

South Australia

Emergency Management (Supervised Quarantine No 13) (COVID-19) Direction 2022

under section 25 of the *Emergency Management Act 2004*

Preamble

- 1 On 22 March 2020, 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, Linda Williams, Acting 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.

Part 1—Preliminary

1—Short title

This direction may be cited as the *Emergency Management (Supervised Quarantine No 13) (COVID-19) Direction 2022*.

2—Revocation

- (1) This direction replaces the *Emergency Management (Supervised Quarantine No 12) (COVID-19) Direction 2021*.
- (2) The *Emergency Management (Supervised Quarantine No 12) (COVID-19) Direction 2021* is revoked.

3—Interpretation

- (1) In this direction—

airport site means any part of the land on which an airport is situated within South Australia;

authorised officer means an authorised officer under the *Emergency Management Act 2004*;

centre means COVID Accommodation Support Centre;

COVID Accommodation Support Centre means a facility established by the State Government for the provision of alternative home quarantine accommodation;

COVID-19 Rapid Antigen test means a self-collected antigen based (upper or lower respiratory tract oropharyngeal specimen) test to test for COVID-19;

COVID-19 test means a COVID-19 Rapid Antigen Test or a COVID-19 PCR test (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);

Department means the Department for Health and Wellbeing (SA);

designated green zone means a clean zone at a medi-hotel or quarantine facility where PPE (other than a face mask) is not required;

designated orange zone means a zone at a medi-hotel or quarantine facility determined by an authorised officer (from time to time) to be a designated orange zone;

designated red zone means a zone at a hospital or healthcare facility, airport site, medi-hotel site, or quarantine facility site, determined by an authorised officer (from time to time) to be a designated red zone;

Note - Designated red zones are determined in accordance with where persons in quarantine or isolation for COVID-19 are present from time to time, with a view to maintaining a bio-secure corridor in which persons who come into contact with persons quarantining or isolating, or otherwise enter the designated red zone, are subject to testing, vaccination, and PPE requirements in accordance with this direction.

emergency means an event (whether occurring in the State, outside the State or in and outside the State) that causes, or threatens to cause—

- (a) the death of, or injury or other damage to the health of, any person; or
- (b) the destruction of, or damage to, any property; or
- (c) a disruption to essential services or to services usually enjoyed by the community; or
- (d) harm to the environment, or to flora or fauna.

emergency services worker includes fire fighters, paramedics, ambulance officers, medical retrieval personnel, police officers and State Emergency Service officers;

immediate family, of a person, means—

- (a) a spouse or domestic partner; or
- (b) a parent; or
- (c) a grandparent; or
- (d) a child (including an adult child); or
- (e) a grandchild (including an adult grandchild); or
- (f) a brother or sister,

and includes a person who is a member of the immediate family of the person's spouse or domestic partner;

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

medi-hotel site means any part of the land on which a medi-hotel is situated;

overseas arrival means a person who arrives in South Australia from overseas by any means, including a person who arrives at an airport in South Australia on a flight that originated from a place outside Australia.

PPE means personal protective equipment;

prescribed authorised officer means the Chief Executive of the Department, the South Australian Chief Public Health Officer or a deputy Chief Public Health Officer;

quarantine facility means a hotel, resort, lodging, or other accommodation (but not a medi-hotel) operating in South Australia—

- (a) that has contracted with the State Government to provide supervised quarantine accommodation as a quarantine facility; or
- (b) that the Chief Public Health Officer has approved in writing to be a quarantine facility for the purpose of this direction and subject to any terms and conditions of that approval.

quarantine facility site means any part of the land on which a quarantine facility is situated;

quarantine facility unit means the accommodation and designated outdoor areas of a quarantine facility to which a person undertaking supervised quarantine at the quarantine facility is confined.

quarantining immediate family member, in relation to a person undertaking supervised quarantine in a medi-hotel room, means a member of the person's immediate family who is also undertaking supervised quarantine at the medi-hotel;

spouse—a person is the spouse of another if they are legally married;

supervised quarantine means quarantine by a person directed to enter, reside and remain at a supervised medi-hotel site or quarantine facility site by an authorised officer;

symptoms of COVID-19—a person has symptoms of COVID-19 if the person has any of the following symptoms:

- (a) cough;
- (b) sore throat;
- (c) shortness of breath;
- (d) runny nose;
- (e) fever or history of fever or chills;
- (f) acute loss of smell or taste;
- (g) headache;
- (h) muscle aches;
- (i) unexplained fatigue;
- (j) nausea;
- (k) vomiting;
- (l) diarrhoea.

