

South Australia

Emergency Management (Arrivals—Associated Direction No 5) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being the State Co-ordinator for the State of South Australia pursuant to section 14 of the *Emergency Management Act 2004* (the *Act*), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
- 2 Now I, Grantley Stevens, being of the opinion that this is necessary to achieve the purposes of the Act, give the following directions pursuant to section 25 of the Act.
- 3 This direction is to operate as an appendix to the arrivals general direction.

1—Short title

This direction may be cited as the *Emergency Management (Arrivals—Associated Direction No 5) (COVID-19) Direction 2021*.

2—Revocation

The *Emergency Management (Arrivals—Associated Direction No 4) (COVID-19) Direction 2021* is revoked.

3—Terms used in this associated direction

- (1) In this associated direction—

arrivals general direction means the *Emergency Management (Arrivals) (COVID-19) Direction 2021* or any direction made under section 25 of the *Emergency Management Act 2004* that replaces that direction;

essential sector—the following sectors are essential sectors:

- (a) mining, oil, gas, energy, water, agriculture or other primary industries;
- (b) telecommunications;
- (c) commercial construction or maintenance of critical infrastructure including but not limited to major road, rail or marine projects;

international arrival means a (vaccinated) person arriving in South Australia who has been in a location outside of Australia during the period of 14 days before that arrival;

prescribed child arrival means a person who has been in a location outside Australia during the period of 14 days prior to their arrival and who—

- (a) is more than 12 years and 2 months of age and less than 18 years of age; and
 - (b) is not vaccinated; and
 - (c) is accompanied by their parent or guardian;
- (2) For the purposes of the arrivals general direction and this associated direction—
- (a) the following area is specified as the ***NSW cross border corridor***:
 - (i) the area 100 km to the west of the border between South Australia and New South Wales;
 - (ii) the area in New South Wales comprised of the following local government areas:
 - (A) City of Broken Hill;
 - (B) Unincorporated Far West NSW (including Broken Hill and Silverton);
 - (C) Wentworth;
 - (b) the following area is specified as the ***Victoria cross border corridor***:
 - (i) the area 70 km to the west of the border between South Australia and Victoria;
 - (ii) the area in Victoria comprised of the following local government areas:
 - (A) Glenelg Shire Council;
 - (B) Hindmarsh Shire Council;
 - (C) Horsham Rural City Council;
 - (D) Mildura Rural City Council;
 - (E) Southern Grampians Shire Council;
 - (F) West Wimmera Shire Council.
- (3) For the purposes of the arrivals general direction and this associated direction, a person who is arriving in South Australia in connection with any of the following is an ***essential traveller***:
- (a) the provision of National and State security and governance services relating to—
 - (i) the protection of Australia or South Australia from threats such as terrorism, war, espionage, or acts of foreign interference; or
 - (ii) time-critical national security and defence activities;
 - (b) the provision of transport or freight services on a commercial basis (including crew);
 - (c) the performance of work in remote or geographically isolated locations;

- (d) the performance of—
 - (i) specialist work in South Australia required for the purposes of maintaining operations in an essential sector; or
 - (ii) seasonal work in South Australia (such as forestry work, fruit picking or shearing).
- (4) In addition, a person who is vaccinated and who is passing through the State by the most direct and practical route and means is an *essential traveller* if the person—
 - (a) has permission (if relevant) to enter the State or Territory that they are passing through South Australia to enter; and
 - (b) does not remain in South Australia for more than 72 hours.
- (5) For the purposes of this associated direction, a cross border community member who is more than 12 years and 2 months of age and less than 18 years of age will be treated as if they were *vaccinated* if—
 - (a) they have received, or will receive, at least one dose of a COVID-19 vaccine on or before 8 December 2021; and
 - (b) they have evidence of a booking to receive a second dose of the relevant COVID-19 vaccine within the interval after the first dose recommended by ATAGI for that vaccine.
- (6) For the purposes of this associated direction, an essential traveller, cross border community member or emergency services worker under clause 7 will be treated as if they were *vaccinated* if—
 - (a) they have received at least one dose of the Vaxzevria (AstraZeneca) vaccine on or before 18 October 2021; and
 - (b) they have evidence of a booking to receive a second dose of the Vaxzevria (AstraZeneca) vaccine within the interval after the first dose recommended by ATAGI for that vaccine.

4—Declared requirements

The table in Schedule 1 sets out the requirements applying to arrivals from locations specified in the table.

Note—

See clause 6 of the *Emergency Management (Arrivals) (COVID-19) Direction 2021*.

