

South Australia

# **Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022**

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, 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.
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## **1—Short title**

This direction may be cited as the *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4)(COVID-19) Direction 2022*.

## **2—Revocation**

- (1) The *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 3)(COVID-19) Direction 2021* is revoked.
- (2) This direction replaces the *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 3)(COVID-19) Direction 2021*.

## **3—Purpose of this direction**

The purpose of this direction is to—

- (a) impose testing and quarantine requirements on people who have been present at an exposure site during an exposure period; and
  - (b) impose testing and quarantine requirements on people who have had close contact with a COVID-19 case; and
  - (c) impose isolation requirements on persons who are a COVID-19 case; and
  - (d) ensure the continued safe operation of essential services despite the presence of COVID-19 in the community.
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#### 4—Application of this direction

- (1) This direction applies to any person who—
  - (a) has been present at an exposure site during an exposure period; or
  - (b) is a close contact of a COVID-19 case; or
  - (c) has been notified that they are a COVID-19 case.
- (2) For the avoidance of doubt, this direction applies to a person whether or not they have received a notification in writing (including by SMS) from SA Health that they are a close contact or were at an exposure site during an exposure period.

#### 5—Interpretation

- (1) In this direction, unless the contrary intention appears—

***approved rapid antigen test kit*** means a rapid antigen test kit that has been collected at a rapid antigen test pick-up point or, if collected outside of a rapid antigen test pick-up point, a TGA-approved rapid antigen test kit.

***close contact*** means—

- (a) a person who is a household member or an intimate partner of a COVID-19 case during their infectious period;
- (b) a person who has had close personal interaction with a COVID-19 case during their infectious period; or
- (c) a person who has been notified by SA Health that they are a close contact with a 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—

- (a) for 15 minutes or more; and
- (b) where masks are not worn by the person and the COVID-19 case; and
- (c) in close physical proximity; and
- (d) occurring in an indoor setting;

***COVID-19 case*** means a person who has undertaken a COVID-19 PCR test or a COVID-19 Rapid Antigen test and has returned a positive result;

***COVID Management Plan events*** means any gathering or event in respect of which a COVID Management Plan is required under another direction;

***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;

***COVID-19 test*** means a COVID-19 PCR test or a COVID-19 Rapid Antigen test;

***exposure period***, in relation to an exposure site, means the exposure period corresponding to that site specified on the SA Health website;

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

**Note—**

Exposure sites are settings where there has been significant transmission of COVID-19 or are high risk settings where a COVID-19 case has been present.

**health facility**, means a hospital or a medi-hotel and, in the case of a person who has been directed to remain in a medi-hotel, means the person's assigned room at the medi-hotel;

**high risk setting** has the same meaning as in the *Emergency Management (Arrivals No 2)(COVID-19) Direction 2021* or any direction replacing that direction;

**household member** of a COVID-19 case means any member of the household of a COVID-19 case, being a person regularly living in the household (or households if they live in more than one) of the COVID-19 case;

**infectious 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 10 days after their first positive COVID-19 test result;

**isolated and segregated** in relation to quarantine or isolation means isolated and segregated from other persons (including persons who usually live at the premises where the person is undertaking quarantine);

**last exposure date—**

- (a) in relation to a person who was present at an exposure site during an exposure period, means the date on which they were last present at the site;
- (b) in relation to a person who is otherwise a close contact, means the date on which they were last at the relevant setting, or last in contact with a COVID-19 case, as the case may be;

**medi-hotel** means a hotel operating in South Australia that has contracted with the State Government to provide supervised quarantine accommodation;

**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 clause 6(1);

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

**rapid antigen test pick-up point** means a site designated on the SA Health website for persons required to undertake COVID-19 Rapid Antigen tests to pick up test kits;

**SoNG** means the *Series of National Guidelines—Coronavirus Disease 2019 (COVID-19) CDNA National Guidelines for Public Health Units* published by the Australian Government Department of Health;

**TGA** means the Therapeutic Goods Administration.

**the SA Health website** is: <https://www.sahealth.sa.gov.au/COVIDtesting>;

## 6—Interpretative provisions

- (1) For the purposes of determining the commencement of requirements in this direction, a person has been *notified* that—
- (a) 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) becoming aware that they are a close contact of a COVID-19 case;whichever is earlier.
  - (b) 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.whichever is earlier.

