - (i) returning a positive COVID-19 Rapid Antigen test result; or
 - (ii) receiving a notice in writing (including SMS) by SA Pathology of a positive COVID-19 PCR test result; or
 - (iii) receiving notice in writing (including SMS) by a private pathology laboratory of a positive COVID-19 PCR test result; or
 - (iv) receiving telephone contact by SA Health informing them of a positive COVID-19 PCR test result; or
 - (b) they are a close contact upon—
 - (i) receiving notice in writing (including by SMS) by SA Health that they are a close contact; or
 - (ii) the relevant exposure site being published on the SA Health website; or
 - (iii) receiving telephone contact by SA Health informing them that they are a close contact; or
 - (iv) otherwise becoming aware that they are a close contact of a COVID-19 case.

Part 2—Directions

4—Directions—COVID-19 cases and close contacts

- (1) A person who tests positive for COVID-19 must, on being first notified that they have tested positive to COVID-19, comply with the isolation, testing, reporting and other requirements specified in Schedule 1 clause 1.

Schedule 1—Direction requirements—COVID-19 cases and close contacts

1—COVID-19 cases

- (7) A person who has returned a positive result on a COVID-19 Rapid Antigen test must report their COVID-19 Rapid Antigen test result to the Chief Public Health Officer in a manner approved by the Chief Public Health Officer.

Schedule 2—Transitional provisions

1—Transitional provisions

- (1) If a person has been notified before the commencement of this notice that they are a COVID-19 case or a close contact, on commencement of this notice an obligation applying to the person in relation to isolation, quarantine, testing, reporting or other requirements under a relevant provision of the *Emergency Management (COVID-19 Requirements) (Consolidated Measures) Direction 2022* will cease to apply and Schedule 1 of this notice will apply to the person instead (subject to clause 4(3)).
- (2) In this clause—
relevant provision, of the *Emergency Management (COVID-19 Requirements) (Consolidated Measures) Direction 2022*, means clause 13, 14 or 15, or a provision of Schedule 1 of that direction.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this notice (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Expiry of notice

The *South Australian Public Health (COVID-19 Directions) Notice 2022* expired on 23.11.2022 under s 90E of the South Australian Public Health Act 2011.

Principal notice and variations

	Reference	Commencement
s 90C	<i>Gazette 7.7.2022 p2121</i>	9.7.2022: cl 2
s 90C	<i>Gazette 8.9.2022 p5890</i>	9.9.2022: cl 2
s 90E	<i>Gazette 13.10.2022 p6339</i>	13.10.2022

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
cl 4		
<i>cl 4(2)—(6)</i>	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>
Sch 1		
cl 1		
<i>cl 1(1)</i>	<i>amended by 8.9.2022 p5890 cl 3(1)</i>	<i>9.9.2022</i>
	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>
<i>cl 1(1a)—(1c)</i>	<i>inserted by 8.9.2022 p5890 cl 3(2)</i>	<i>9.9.2022</i>
	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>
<i>cl 1(2)—(4)</i>	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>
<i>cl 1(5)</i>	<i>deleted by 8.9.2022 p5890 cl 3(3)</i>	<i>9.9.2022</i>
<i>cl 1(6)</i>	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>
<i>cl 2 before expiry</i>		
<i>cl 2(3)</i>	<i>deleted by 8.9.2022 p5890 cl 3(4)</i>	<i>9.9.2022</i>

<i>cl 2(4)</i>	<i>amended by 8.9.2022 p5890 cl 3(5), (6)</i>	<i>9.9.2022</i>
<i>cll 2—4</i>	<i>expired: 13.10.2022 p6339—omitted under Legislation Revision and Publication Act 2002</i>	<i>14.10.2022</i>

Historical versions

9.9.2022 (electronic only)