

South Australia

## **Emergency Management (Cross Border Travel— Associated Direction No 47) (COVID-19) Direction 2021**

under section 25 of the *Emergency Management Act 2004*

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### **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, Commissioner of Police and State Co-ordinator for the State of South Australia, 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 *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021* or to any direction that replaces that direction, and modifies that direction.
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### **1—Citation**

This direction may be cited as the *Emergency Management (Cross Border Travel—Associated Direction No 47) (COVID-19) Direction 2021*.

### **2—Revocation**

The *Emergency Management (Cross Border Travel—Associated Direction No 46) (COVID-19) Direction 2021* is revoked.

### **2A—Purpose**

The purpose of this Associated Direction is—

- (a) to apply levels of requirements applying to people arriving from specified restricted zones; and
  - (b) to modify the General Direction in its application to certain categories of people; and
  - (c) to impose a requirement that most arrivals from high-risk jurisdictions be tested and have commenced being vaccinated against COVID-19; and
  - (d) to impose testing requirements on commercial transport freight workers, including those arriving from zones that are not restricted zones.
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### 3—Interpretation

In this direction—

**ACT restricted zone arrival** means a person arriving in South Australia who has been in the ACT restricted zone at any time in the 14 days prior to arrival;

**ACT restricted zone** means the restricted zone declared under clause 6;

**Commonwealth MPs and staff** includes—

- (a) a member of the House of Representatives of the Parliament of the Commonwealth for an electoral division of South Australia; or
- (b) a South Australian Senator of the Parliament of the Commonwealth; or
- (c) a member of staff of a person in paragraph (a) or (b).

**General Direction** means the *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021*;

**NSW restricted zone arrival** means a person arriving in South Australia who has been in the NSW restricted zone at any time in the 14 days prior to arrival;

**NSW restricted zone** means the restricted zone declared under clause 6;

**Victorian restricted zone arrival** means a person arriving in South Australia who has been in the Victorian restricted zone at any time in the 14 days prior to arrival;

**Victorian restricted zone** means the restricted zone declared under clause 6;

### 4—Application of cross border requirements—overseas arrivals

An arrival from a location specified in the first column of the table below who is of a class specified in the second column of the table is subject to requirements of the level specified in the third column of the table:

Location	Class of person	Level of requirements
Overseas	All overseas arrivals	Level 5

### 5—Application of cross border requirements—interstate arrivals

An arrival from a location specified in the first column of the table below who is of a class specified in the second column of the table is subject to requirements of the level specified in the third column of the table, and to any additional requirements specified in this associated direction:

Emergency Management (Cross Border Travel—Associated Direction No 47) (COVID-19)  
Direction 2021

Location	Class of person	Level of requirements
<p>ACT restricted zone</p> <p>NSW restricted zone</p>	<p>ACT restricted zone arrivals and NSW restricted zone arrivals (including persons travelling from the ACT restricted zone or NSW restricted zone that fall within clause 6(2) of the General Direction) arriving in South Australia after the commencement of this direction, other than classes of the essential travellers and permitted arrivals specified in this associated direction.</p> <p><b>Note—</b></p> <p>An individual may apply to the Department for Health and Wellbeing (SA) for an exemption from requirements under this direction if they need to travel to South Australia.</p>	<p>Level 6</p>
<p>ACT restricted zone</p> <p>NSW restricted zone</p>	<p>ACT restricted zone arrivals and NSW restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> <li>• Domestic violence arrivals; or</li> <li>• Commonwealth MPs and staff, who—</li> </ul> <p>have been in New South Wales at any time in the 14 days prior to arrival, including as a transiting passenger through Sydney Airport.</p>	<p>Level 5</p>
<p>ACT restricted zone</p> <p>NSW restricted zone</p>	<p>ACT restricted zone arrivals and NSW restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> <li>• Cross Border Community members travelling for emergency medical care under clause 10; or</li> <li>• other essential travellers (excluding all other Cross Border Community members and people who are <i>Passing Through</i> the State in accordance with clause 10 of Schedule 3 of the General Direction); or</li> <li>• Commonwealth MPs and staff, who— <ul style="list-style-type: none"> <li>○ are returning to South Australia directly provided they are not a transiting passenger through Sydney Airport (but may have transited through a restricted airport zone other than Sydney Airport) after travelling to Canberra for work purposes; and</li> <li>○ have not been in New South Wales at any time in the 14 days prior to arrival.</li> </ul> </li> </ul>	<p>Level 4</p>