- (2) For the purposes of this direction, a person is *vaccinated* if the person has completed the full course of a COVID-19 vaccine approved or recognised by the Therapeutic Goods Administration in accordance with a schedule recommended by ATAGI.

Part 2—Testing requirements and compliance for employees and contractors

4—Application of Part

- (1) Subject to this clause, this Part applies to any person who:
- (a) is physically present on a medi-hotel site or quarantine facility site for the purpose of performing work of any kind; or
 - (b) is physically present in a designated red zone at an airport site for the purpose of performing work associated with the processing of overseas or restricted zone arrivals or the processing and handling of the luggage of overseas or restricted zone arrivals; or
 - (c) is physically present in an airport site for the purpose of performing work associated with:
 - (i) the processing and handling of the luggage of designated red zone overseas or restricted zone arrivals; or
 - (ii) otherwise occurring within a location to which designated red zone overseas or restricted zone arrivals have access; or
 - (d) performs the work of transporting overseas or restricted zone arrivals at any time during the period of supervised quarantine of those persons; or
 - (e) is physically present in a designated red zone of a COVID Accommodation Support Centre.

Note—

This includes all employees and contractors of SA Police, SA Health, Australian Border Force, Australian Defence Force and all employees and contractors of the medi-hotel or quarantine facility operator, airline or airport operator.

- (2) This Part does not apply to a person delivering goods to a medi-hotel site, quarantine facility site, a COVID Accommodation Support Centre or an emergency services worker attending a medi-hotel site, quarantine facility site or COVID Accommodation Support Centre in the conduct of their duties if—
- (a) they are only physically present in a designated green zone for less than 30 minutes; and
 - (b) they have no contact during that time with any person undertaking a period of quarantine or isolation on site.

Example—

A delivery driver dropping off goods to the medi-hotel site.

- (3) To avoid doubt, this Part does not apply to a person directed to enter, reside and remain at a medi-hotel site, quarantine facility site or a COVID Accommodation Support Centre in order to undertake a period of quarantine or isolation.

5—Testing and symptoms of COVID-19

- (1) A person to whom this Part applies must each day, prior to the commencement of work for that day, submit to a COVID-19 Rapid Antigen test.

Note—

A person who returns a positive test result from a COVID-19 Rapid Antigen test is taken to be notified that they are a COVID-19 case for the purposes of the *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022*.

- (2) A person required to submit to a COVID-19 Rapid Antigen 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 Rapid Antigen test.
- (3) A person required to submit to a COVID-19 Rapid Antigen test under this clause must, upon request by an authorised officer, produce evidence that they have complied with subclause (1).

6—Operator of medi-hotel site, COVID Accommodation Support Centre or quarantine facility site—Testing Compliance Plan

- (1) The operator of a hotel that is a medi-hotel site, a COVID Accommodation Support Centre or quarantine facility site must adopt a Testing Compliance Plan that requires employees and contractors of the operator to notify the operator of their undertaking of a COVID-19 Rapid Antigen test pursuant to clause 5.
- (2) The operator of a hotel that is a medi-hotel site, a COVID Accommodation Support Centre or quarantine facility site must—
 - (a) keep records of information given to them under this clause; and
 - (b) provide such records to an authorised officer on request; and
 - (c) upon becoming aware of an instance of non-compliance with clause 5 of this direction, urgently advise an authorised officer of that non-compliance.

Note—

This requirement is to assist with contact tracing if an identified case of COVID-19 is confirmed.

7—PPE to be worn in certain zones

- (1) A person to whom this Part applies must wear PPE in accordance with the policy of the Department relating to wearing PPE at locations referred to in this direction (as published by the Department from time to time).
- (2) The requirement in clause (1) applies when a person to whom this Part applies is at—
 - (a) a designated red zone or orange zone of a medi-hotel site,
 - (b) a designated red zone or orange zone of a quarantine facility site;
 - (c) a designated red zone or orange zone at a COVID Accommodation Support Centre; or
 - (d) a designated red zone of an airport site; or
 - (e) when transporting a person to medi-hotel, quarantine facility or a COVID Accommodation Support Centre for the purpose of quarantine or isolation.