5—Application of certain requirements to essential travellers

- (1) The following provisions apply to a person who was, at the time of their arrival in South Australia, an essential traveller and who is vaccinated:
 - (a) if the person is subject to a requirement to quarantine under this associated direction—
 - (i) the person need not comply with the requirement to quarantine while they continue to be an essential traveller; but
 - (ii) the high risk settings and no entry to CMP events requirements apply to the person and the specified period in respect of each requirement is a period of 14 days after their arrival in South Australia;

- (b) if the person is subject to a requirement to submit to a COVID-19 test, or to produce a COVID-19 test result under this associated direction, the person is not required to comply with the requirement if the person is able to produce to an authorised officer (on request) evidence of a COVID-19 test to which the person has submitted within the period of 72 hours prior to their arrival, or of a negative COVID-19 test result, relating to a test to which the person has submitted within the period of 7 days prior to their arrival.
- (2) The following provisions apply to a person who was, at the time of their arrival in South Australia, an essential traveller and is a designated commercial transport or freight worker:
- (a) the person is not prohibited from entering South Australia if the person—
 - (i) is able to produce to an authorised officer (on request) evidence of a negative COVID-19 test result, relating to a test to which the person has submitted within the period of 7 days prior to their arrival; or
 - (ii) within 12 hours of arrival, submits to a point-of-care antigen based test to detect or diagnose COVID-19, or a COVID-19 test, (or both) as determined and administered by SA Pathology or the Department;
 - (b) the high risk settings and no entry to CMP events requirements apply to the person and the specified period in respect of each requirement is a period of 14 days after their arrival in South Australia.

- (3) In this clause—

designated commercial transport or freight worker means a person who—

- (a) is an essential traveller in connection with the provision of transport or freight services on a commercial basis (including crew); and
- (b) ordinarily resides in a very low risk area; and
- (c) is not vaccinated but—
 - (i) has received, or will receive, at least one dose of a COVID-19 vaccine on or before 8 December 2021; and
 - (ii) has evidence of a booking to receive a second dose of the relevant COVID-19 vaccine within the interval after the first dose recommended by ATAGI for that vaccine;

very low risk area means Queensland, Tasmania and Western Australia.

6—Cross border community members

- (1) Despite clause 4, the following provisions apply to a person arriving in South Australia who is a cross border community member and who is vaccinated:
- (a) if the person has not been in a location outside the cross border corridor in which they ordinarily reside during the period of 7 days before that arrival, the person is not subject to a requirement set out in the table in Schedule 1 that would otherwise apply to the person under this associated direction; and
 - (b) if the person—
 - (i) has been in a location outside the cross border corridor in which they ordinarily reside during the period of 7 days before that arrival; and

- (ii) remains outside that cross border corridor for 72 hours or less; and
- (iii) while outside of the cross border corridor, the person has primarily been in a Level 1 (unrestricted) or Level 2 restricted zone;

the person is not subject to any requirement set out in the table in Schedule 1 that would otherwise apply to the person under this associated direction; and

- (c) if the person has been in a location outside the cross border corridor in which they ordinarily reside during the period of 7 days before that arrival; and
 - (i) remains outside that cross border corridor for more than 72 hours and while outside of the cross border corridor, the person has primarily been in a Level 2 restricted zone; or
 - (ii) while outside of the cross border corridor, the person has primarily been in a Level 3 restricted zone;

the person is not subject to a requirement set out in the table in Schedule 1 that would otherwise apply to the person under this associated direction and is instead subject to a **pre-arrival negative test result** requirement within 72 hours before arrival.

Note—

The requirement to register arrival under the *Emergency Management (Arrivals) (COVID-19) Direction 2021* (or a direction under section 25 of the *Emergency Management Act 2004* that replaces that direction) applies to cross border community members.

- (2) For the purposes of this clause, a reference to a location outside a cross border corridor does not include a reference to a location in South Australia that is outside of the cross border corridor.

7—Exemption—emergency services workers attending or responding to emergency

An emergency services worker who is vaccinated is exempt from the operation of the arrivals general direction and this associated direction if—

- (a) their arrival is in connection with immediately attending or responding to an emergency; and
- (b) the worker complies with any guidelines issued by the State Co-ordinator for the purposes of this clause.

Note—

This clause extends to an emergency services worker returning to South Australia after leaving to immediately attend or respond to an emergency.

8—Pre-arrival testing requirement not to apply to certain arrivals

Despite clause 4, a pre-arrival testing requirement under this associated direction does not apply to a person arriving in the State who is vaccinated, who ordinarily resides in South Australia and who was last present in the State 72 hours or less prior to that arrival.