**Emergency Management (Cross Border Travel—Associated Direction No 47) (COVID-19)  
Direction 2021**

Location	Class of person	Level of requirements
	<p><b>Notes—</b></p> <p>NSW Cross Border Community members are not permitted to enter South Australia under this associated direction (unless travelling for emergency medical care under clause 10) and are Level 6.</p> <p>Clause 10 of Schedule 3 of the General Direction does not apply to people arriving from the ACT, NSW or Victorian restricted zones.</p>	
Victorian restricted zone	<p>Victorian restricted zone arrivals arriving in South Australia after the commencement of this direction, other than the classes of essential travellers and permitted arrivals specified in this associated direction.</p> <p><b>Note—</b> An individual may apply to the Department for Health and Wellbeing (SA) for an exemption from requirements under this direction if they need to travel to South Australia.</p>	Level 6
Victorian restricted zone	<p>Victorian restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> <li>• Domestic violence arrivals.</li> </ul>	Level 5
Victorian restricted zone	<p>Victorian restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> <li>• Essential travellers (other than people <b><i>Passing Through</i></b> the State in accordance with clause 10 of Schedule 3 of the General Direction).</li> </ul> <p><b>Note—</b> Clause 10 of Schedule 3 of the General Direction does not apply to people arriving from the ACT, NSW or Victorian restricted zones.</p>	Level 4
Any other part of Australia not previously dealt with in this table	<p>Arrivals from any part of Australia after the commencement of this direction other than the:</p> <ul style="list-style-type: none"> <li>• ACT restricted zone, or</li> <li>• NSW restricted zone; or</li> <li>• Victorian restricted zone,</li> </ul> <p>who have transited through Sydney Airport.</p> <p><b>Note—</b> This means, for example, that a person arriving from Tasmania who transits through Sydney Airport on their way to South Australia is a Level 4 arrival, and that clause 6 of the General Direction does not apply to their transit through Sydney Airport.</p>	Level 4

Location	Class of person	Level of requirements
Any other part of Australia not previously dealt with in this table	Arrivals who have passed through New South Wales pursuant to clause 6(1) of the General Direction.	Level 4

### 5A—Additional cross border requirements for certain interstate arrivals

- (1) Despite anything in clause 5, all essential travellers from the following restricted zones (apart from people who are ordinarily resident in the Victorian cross border corridor and essential travellers who are emergency services workers or commercial transport and freight workers):

- (a) ACT restricted zone
- (b) New South Wales restricted zone
- (c) Victorian restricted zone,

must produce evidence of a COVID-19 test as follows in order to be a level 4 or 5 arrival (as applicable)—

- (i) if arriving by air, produce evidence of a COVID-19 test taken by an appropriately trained and qualified health care worker, within 72 hours before their arrival in South Australia; and;
- (ii) if arriving by any other means, produce evidence of a COVID-19 test taken by an appropriately trained and qualified health care worker, within 72 hours before their arrival in South Australia or, in the event that an authorised officer is satisfied that they were unable to obtain a test within that period, must comply with the testing requirements in clause 5 of the General Direction applicable to Level 2-5 arrivals.

#### Notes—

A person who is unable to produce the evidence required by this clause to the satisfaction of an authorised officer is a Level 6 arrival and may only enter the State in accordance with an exemption from the Department for Health and Wellbeing (SA).

For the avoidance of doubt, a person who produces the evidence required by this subclause is also subject to the testing requirement in clause 5 of the General Direction applicable to Level 2-5 arrivals (subject to any specific direction by an authorised officer).

Essential travellers who are commercial transport and freight workers are subject to specific testing requirements under subclauses (3) & (4).

