

South Australia

# Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals) (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, 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—Citation

This direction may be cited as the *Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals) (COVID-19) Direction 2021*.

## 2—Interpretation

- (1) In this direction—

**COVID-19 test** means a Polymerase Chain Reaction test to diagnose COVID-19 of a kind determined by the Chief Public Health Officer (or delegate);

**Cross Border Travel direction** means the *Emergency Management (Cross Border Travel No 34) (COVID-19) Direction 2021* made under section 25 of the *Emergency Management Act 2004* or any subsequent direction made under that section that replaces that direction;

**former Grand Hyatt arrival** means a person who arrives before the commencement of this direction in South Australia and who was physically present on the site of the Grand Hyatt Hotel, 123 Collins St, Melbourne, 3000 at some time between 0001 hours on 21 January 2021 and 0001 hours on 31 January 2021;

**former Grand Hyatt close contact arrival** means a person who arrives before the commencement of this direction in South Australia and who is a close contact of a Grand Hyatt arrival;

- (2) Nothing in this clause requires a person to submit to a COVID-19 test on a day occurring before the commencement of this direction or on a day on which the person is not present in South Australia.
- (3) A person required to submit to a COVID-19 test under this clause must not refuse or fail to comply with a reasonable requirement or direction of a person in relation to the conduct of the COVID-19 test.
- (4) If a restricted former Victorian arrival refuses to submit to a COVID-19 test in accordance with this clause—
  - (a) the person; and
  - (b) any other person required to remain quarantined together with that person at their place of quarantine (whether or not the other person or persons have submitted to testing under this clause),

must reside and remain at their place of quarantine, quarantined and segregated from other persons, for an additional 10 day period commencing on the conclusion of the quarantine period that applied to the person under this direction.

- (5) This clause does not apply to a former high risk site arrival or former greater Melbourne arrival, who—
  - (a) was physically present at a high risk site or in Greater Melbourne at some time between 0001 hours on 28 January 2021 and the commencement of this direction; and
  - (b) in the conduct of their duties, provide transport or freight services into, within and out of South Australia (including any crew on such transport or freight services) on a commercial basis; and
  - (c) and are required to be physically present in South Australia for such purposes, if the person produces to an authorised officer (on request) evidence of a COVID-19 test, or a COVID-19 test result, relating to a test undertaken by the person within the preceding 7 days.

#### **4—Former Grand Hyatt and close contact arrivals—quarantine requirements**

A former Grand Hyatt arrival or a former Grand Hyatt close contact arrival must—

- (a) as soon as is reasonably practicable after the commencement of this direction (and in any event within 24 hours of that commencement), notify SA Health that they are a former Grand Hyatt arrival or former Grand Hyatt close contact arrival (as the case may be); and
- (b) reside and remain, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date on which this direction comes into operation for 14 days not counting the day of commencement.

Note—

To avoid doubt, this applies to essential travellers.

## 6—Quarantine for certain former high risk site arrivals who are deemed essential travellers

- (1) A former high risk site arrival who is a deemed essential traveller—
  - (a) in the case of a former high risk site arrival who would have been treated as an essential traveller under Schedule 1 of a ceased Cross Border direction—is not required to comply with the self quarantine requirements applying under clause 5 (despite having been physically present at a high risk site during the exposure period specified on the Victorian outbreaks website in relation to that site); and
  - (b) in the case of a former high risk site arrival who would have been treated as an essential traveller under Schedule 2 of a ceased Cross Border direction—is not required to comply with the self quarantine requirements applying under clause 5 (despite having been physically present at a high risk site during the exposure period specified on the Victorian outbreaks website in relation to that site) if the person complies with any self-quarantine requirements applying under Schedule 2 clause 11 of the *Emergency Management (Cross Border Travel No 34) (COVID-19) Direction 2021* (as if the person were an essential traveller under that direction); and
  - (c) in all cases—the person continues to comply with the testing requirements applying under clause 3.

- (2) In this clause—

*ceased Cross Border Travel direction* means any of the following directions:

- (a) *Emergency Management (Cross Border Travel No 30) (COVID-19) Direction 2021*; or
- (b) *Emergency Management (Cross Border Travel No 31) (COVID-19) Direction 2021*; or
- (c) *Emergency Management (Cross Border Travel No 32) (COVID-19) Direction 2021*; or
- (d) *Emergency Management (Cross Border Travel No 33) (COVID-19) Direction 2021*.

*deemed essential traveller* means a former high risk site arrival who (on arrival in South Australia) would have been treated as an essential traveller under a ceased Cross Border Travel direction if they had arrived as a low community transmission zone arrival under the relevant direction.

## 7—Former Greater Melbourne arrival—quarantine requirements

- (1) Subject to this direction, a former Greater Melbourne arrival must, as soon as is reasonably practicable after the commencement of this direction—
  - (a) identify and travel by the most direct practical route and means to a suitable place to quarantine and segregate from other persons; and
  - (b) on arrival at the place, reside and remain, quarantined and segregated from other persons, at the place until they have submitted to COVID-19 testing in accordance with clause 3 and received written confirmation of a negative result for a COVID-19 test; and

(2) In this clause—

*ceased Cross Border Travel direction* means any of the following directions:

- (a) *Emergency Management (Cross Border Travel No 30) (COVID-19) Direction 2021*; or
- (b) *Emergency Management (Cross Border Travel No 31) (COVID-19) Direction 2021*; or
- (c) *Emergency Management (Cross Border Travel No 32) (COVID-19) Direction 2021*; or
- (d) *Emergency Management (Cross Border Travel No 33) (COVID-19) Direction 2021*.

*deemed essential traveller* means a former Greater Melbourne arrival who (on arrival in South Australia) would have been treated as an essential traveller under Schedule 1 or 2 of a ceased Cross Border Travel direction if they had arrived as a low community transmission zone arrival under the relevant direction.

#### 9—Provision of information etc

- (1) A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in furnishing information in connection with this direction.
- (2) A person asked a question by an authorised officer, a screening officer or a person responsible for assisting in the administration of this direction, in connection with this direction must not—
  - (a) refuse or fail to answer the question; or
  - (b) give an answer that is false or misleading in a material particular.

#### 10—Powers of Authorised Officers

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

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

This direction operates from the <sup>4<sup>th</sup></sup> day of *February* 2021 at <sup>1820</sup> hours

SIGNED at *ADELAIDE* on this <sup>4<sup>th</sup></sup> day of *February* 2021  
at <sup>1820</sup> hours

  
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**GRANTLEY STEVENS**  
STATE CO-ORDINATOR