- (2) For the purposes of this direction, if a person is required to do, or not to do, any specified act for a specified period of days after being present at an exposure site during an exposure period or after having close contact with a COVID-19 case, the day of exposure is not counted for the purpose of determining when the period expires but the person must comply with the requirement from the time of their exposure to COVID-19.

**Note—**

For a person who was present at an exposure site on 10 January 2022 and is required to quarantine for 7 days, the 7 day period of quarantine ends at 11:59 p.m. on 17 January 2022.

- (3) For the purposes of this direction, if a person is required to isolate for a specified period of days upon being notified that they are a COVID-19 case, the day of the positive COVID-19 test result is not counted for the purpose of determining when the isolation period expires.

**Note—**

For a person who returns a positive COVID-19 test result on 10 January 2022 and is required to isolate for 10 days, the 10 day period of isolation ends at 11:59pm on 20 January 2022.

## **7—Declared requirements—COVID-19 cases and close contacts**

- (1) A person who has been notified that they are a COVID-19 case must comply with, isolation, testing, reporting and any other requirements as prescribed on the SA Health website.
- (2) A person who has been notified that they are a close contact must comply with quarantine, testing, reporting and any other requirements as prescribed on the SA Health website.
- (3) Despite subclauses (1) and (2), a person does not need to comply with the requirements as prescribed on the SA Health website if—
  - (a) a protocol prescribing separate isolation, quarantine, testing, reporting and any other requirements for a specified workplace or industry has been made by the Chief Public Health Officer or her delegate; and
  - (b) the relevant Chief Executive or person conducting a business or undertaking implements the protocol and approves its application to the person.
- (4) The relevant Chief Executive or person conducting a business or undertaking must ensure that the protocol in subclause 3(a) is only implemented when necessary for the purposes of this direction, and that the person to whom the protocol applies complies with it.
- (5) A person to whom the protocol in subclause 3(a) applies must, when not attending the specified workplace or industry or performing work or functions in relation to the specified workplace or industry, continue to comply with subclauses (1) or (2).

## **8—Isolation requirements**

- (1) A person required to comply with isolation requirements as prescribed on the SA Health website must, unless directed by an authorised officer to isolate in a health facility—
  - (a) travel by the most direct practical route and means to the nominated residential premises, if not already at those premises; and
  - (b) reside and remain at the premises, isolated and segregated from other persons for the period prescribed on the SA Health website; and:
  - (c) remain at those premises, except —
    - (i) for the purposes of obtaining urgent medical care; or
    - (ii) in any other emergency situation; or
    - (iii) for any reason approved in advance by the State Co-ordinator or his delegate or an authorised officer;during which times a mask must be worn at all times; and
  - (d) take reasonable steps to ensure that no other person enters the premises unless that other person—
    - (i) is also complying with a direction to isolate or quarantine; or
    - (ii) is required to provide care and support to, or receive care and support from, the person to whom this direction applies at the place; or

- (iii) is required for medical or emergency purposes; and
- (e) follow all reasonable directions from a treating medical practitioner.

**Note—**

Additional quarantine and testing requirements apply to household members of a COVID-19 case who cannot reside isolated and segregated from them due to age or care needs.

- (2) If a person has been notified that they are a COVID-19 case and has been directed by an authorised officer to isolate in a health facility, the person must remain in the health facility in accordance with that direction, and follow all reasonable directions from a treating medical practitioner, until a medical practitioner certifies that the person meets the criteria for discharge from a health facility in accordance with the SoNG.