- (2) Despite anything in clause 5, all essential travellers aged 18 and above (other than Cross Border Community members who are ordinarily resident in the Victorian cross border corridor and essential travellers under clause 3 or 8 of Schedule 3 of the General Direction) from the following restricted zones:
- (a) ACT restricted zone
  - (b) New South Wales restricted zone
  - (c) Victorian restricted zone,



must, from 12.01am on 24 September 2021 and subject to the exemptions below, produce evidence of having received at least 1 dose of a Therapeutic Goods Administration (TGA) approved COVID-19 vaccine in order to be a level 4 or 5 arrival (as applicable).

- (3) A *commercial transport and freight worker* who is an essential traveller under clause 3 or 8 of Schedule 3 of the General Direction and who has been in a restricted zone at any time during the 14 days before arriving in South Australia must produce evidence of a COVID-19 test taken by an appropriately trained and qualified health care worker, within 72 hours before their arrival in South Australia, and is not subject to the testing requirements in clause 7 of the General Direction.
- (4) Any *commercial transport and freight worker* who is entering South Australia must produce evidence of a negative COVID-19 test taken by an appropriately trained and qualified health care worker, within the seven days before their arrival in South Australia and is not subject to the testing requirements in clause 7 of the General Direction.

**Note—**

In accordance with the National *Protocol for Domestic Border Controls – Freight Movements*, this requirement applies to all freight workers entering the State, including from unrestricted zones.

- (5) The following definitions apply for the purposes of this clause—
  - (a) *COVID-19 test* means analysis of a combined oropharyngeal/nasal specimen to test for COVID-19 (also referred to as SARS-CoV-2) using Polymerase Chain Reaction;
  - (b) *commercial transport and freight workers* means people who, in the conduct of their duties, are involved in the provision of transport or freight services by road or rail on a commercial basis, including support workers whose entry into the State is essential to the supply chain but who are not travelling in a heavy vehicle or train.

**Note—**

This includes those workers carrying out repairs or repositioning empty trailers and prime movers to carry freight, and rail track workers.

- (6) A person to whom subclause (2) applies is not required to have received a first dose of a TGA approved COVID-19 vaccine before entry if—
  - (a) the person has a medical exemption from receiving the COVID-19 vaccine;  
or
  - (b) the person is pregnant.

**Note—**

A person is required to produce a medical certificate from a legally qualified medical practitioner in order to be exempt from the requirement in subclause (2).

## 6—Declaration of restricted zone

- (1) The Australian Capital Territory is declared to be the ACT restricted zone.
- (2) The State of New South Wales is declared to be the NSW restricted zone.
- (3) The State of Victoria is declared to be the Victorian restricted zone.

## **7—Declaration of prescribed roads**

- (1) For the purposes of clause 16 of the General Direction, the following roads are prescribed for any person entering South Australia from—
  - (a) New South Wales by road:
    - Wentworth-Renmark Road, Calperum Station (outside Renmark)
    - Barrier Highway, Oodla Wirra
  - (b) Victoria by road:
    - Sturt Highway, Yamba
    - Mallee Highway, Pinnaroo
    - Dukes Highway, Wolseley
    - Wimmera Highway, Laurie Park
    - Casterton Road, Penola
    - Glenelg Highway, Myora
    - Princes Highway, Glenburnie
    - Glenelg River Road, Donovans/Nelson
- (2) Subclause (1) does not apply to essential travellers under clauses 3 or 8 (commercial transport and freight services) of Schedule 3 of the General Direction.

## **8—Modification of self-quarantine requirements for people subject to Level 5 “Supervised Home Quarantine” restrictions**

The following requirements apply to a person (who is otherwise a Level 6 arrival) who has been granted an exemption and permitted to enter as a Level 5 arrival by an authorised officer, and who has been directed by the authorised officer into Level 5 supervised quarantine at a place other than a medi-hotel or quarantine facility (“supervised home quarantine”).

- (1) The person must comply with clause 10 of the General Direction with the addition of the following after paragraph (e) of sub-clause (1):
  - ; and
  - (f) must display a sign provided by an authorised officer at the entrance of the place to alert persons attending the place that it is a place of quarantine.

**Note—**

The sign must be placed in such a way as to be visible to any person before they enter the place.