Part 3—Vaccination requirements and compliance for persons performing specified work

8—Application of Part

- (1) Subject to this clause, this Part applies to any person who:
 - (a) is physically present in a—
 - (i) designated red zone on an airport site, or
 - (ii) designated red zone on a medi-hotel site; or
 - (iii) designated orange zone or designated red zone of a quarantine facility site; or
 - (iv) a designated red zone of a COVID Accommodation Support Centre; for the purpose of performing work of any kind; or
 - (b) performs the work of transporting overseas or restricted zone arrivals at any time during the period of supervised quarantine of those persons.
- (2) This Part applies to emergency services workers performing any of the work described in clause 8(1) in the ordinary course of their rostered duties, but does not apply to emergency services workers performing such work in response to an emergency.
- (3) A person must not engage in the work described in subclause (1) unless the person has been vaccinated against COVID-19.
- (4) A person may engage in the work described in subclause (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.
- (5) Despite subclause (3) and (4), a person may engage in work described in subclause (1) if the person has a medical certificate or letter from a legally qualified medical practitioner certifying that the person—
 - (a) has a medical exemption from receiving a TGA approved COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI; or
 - (b) has a medical exemption on either a permanent or temporary basis from receiving the preferred vaccine as recommended by ATAGI for the person's age; or
 - (c) has an appointment to be assessed by a medical specialist or has commenced an assessment with a medical specialist to determine whether they have a medical exemption from receiving a COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI;

and

- (d) the certificate or letter specifies the nature of the medical exemption, or the medical exemption under investigation, and the basis on which it applies; and
- (e) the Chief Public Health Officer or her delegate has endorsed the certificate or letter specifying the nature of the exemption; and
- (f) the person provides the operator of the place referred to in subclause (1)(a) or their delegate with a copy of the endorsement provided under paragraph (e).

Notes—

The *ATAGI expanded guidance on acute major medical conditions that warrant a temporary medical exemption relevant for COVID-19 vaccines* is available at: <https://www.health.gov.au/resources/publications/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines>

The current version of the clinical guidance on use of COVID-19 vaccines is available at: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/advice-for-providers/clinical-guidance>

Part 4—Regulation of persons undertaking supervised quarantine in medi-hotels and quarantine facilities

Note—

A direction under the *Emergency Management Act 2004* relating to interstate and international arrivals prescribes the time for submitting to COVID-19 testing after arrival for certain arrivals.

Another direction under the *Emergency Management Act 2004* requires a person to remain in quarantine or in isolation on being diagnosed with COVID-19 or being a close contact of a COVID-19 case.

9—Requirement to remain isolated in medi-hotel room or quarantine facility unit

- (1) A person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit—
 - (a) must not leave the room or unit except in an emergency situation, which would include—
 - (i) a medical episode; or
 - (ii) a fire evacuation; or
 - (iii) as necessary for the purposes of maintenance to address a safety issue in the room; and
 - (b) must take reasonable steps to ensure that no other person enters the room unless that other person—
 - (i) is required for medical or emergency purposes; or
 - (ii) is a prescribed person.
- (2) Despite subclause (1), a person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit—
 - (a) may leave the room or unit to enter a room of a quarantining immediate family member; and

- (b) may allow a quarantining immediate family member to enter their room, only if—
 - (i) in the case of a medi hotel, the rooms are separated only by internally connecting doors;
 - (ii) in the case of a quarantine facility, the person travels in the most direct route from the unit to the quarantining immediate family member's unit.

Note—

The operator of a medi-hotel or quarantine facility unit must ensure, as far as is reasonably practicable, that immediate family members undertake supervised quarantine in the same room or unit or in the case of a medi hotel, in rooms that are accessible internally.

- (3) Without limiting a preceding provision, a person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit must ensure that items are not shared with any other person undertaking supervised quarantine at the medi-hotel or quarantine facility unit (other than a quarantining immediate family member).
- (4) In this clause—

prescribed person means—

- (a) a person employed, engaged or otherwise authorised by the Department for the purposes of this paragraph; or
- (b) a police officer; or
- (c) a person employed or engaged by the medi-hotel or quarantine facility to provide services at the hotel or quarantine facility.

Note—

This includes front of house, cleaning and security.

10—Physical distancing principle applies

- (1) A person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit must use their best endeavours (having regard to all the circumstances) to maintain a distance of at least 1.5 metres from other people.
- (2) This clause does not apply to persons who are quarantining immediate family members.