**Note—**

A person directed to isolate in a medi-hotel is subject to the requirements in the *Emergency Management (Supervised Quarantine No 11) (COVID-19) Direction 2021* or any direction that replaces that direction.

- (3) If—
  - (a) a person is discharged from a health facility under subclause (2); and
  - (b) at the time of discharge, the person is advised by a medical practitioner to continue to isolate or quarantine,the person must comply with the requirements under subclause (1) for the remainder of the period prescribed on the SA Health website.

## **9—Quarantine requirements**

- (1) A person required to comply with quarantine requirements as prescribed on the SA Health website must, unless directed by an authorised officer to quarantine in a health facility—
  - (a) travel by the most direct practical route and means to a nominated residential premises, if not already at those premises; and
  - (b) reside and remain at the premises for the remainder of the period specified on the SA Health website; and:
  - (c) remain at those premises, 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 his delegate or an authorised officer; or
    - (iv) for the purpose of undergoing a COVID-19 PCR test or obtaining a COVID-19 Rapid Antigen test as specified on the SA Health website;during which times a mask must be worn at all times and, in the case of a person leaving the premises to obtain a COVID-19 PCR test, the person must travel directly to the relevant site and inform the person performing the test of the reason for obtaining the test; and
  - (d) take reasonable steps to ensure that no other person enters the premises unless that other person—

- (i) usually lives at the premises; or
  - (ii) is also complying with a direction to isolate; or
  - (iii) is required to provide care and support to, or receive care and support from, the person to whom this direction applies at the place; or
  - (iv) is required for medical or emergency purposes; and
  - (e) follow all reasonable directions from a treating medical practitioner;
- (2) A person must comply with subclause (1) irrespective of whether the person receives a ‘negative’ result on a COVID-19 test within the period that they are required to reside and remain at a premises.

## **10— COVID-19 Rapid Antigen testing requirements**

- (1) A person must not attend at a rapid antigen test pick-up point for the purpose of collecting a COVID-19 Rapid Antigen test kit unless they have been required by this direction to undertake a COVID-19 Rapid Antigen test.
- (2) A person who is required by this direction to undertake a COVID-19 Rapid Antigen test, and has collected a COVID-19 Rapid Antigen test kit from a rapid antigen test pick-up point must—
- (a) only collect the amount of COVID-19 Rapid Antigen test kits necessary for compliance with the COVID-19 Rapid Antigen testing requirement; and
  - (b) use the COVID-19 Rapid Antigen test kit for the specified purpose prescribed on the SA Health website.

### **Note—**

- (1) The process for collecting an approved COVID-19 Rapid Antigen test kit is provided on the SA Health website.
  - (2) For the avoidance of doubt, a person who is required by this direction to undertake a COVID-19 Rapid Antigen test may do so using a TGA-approved COVID-19 rapid antigen test kit not collected from a rapid antigen test pick-up point.
- (3) A person who is required by this direction to undertake a COVID-19 Rapid Antigen test must record their COVID-19 Rapid Antigen test result on the SA Health website or otherwise in accordance with instructions provided on the SA Health website.
- (4) A person who is not required by this direction to undertake a COVID-19 Rapid Antigen test, but who has returned a positive result on a TGA-approved COVID-19 rapid antigen test (not collected from a rapid antigen test pick-up point) must record their COVID-19 Rapid Antigen test result on the SA Health website or otherwise in accordance with instructions provided on the SA Health website.

**11—Powers of authorised officers**

Nothing in this direction derogates from the powers of authorised officers to exercise powers pursuant to the Act.

**IMPORTANT— IT IS AN OFFENCE TO BREACH THIS DIRECTION**

This direction operates from the 13th day of January 2022 at 0001 hours

SIGNED at Adelaide on this 12th day of January 2022  
at 2147 hours

  
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**GRANTLEY STEVENS**  
STATE CO-ORDINATOR