9—Special provision for child arrivals and persons accompanying child arrivals

- (1) Despite clause 4, the following persons are level 3 arrivals for the purposes of this associated direction:
 - (a) a person who—
 - (i) arrives in the State; and
 - (ii) is less than 12 years and 2 months of age; and
 - (iii) is not a level 1 or level 5 arrival;
 - (b) a person (of or above the age of 12 years and 2 months) who is vaccinated, is not a level 1 or level 5 arrival and is travelling with a person referred to in paragraph (a);
- (2) Despite clause 4, a cross border community member ordinarily resident in Victoria or New South Wales travelling to a location in South Australia that is outside the cross border corridor who is, or is travelling with, a child who is less than 12 years and 2 months of age is subject to—
 - (a) the **pre-arrival negative test result** requirement within 72 hours before arrival; and
 - (b) the **test on arrival and quarantine until test** requirement.
- (3) A person who is vaccinated and who is travelling with a prescribed child arrival is a level 5 arrival for the purposes of this associated direction.

10—Special provision relating to commercial vessels

- (1) A person must not embark a commercial vessel that has arrived in South Australia and has been in a country other than Australia during the period of 14 days before its arrival, unless—
 - (a) the person—
 - (i) is vaccinated; and
 - (ii) is wearing personal protective equipment as approved by the Department; or
 - (b) the person is an emergency service worker responding to an emergency.

Note—

Australian Defence Force and recreational vessels are not considered commercial vessels for the purposes of this associated direction.

Paragraph (a) does not apply to a person embarking the commercial vessel for the purpose of leaving South Australia.

- (2) A person may engage in the work described in subclause (1) if—
 - (a) prior to commencing the work, the person has received 1 dose of an approved vaccine; and
 - (b) not later than 14 weeks after commencing the work, the person receives a second dose of the same approved vaccine.
- (3) A person must not disembark a vessel that has arrived in South Australia and has been in a country other than Australia during the period of 14 days before its arrival unless—
 - (a) the person is vaccinated; and
 - (b) the person has completed and lodged an Arrival Registration electronically via the approved arrivals system in accordance with any requirements specified by the system; and
 - (c) an authorised officer has been notified of the arrival of the vessel and has approved disembarkation.

11—Special provision relating to close contacts

- (1) Despite any other clause in this associated direction, a person (other than a domestic violence arrival) who has within the period of 7 days prior to arrival had close contact with a person who has been diagnosed with COVID-19 must not enter South Australia.
- (2) A vaccinated domestic violence arrival who has had close contact with a person who has been diagnosed with COVID-19 within the period of 7 days prior to arrival is a level 5 arrival for the purposes of this associated direction.
- (3) For the avoidance of doubt, an unvaccinated domestic violence arrival who has had close contact with a person who has been diagnosed with COVID-19 within the period of 7 days prior to arrival is for the purpose of this associated direction treated as an unvaccinated domestic violence arrival who has not had close contact with a person who has been diagnosed with COVID-19.

Note—

Unvaccinated domestic violence arrivals are subject to the requirements set out in Schedule 1 of this associated direction including quarantine for 14-days after arrival.

Unvaccinated arrivals, other than a domestic violence arrival or a prescribed child arrival, are prohibited from entry under this associated direction.

- (4) A person who has had close contact with a person who has been diagnosed with COVID-19 within the period of 14 days prior to their arrival must submit to a COVID-19 test on the 13th day after that close contact in addition to any other COVID-19 test required by this associated direction.
- (5) In this clause, *close contact* means—
 - (a) residing with a person who has been diagnosed with COVID-19 (a household contact);
 - (b) spending time with a person who has been diagnosed with COVID-19 (a social, education or work contact).

12—Special provision relating to cross border community arrivals from Nhill

- (1) In addition to any other requirement in this direction, a cross border community member arriving in South Australia who is ordinarily resident of Nhill, Victoria is subject to the **pre-arrival negative test result requirement** within 72 hours before arrival.
- (2) A person referred to in subclause (1) who has previously arrived in South Australia within 7 days before their arrival is not required to comply with the requirement in subclause (1) if the person is able to provide to an authorised officer (on request) evidence of a negative COVID-19 test result, relating to a test to which the person has submitted within the period of 7 days prior to their arrival.

13—Mask requirement

A person (including crew of commercial transport and freight services) may not—

- (a) enter South Australia by airplane unless the person complies with the mask requirement at all times while the person was on the airplane or present at any airport during the journey; or
- (b) be present inside the terminal at Adelaide Airport unless the person complies with the mask requirement.

Note—

The terminal at Adelaide Airport is taken to include the arrivals and departures areas and any other publicly accessible areas in the terminal.