11—Masks

- (1) Subject to this clause, a person undertaking supervised quarantine in a medi-hotel room or a quarantine facility unit must wear a face mask (covering mouth and nose) at all times when in the physical presence of another person, other than a quarantining person occupying the same room or unit or a quarantining immediate family member occupying a room separated only by internally connecting doors.
- (2) If an item (such as food) is delivered to the room or unit of a person undertaking supervised quarantine in a medi-hotel or a quarantine facility unit, the person must—
 - (a) wait for at least 3 minutes after the delivery occurs before opening the door to collect the item; and

- (b) subject to this clause, wear a mask when collecting the item.
- (3) A prescribed authorised officer (or delegate) may exempt a person from the requirement to wear a mask under this clause—
 - (a) in the case of a person receiving a service from a service provider or carer who will be in the physical presence of the person—if satisfied that the wearing of a mask will hinder the provision of the relevant service or care or impact on the person's safety or wellbeing; or
 - (b) if the person has a relevant medical condition, including problems with their breathing, a serious condition of the face, a disability or a mental health condition; or
 - (c) in circumstances where the ability to see the mouth is essential for communication, such as to enable communication by or with any person who is deaf or hard of hearing; or
 - (d) if the person is under the age of 5 and reasonable efforts have been made to fit the person with a mask; or
 - (e) for the purposes of a COVID-19 test.
- (4) The operator of a medi-hotel or a quarantine facility must provide a person undertaking supervised quarantine in the medi-hotel or quarantine facility with a sufficient number of masks to enable the person to comply with this direction.

12—Other requirements

- (1) A person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit must not throw or otherwise project an item from a balcony or designated red zone.
- (2) A person undertaking supervised quarantine in a medi-hotel room or quarantine facility unit must not abuse, intimidate, threaten or harass a person providing services at the medi-hotel or quarantine facility.

13—Unaccompanied minors required to quarantine

- (1) If a person who is required to undertake supervised quarantine in accordance with clause 9 for a period, or to remain quarantined and segregated from other persons at a place determined by an authorised officer for a period, is an unaccompanied minor under the age of 18, a carer must remain present with the minor and quarantined for that period.

Part 5—COVID Accommodation Support Centres and Quarantine facilities—Requirements of Operators

14—Requirements of operators—operations

- (1) The operator of a COVID Accommodation Support Centre or a quarantine facility must adopt a Workforce Management Plan that—
 - (a) requires employees, contractors and other workers of the centre or quarantine facility to notify the operator of the quarantine facility of their additional place of employment (if relevant);
 - (b) requires employees, contractors and other workers of the centre or quarantine facility to notify the operator of the centre or quarantine facility of any COVID-19 vaccination they have received and provide evidence of such vaccination; and
 - (c) requires employees, contractors and other workers of the centre or quarantine facility to notify the operator of the centre or quarantine facility of completion of training in the use of PPE.
- (2) The operator of a centre or quarantine facility must comply with the requirements in clause 7 of the *Emergency Management (Activities—General No 3) (COVID-19) Direction 2021* as if the quarantine facility was a prescribed place for the purposes of that clause and they were the relevant person for that place.

Note –

Clause 7 requires the relevant person for a prescribed place to enable to use of the COVIDSafeCheckIn app for the purpose of capturing relevant contact details of a person entering the place, including (where applicable) the use of a dedicated code provided by the State Government, and to provide a manual register in the event that a person is unable to check in via the app.

15—Requirements of operators of COVID Accommodation Support Centres and quarantine facilities—record keeping

- (1) Without derogating from any other clause, an operator of a COVID Accommodation Support Centre or quarantine facility must maintain records of—
 - (a) Notifications by employees, contractors and other workers of the centre or quarantine facility of any additional place of employment given in accordance with the Workforce Management Plan under this part;
 - (b) The COVID-19 vaccination status of employees, contractors and other workers of the centre or quarantine facility;
 - (c) Completion of COVID-19 infection control training by employees, contractors and other workers of the centre or quarantine facility;
 - (d) COVID-19 testing undertaken in relation to persons undertaking quarantine at a centre or quarantine facility and of persons who have been physically present at the centre or quarantine facility in accordance with this direction;

Note –

An operator of a COVID Accommodation Support Centre or quarantine facility must also maintain records of testing of persons who are finishing or have finished a period of work at a quarantine facility in accordance with clause 6 of this Direction.

- (e) The Infection Control Plan for the COVID Accommodation Support Centre or quarantine facility; and
- (f) Staff records of employees, contractors and other workers including telephone numbers and email addresses (if relevant).

Note –

These requirements are to assist with contact tracing if an identified case of COVID-19 is confirmed.

- (2) The records kept under subclause (1) must be made immediately available for inspection (on request) by an authorised officer or for contact tracing purposes.