- (1a) Subject to sub-clause (1b), a person who is not a person listed in paragraph (e) of sub-clause (1) or who has not been authorised by SA Health to enter must not enter the place.

**Note—**

To avoid any doubt, ambulance officers, SA Pathology staff, employees of the Department for Health and Wellbeing and SA Health authorised medical or nursing staff will be taken to be entering for medical purposes for the purposes of paragraph (e) of sub-clause (1).

- (1b) An exempt person who enters a place must themselves comply with the self-quarantine requirements in clause 10 of the General Direction for the duration of the quarantine period of the person subject to quarantine.

**Example—**

A person who enters the place to provide care and support to an elderly or vulnerable person subject to Level 5 restrictions will be required to quarantine with that person. If the person enters 7 days after the commencement of the quarantine period, they must remain in quarantine until the completion of the 14 days.

## **9—Modification of arrivals by vessel provision**

Clause 14 of the General Direction is to be read as though the following is substituted for sub-clause (1):

- (1) A person must not embark a vessel that has arrived in South Australia from a country other than Australia, and that has not been cleared by a Human Biosecurity Officer for South Australia appointed under the *Biosecurity Act 2015* of the Commonwealth, unless—
- (a) the person is wearing personal protective equipment as approved by the Department; and
  - (b) the person has been vaccinated against COVID-19; or
  - (c) the person is an emergency service worker responding to an emergency.
- (1a) Paragraph (b) of subclause (1) does not come into effect until 12:01 am on Friday 10 September 2021.
- (1c) A person may engage in the work described in clause 14(1) if:
- (a) prior to commencing the work, the person has received one dose of a TGA approved vaccine; and
  - (b) not later than 6 weeks after commencing the work, the person receives a second dose of the same TGA approved vaccine.

## **9A—Modification of essential traveller – remote or isolated workers who travel to restricted zones**

Clause 4 of Schedule 3 of the General Direction is to be read as though the following is substituted for sub-clause (2):

- (2) Persons (other than those ordinarily resident in a restricted zone) who travel for work purposes to locations in a restricted zone that are remote or geographically isolated where—



- (a) a Cross Border Travel Registration has been approved that authorises the worker to enter South Australia as an essential traveller under this subclause; and
- (b) their employer is applying risk mitigation strategies in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer) during periods of work; and
- (c) the person is a specialist required for industry or business continuity and maintenance of competitive operations, or maintenance or repair of critical infrastructure in the mining, oil, gas and energy sectors; and
- (d) a declaration is made in respect of each worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
  - (i) the employer or operator; or
  - (ii) the labour hire provider; or
  - (iv) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining.

**Notes—**

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internal/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>

## **10—Modification of essential traveller – cross border community members**

Clause 5 of Schedule 3 of the General Direction is to be read as though the following is substituted for sub-clauses (1) and (2):

- (1) Persons who are ordinarily resident in the NSW or Victorian cross border corridor who are travelling into South Australia to receive emergency health care including beyond the cross border corridor, or to accompany such a person as a carer; and—
  - (a) have not, during the period of 14 days before entering South Australia:
    - (i) been in a restricted zone outside of the NSW or Victorian cross border corridor; or
    - (ii) been associating (in person) with persons from a restricted zone outside the NSW or Victorian cross border corridor.

**Notes—**

Only one person may travel as a carer of the person receiving emergency health care under paragraph (1)(a).

In these situations, unless the person receiving emergency health care is conveyed by emergency services, documentary evidence (which may include electronic communications) from the treating health care provider or providers indicating that the travel is required for emergency health care must be produced to an authorised officer.

An authorised officer may exempt a person receiving, or accompanying a person receiving, emergency health care under this clause from the requirements of pre-arrival testing or vaccination otherwise applicable under clause 5A of this Associated Direction.

- (2) Persons who are ordinarily resident in the Victorian cross border corridor and who have a permitted purpose to travel across the border, provided the person—
  - (a) remains in the Victorian cross border corridor while on either side of the border; and
  - (b) has not, during the period of 14 days before entering South Australia:
    - (i) been in a restricted zone outside of the Victorian cross border corridor; or
    - (ii) been associating (in person) with persons from a restricted zone outside the Victorian cross border corridor.
- (3) Persons who are ordinarily resident in the Victorian cross border corridor who have a permitted purpose to travel across the border are not required to submit to the COVID-19 testing requirements set out in clause 5 of the General Direction.

