

South Australia

# Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals 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.

---

## 1—Citation

This direction may be cited as the *Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals No 5) (COVID-19) Direction 2021*.

## 1A—Purpose

The purpose of this direction is to ensure the quarantine and testing of certain people who arrived in South Australia before the commencement of this direction, and who arrived from Victoria or arrived from another location and who were present in certain locations in Victoria during specified periods.

## 1B—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals No 4) (COVID-19) Direction 2021*.
- (2) The *Emergency Management (Quarantine and Testing of Certain Former Victorian Arrivals No 4) (COVID-19) Direction 2021* is revoked.
- (3) Despite subclause (2), the operation of a direction applying to a person who arrived in South Australia before the commencement of this direction is not affected by this direction except to the extent provided for in this direction.

## 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 40) (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;

**Greater Melbourne** means the following local government areas in Victoria: Banyule, Hume, Moreland, Bayside, Kingston, Mornington Peninsula, Boroondara, Knox, Nillumbik, Brimbank, Manningham, Port Phillip, Cardinia, Maribyrnong, Stonnington, Casey, Maroondah, Whitehorse, Darebin, Melbourne, Whittlesea, Frankston, Melton, Wyndham, Glen Eira, Monash, Yarra, Greater Dandenong, Moonee Valley, Yarra Ranges and Hobsons Bay, and is taken for the purposes of this direction to include the Shire of Mitchell;

**former Greater Melbourne arrival** means a person who was physically present in Greater Melbourne at some time between 0001 hours on 12 February 2021 and the commencement of this direction;

**high risk setting** means—

- (a) a residential aged care facility as defined in the *Emergency Management (Residential Aged Care Facilities No 29) (COVID-19) Direction 2021* or any direction replacing that direction from time to time;
- (b) a prison, correctional facility, training centre or other place of custody;
- (c) a facility for the provision of health care services of a type referred to in Sch 2, paragraph (a) of the *Emergency Management (Public Activities No 18) (COVID-19) Direction 2021* or any direction replacing that direction from time to time;
- (d) Aboriginal communities as defined in Schedule 1 of *Emergency Management (Supervised Quarantine No 5) (COVID-19) Direction 2021*; or
- (e) a meatworks or meat processing facility.

**high risk site** means a site listed as at the commencement of this direction on the website "<https://www.dhhs.vic.gov.au/case-locations-and-outbreaks-covid-19>" (being a website maintained for the purposes of the Victorian response to the outbreak of the Human Disease named COVID-19);

**low community transmission zone** has the same meaning as in the Cross Border Travel Direction;

**restricted former Victorian arrival** means a person who was physically present at a high risk site during the exposure period specified on the Victorian outbreaks website in relation to that site in the last 14 days, who arrived before the commencement of this direction, regardless of when they arrived in South Australia and from where they arrived;

**Victorian outbreaks website** means the website "<https://www.dhhs.vic.gov.au/case-locations-and-outbreaks-covid-19>" (being a website maintained for the purposes of the Victorian response to the outbreak of the Human Disease named COVID-19).

- (2) For the purposes of this direction, a person is a **close contact** of a restricted former Victorian arrival if they were in the company of such a person—
  - (a) within an enclosed space for a period of 1 hour or longer; or
  - (b) within 1.5 metres of the other person at any time.

### **3—Testing of certain arrivals**

- (1) Subject to this clause, all restricted former Victorian arrivals must submit to a COVID-19 test—
  - (a) within 24 hours of arrival; and
  - (b) on the 5th day after arrival; and
  - (c) on the 12th day after 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 restricted former Victorian arrival who—
  - (a) 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
  - (b) 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 high risk site arrivals—quarantine requirements**

- (1) Subject to this direction, a restricted former Victorian arrival must—
  - (a) in all cases—
    - (i) reside and remain in the place at which they are self-quarantined and segregated from other persons until completion of the 14 day quarantine period not counting the day of commencement on which that period commenced, or such lesser period approved by the Chief Public Health Officer or a Deputy Chief Public Health Officer; and
    - (ii) continue to comply with the testing requirements applying under clause 3; and
    - (iii) contact SA Health to receive further instructions regarding individual quarantine requirements;

- (b) in the case of a person residing and remaining at short term accommodation, remain at the place, except—
    - (i) for the purposes of obtaining medical care or medical supplies; or
    - (ii) for the purposes of complying with clause 3; or
    - (iii) in any other emergency situation; or
    - (iv) for any reason approved in advance by the State Co-ordinator or his delegate or an authorised officer; and
    - (v) contact SA Health to receive further instructions regarding individual quarantine requirements;
  - (c) in all cases, take reasonable steps to ensure that no other person enters the place unless the other person—
    - (i) is an exempt person; or
    - (ii) is also complying with the requirements of this direction; or
    - (iii) is entering the place for medical or emergency purposes; and
  - (d) follow all reasonable directions from a treating medical practitioner.
- (2) In this clause—

*exempt person*, in relation to a person self-quarantining (the *first person*) at a suitable place, means—

- (a) a person required to provide care and support to, or receive care and support from, the first person at the place; or
- (b) a person who usually resides at the place;

*suitable place*—a place is a suitable place if it is determined or approved by an authorised officer to be a suitable place.

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

- (1) A restricted former Victorian arrival who is a deemed essential traveller—
- (a) in the case of a person 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 4 (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 person 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 4 (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 39) (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 directions from *Emergency Management (Cross Border Travel No 30) (COVID-19) Direction 2021* to *Emergency Management (Cross Border Travel No 39) (COVID-19) Direction 2021* inclusive.

*deemed essential traveller* means a restricted former Victorian 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.

## 6—Former Greater Melbourne arrival testing and notification requirements

(1) A former Greater Melbourne arrival must in all cases—

- (a) continue to comply with the testing requirements applying under clause 3;
- (b) prior to attending a high risk setting, notify staff of the high risk setting that they have been in Greater Melbourne in the past 14 days; and
- (c) wear personal protective equipment throughout the duration of the attendance.

## 7—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.

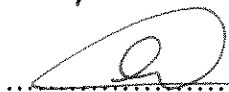
## 8—Powers of Authorised Officers

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 26<sup>th</sup> day of February 2021 at 0001 hours

SIGNED at ADELAIDE on this 25<sup>th</sup> day of February 2021  
at 1907 hours

  
.....

**GRANTLEY STEVENS**  
STATE CO-ORDINATOR