16—Requirements of operators of COVID Accommodation Support Centre and quarantine facilities—audit and inspection

- (1) An operator of a COVID Accommodation Support Centre or quarantine facility must permit and do all things necessary to facilitate an inspection of the centre or quarantine facility by an authorised officer, whether announced or unannounced, at any time.
- (2) An operator of a COVID Accommodation Support Centre or quarantine facility must make available for inspection and provide copies of records it is required to make under this direction to an authorised officer on request.
- (3) An operator of a COVID Accommodation Support Centre or quarantine facility must comply with any directions of an authorised officer in relation to any aspect of the operations of the centre or quarantine facility.

17—Requirements of operators of COVID Accommodation Support Centres and quarantine facilities—incident response

- (1) An operator of a COVID Accommodation Support Centre or quarantine facility must operate and maintain an incident reporting and management system in accordance with the requirements published by the Department.
- (2) An operator of a COVID Accommodation Support Centre or quarantine facility must immediately implement risk mitigation strategies to respond to an incident in accordance with the *CDCB Personal Protective Equipment (PPE) Breach Infection Control Risk Assessment Local Direction*.
- (3) The operator of a COVID Accommodation Support Centre or quarantine facility must as soon as practicable after an incident has occurred, notify the SA Health Liaison Officer for the centre or quarantine facility of the incident and the risk mitigation strategies immediately taken to respond to the incident, in addition to other reporting obligations
- (4) For the purpose of this clause an *incident* means—
 - (a) non-compliance of a requirement in this direction by a person quarantining at the quarantine facility;
 - (b) non-compliance of a requirement in this direction by a person who has been physically present at the COVID Accommodation Support Centre or quarantine facility site for the purpose of performing work of any kind;
 - (c) a breach of any operational requirements referred to in this part.

Part 6—COVID Accommodation Support Centres—residents

18—Requirements of persons isolating in a COVID Accommodation Support Centre (COVID-19 cases)

- (1) A person who has been notified that they are a COVID-19 case, and who has been directed by an authorised officer to isolate in a COVID Accommodation Support Centre, must—
 - (a) travel by the provided transport service to the COVID Accommodation Support Centre, if not already at that location;
 - (b) reside and remain at the isolation unit of the COVID Accommodation Support Centre in accordance with that direction and follow all reasonable directions from an authorised officer for a period of 10 days after their first positive COVID-19 test result;
 - (c) remain at the COVID Accommodation Support Centre, 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) follow all reasonable directions from a treating medical practitioner.

Note –

- (1) The *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022* prescribes how a person is notified they are a COVID-19 case isolation and other requirements for persons who have been notified that they are a COVID-19 case.
- (2) A person residing in a unit of a COVID Accommodation Support Centre is not required to be isolated and segregated from other people residing in that same unit.
- (2) This clause prevails over any inconsistent requirement under the *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022*, or any direction replacing that direction, in relation to persons who have been notified that they are a COVID-19 case.

19—Requirements of persons quarantining in a COVID Accommodation Support Centre (Close Contacts of a COVID case)

- (1) A person who has been notified that they are a close contact of a COVID-19 case, and who has been directed by an authorised officer to quarantine in a COVID Accommodation Support Centre, must—
 - (a) travel by the provided transport service to the COVID Accommodation Support Centre, if not already at that location;
 - (b) reside and remain at the quarantine unit of the COVID Accommodation Support Centre in accordance with that direction and follow all reasonable directions from an authorised officer for a period of 7 days after their last contact with a positive COVID-19 case;
 - (c) remain at the COVID Accommodation Support Centre, 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) follow all reasonable directions from a treating medical practitioner.

Notes –

- (1) The *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022* prescribes how a person is notified they are a close contact of a COVID-19 case and the applicable quarantine and testing requirements.
- (2) A person residing in a unit of a COVID Accommodation Support Centre is not required to be isolated and segregated from other people residing in that same unit.
- (2) A person referred to in subclause (1) must submit to a COVID-19 test on the day of arrival at the COVID Accommodation Support Centre and every second day for the duration of their quarantine period.

- (3) This clause prevails over any inconsistent requirement under the *Emergency Management (Exposure Sites, Contacts and Diagnosis Requirements No 4) (COVID-19) Direction 2022*, or any direction replacing that direction, in relation to persons who have been notified that they are close contacts of a COVID-19 case.

Part 7—Other matters

20—Exemptions

A prescribed authorised officer may, if satisfied that exceptional circumstances exist, exempt (conditionally or unconditionally) a person or class of persons from this direction or a provision of this direction.

21—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 18th day of February 2022 at 1300 hours

SIGNED at Adelaide on this 18th day of February 2022
at 1300 hours



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LINDA WILLIAMS

STATE CO-ORDINATOR