- (4) In this clause:

***Emergency health care means*** health care undertaken for the management of conditions where the failure to do so expediently and safely will lead to the following outcomes:

- (i) loss of life; or
- (ii) loss of limb; or
- (iii) permanent disability;

***NSW cross border corridor*** means the local government area of Broken Hill in the State of New South Wales and the townships of Manna Hill, Olary, Tikalina and Cockburn in the State of South Australia;

***Victorian cross border corridor*** means the area 70km on either side of the border between South Australia and Victoria;

***permitted purpose*** means:

- (a) employment or education; or
- (b) providing care and support to, or receiving care and support from, another person; or
- (c) obtaining food, petrol or other fuel or medical care or supplies; or
- (d) obtaining a COVID-19 vaccination; or
- (e) recreational or competitive sport.

## **11—Modification of essential traveller – specialist workers in essential sectors**

Clause 7 of Schedule 3 of the General Direction is to be read as though the following is substituted for sub-clauses (1) and (2):

- (1) Individual specialist workers required for the purposes of maintaining operations in an essential sector if:—



- (a) a Cross Border Travel Registration application has been approved that authorises the worker to enter South Australia as an essential traveller under this subclause; and
- (b) their employer or the operator is applying risk mitigation strategies during periods of work in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer); and
- (c) a declaration is made in respect of the worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
  - (i) the employer or operator; or
  - (ii) the labour hire provider; or
  - (iii) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining; and
- (d) a further declaration is made by an authorised representative of one of the above-mentioned entities that—
  - (i) in relation to operations in South Australia—
    - A. the service is time critical; and
    - B. the appropriate skills are not available in South Australia or the low community transmission zone; and
    - C. the provision of the service requires that the person be physically present in South Australia; or
  - (ii) in relation to operations outside of South Australia—the service is time critical.

**Notes—**

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>.

- (2) Seasonal workers (such as forestry workers, fruit pickers or shearers) if—
  - (a) a Cross Border Travel Registration has been approved that authorises the workers to enter South Australia as essential travellers under this subclause; and
  - (b) they are—
    - (i) arriving in South Australia for seasonal work purposes as an individual or as part of a group employed by an essential sector employer; or



- (ii) returning to South Australia having travelled outside South Australia for seasonal work purposes as part of a group employed by an essential sector employer; and
- (c) the employer or operator is applying risk mitigation strategies in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer) during periods of work; and
- (d) a declaration is made in respect of each worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
  - (i) the employer or operator; or
  - (ii) the labour hire provider; or
  - (iii) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining.

**Notes—**

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>.

## **12—Modification of essential traveller – remote or isolated workers— restricted zone residents**

Clause 9 of Schedule 3 of the General Direction is to be read as though the following is substituted for sub-clause (2):

- (2) Persons who are ordinarily resident in a restricted zone and who enter South Australia for work purposes at locations that are remote or geographically isolated where—
  - (a) a Cross Border Travel Registration has been approved that authorises the worker to enter South Australia as an essential traveller under this subclause; and
  - (b) their employer is applying risk mitigation strategies in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer) during periods of work; and
  - (c) the person is a specialist required for industry or business continuity and maintenance of competitive operations, or maintenance or repair of critical infrastructure in the mining, oil, gas and energy sectors; and

- (d) a declaration is made in respect of each worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
- (i) the employer or operator; or
  - (ii) the labour hire provider; or
  - (iii) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining.

**Notes—**

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

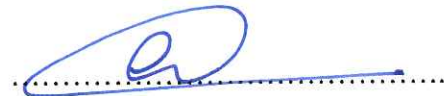
A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+interne+conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>

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

This direction operates from the 31<sup>st</sup> day of August 2021 at 0930 hours

SIGNED at ADELAIDE on this 31<sup>st</sup> day of August 2021  
at 1716 hours



**GRANTLEY STEVENS**  
STATE CO-ORDINATOR