The requirements of this clause must be read in conjunction with the *Emergency Management (Supervised Quarantine No 11) (COVID-19) Direction 2021* or any successor direction.

14 —Transiting passengers etc

- (1) A person arriving in South Australia on any aircraft or vessel is taken not to arrive in South Australia for the purposes of this associated direction if—
- (a) in the case of an arrival on an aircraft for the purpose of travelling on a connecting flight to another Australian State or Territory—the person does not leave the airport terminal in South Australia; or
 - (b) in the case of an arrival on a vessel—the person does not disembark from the vessel in South Australia.
- (2) Subclause (1) does not apply to an international arrival who is directed to quarantine in South Australia.

IMPORTANT—FAILURE TO COMPLY WITH THIS ASSOCIATED DIRECTION IS AN OFFENCE.

This direction operates from the *4th* day of *December* 2021 at *14.53* hours

SIGNED at *ADLAIDE* on this *4th* day of *December* 2021
at *14.53* hours


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GRANTLEY STEVENS
STATE CO-ORDINATOR

Schedule 1—Declared requirements

1—Vaccinated arrivals

An arrival of a class listed in the first column of the table below who is vaccinated is subject to the requirements listed in the second column of the table.

Vaccinated Arrivals	Requirements
Level 1 arrival: Very low risk	<p>No requirements under this table</p> <p>Note—</p> <p>Requirements apply under the arrivals general direction. For example, requirements relating to arrival registration via the approved arrivals system and checking-in via the approved contact tracing system.</p>
Level 2 arrival: Low risk	<p>Pre-arrival negative test result Specified period: within 72 hours before arrival</p> <p>Symptom checking Specified period: for 14 days after arrival Specified times: once each day</p>
Level 3 arrival: Moderate risk	<p>Pre-arrival negative test result Specified period: within 72 hours before arrival</p> <p>Test on arrival and quarantine until negative test result</p> <p>Ongoing testing Specified times:</p> <ul style="list-style-type: none"> • on the 6th day after their arrival in South Australia <p>High risk settings Specified period: for 7 days after arrival</p> <p>Symptom checking Specified period: for 14 days after arrival Specified times: once each day</p>
Level 4 requirements under the approved arrivals system do not relate to arrivals from restricted zones	
Level 5 arrival: High risk	<p>Quarantine as directed Specified period: for 7 days after arrival</p> <p>Pre-arrival negative test result Specified period: within 72 hours before arrival</p> <p>Ongoing testing</p>

Vaccinated Arrivals	Requirements
	<p>Specified times:</p> <ul style="list-style-type: none"> • within 24 hours after their arrival in South Australia; and • on the 6th day after their arrival in South Australia; and • on the 13th day after their arrival in South Australia <p>Symptom checking Specified period: for 14 days after arrival Specified times: once each day</p> <p>High risk settings Specified period: for 14 days after arrival</p> <p>No entry to CMP events Specified period: for 14 days after arrival</p>
international arrivals	<p>Quarantine as directed Specified period: for 14 days after arrival</p> <p>Pre-arrival negative test result Specified period: within 72 hours before departure</p> <p>Ongoing testing Specified times:</p> <ul style="list-style-type: none"> • within 24 hours after their arrival in South Australia; and • on the 6th day after their arrival in South Australia; and • on the 13th day after their arrival in South Australia <p>Symptom checking Specified period: for 14 days after arrival Specified times: once each day</p>

2—Unvaccinated arrivals

An arrival of a class listed in the first column of the table below who is not vaccinated is subject to the requirements listed in the second column of the table.

Unvaccinated Arrivals	Requirements
<p>All arrivals, including returning South Australian residents, but not including arrivals of a kind referred to in the row below</p>	<p>Person must not enter South Australia (prohibition on entry)</p> <p>Note—</p> <p>An individual may apply for an exemption from this requirement if they need to travel (for example, on compassionate grounds).</p>
<p>Prescribed child arrival</p> <p>A person travelling with a prescribed child arrival</p> <p>Note—</p> <p>See clause 10 for vaccinated persons travelling with a prescribed child arrival.</p> <p>Domestic violence arrival</p>	<p>Quarantine as directed</p> <p>Specified period: for 14 days after arrival</p> <p>Pre-arrival negative test result</p> <p>Specified period: within 72 hours before arrival</p> <p>COVID-19 testing</p> <p>Specified times:</p> <ul style="list-style-type: none"> • within 24 hours after their arrival in South Australia; and • on the 6th day after their arrival in South Australia; and • on the 13th day after their arrival in South Australia <p>Symptom checking</p> <p>Specified period: for 14 days after arrival</p> <p>Specified times: once each day</p>