

South Australia

Emergency Management (Cross Border Travel No 3) (COVID-19) Direction 2020

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 (Cross Border Travel No 3) (COVID-19) Direction 2020*.

2—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Cross Border Travel No 2) (COVID-19) Direction 2020*.
- (2) The *Emergency Management (Cross Border Travel No 2) (COVID-19) Direction 2020* is revoked.

Note—

See also clause 9(2).

3—Purpose

The purpose of this direction is to replace the *Emergency Management (Cross Border Travel No 2) (COVID-19) Direction 2020* made by the State Co-ordinator on 28 March 2020 at 22:00 hours in order to clarify the operation of the provisions relating to essential travellers.

4—Application

This direction applies to all people who arrive in South Australia from a place outside of South Australia.

5—Direction—arrivals generally

Subject to clauses 6 and 8, I direct all people to whom this direction applies, other than an essential traveller referred to in Schedule 1, to—

- (a) identify a suitable place and ensure arrangements are in place for them to reside and remain in that place for a 14 day period commencing on the date of their arrival in South Australia;
- (b) having identified a suitable place, travel by the most direct practical route and means to the place;
- (c) upon arrival at the place, reside and remain in that place, self-quarantined and segregated from other persons (excluding persons who usually live at the place), for the period beginning on the day of arrival and ending at midnight on the fourteenth day after arrival into the State;
- (d) remain at the place, 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; and
- (e) take reasonable steps to ensure that no other person enters the place unless that other person usually lives at the place, or the other person is also complying with self-quarantine requirements, or for medical or emergency purposes.

6—Direction—overseas arrivals

- (1) Subject to this clause, I direct all overseas arrivals to reside and remain, quarantined and segregated from other persons, at a place determined by an authorised officer for a 14 day period commencing on the date of their arrival in South Australia.
- (2) If an overseas arrival is an unaccompanied minor—
 - (a) the minor must comply with subclause (1); and
 - (b) a carer must remain present with the minor and quarantined for the 14 day period referred to in subclause (1).

- (3) In this clause—

overseas arrival means a person who arrives in South Australia from overseas by any means, including—

- (a) a person who arrives at an airport in South Australia on a flight that originated from a place outside Australia, or on a connecting flight from a flight that originated from a place outside Australia; and
- (b) a person who arrives at a port in South Australia on a cruise ship.

7—Direction not to apply to certain arrivals

- (1) A person arriving in South Australia on any aircraft or vessel is taken not to arrive in South Australia for the purposes of this direction if—
 - (a) in the case of an arrival on an aircraft—the person does not leave the airport in South Australia; or
 - (b) in the case of an arrival on a vessel—the person does not disembark from the vessel in South Australia.
- (2) However, if a crew member or a passenger of a vessel that has arrived in South Australia remains on the vessel in South Australia, self-quarantined and segregated from other persons, for not less than the period beginning on the day of arrival in South Australia and ending at midnight on the fourteenth day after that arrival, the crew member or passenger will be taken to have complied with the requirements of this direction.

8—Essential travellers who are overseas arrivals

- (1) A person who, at the time of their arrival in South Australia, was an overseas arrival (within the meaning of clause 6) and who ceases to be an essential traveller (within the meaning of Schedule 1) less than 14 days after their arrival in South Australia must, on so ceasing, comply with the direction set out in clause 6.
- (2) A person who, at the time of their arrival in South Australia, was—
 - (a) an overseas arrival (within the meaning of clause 6); and
 - (b) an essential traveller under Schedule 1 for the purpose of performing duties, functions or activities specified in that Schedule,is taken to cease to be an essential traveller for the purposes of this clause during any period during which the person is not—
 - (c) performing those duties, functions or activities; or
 - (d) travelling to or from the place at which they are performing those duties, functions or activities.

Note—

This means, for example, that air crew who have arrived from overseas and who leave the airport between shifts will have to comply with the direction in clause 6 until such time as they are required to travel back to the airport to commence their next shift.

9—Operation of travel directions

- (1) This direction applies in relation to all people who arrive in South Australia from a place outside of South Australia on or after the commencement of this direction, to the exclusion of all previous directions relating to overseas or cross border travel.
- (2) For the avoidance of doubt, 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.

10—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 16th day of April 2020 at 2359 hours

SIGNED at ADELAIDE on this 16th day of April 2020
at 1000 hours


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GRANTLEY STEVENS
STATE CO-ORDINATOR

Schedule 1—Essential travellers

1—National and State security and governance

State or Commonwealth Government officials who, in the conduct of their duties, are responsible for the safety of Australia or South Australia against threats such as terrorism, war, or espionage, and are required to be physically present in South Australia for such purposes.

Active military and Defence Department personnel (including civilian staff and private contractors) and personnel required to support time-critical national security and defence activities, who are required to be physically present in South Australia in the conduct of their duties and who have undergone risk mitigation strategies.

2—Health services

Persons who are requested by the Chief Executive of the Department for Health and Wellbeing, or by the Secretary of the Commonwealth Department of Health, or by the delegate of either, to assist in the provision of health services in South Australia and who are required to be physically present in South Australia in the conduct of those duties.

Note—

This means that South Australian health care workers who wish to provide services in another State or jurisdiction will be required to undertake a 14-day quarantine period on their return to South Australia. The only exception is a person who falls within the terms of this clause.

3—Essential medical treatment

Persons who travel to South Australia in connection with the receipt of urgent and essential medical treatment.

4—Transport and freight services

Persons who, 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) and are required to be physically present in South Australia for such purposes.

5—Skills critical to maintaining key industries or businesses

Specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in South Australia, where the service is time critical and where the provision of the service requires that the person be physically present in South Australia.

Persons who, in the conduct of their duties, are responsible for maintenance or repair of infrastructure critical to South Australia and are required to be physically present in South Australia for such purposes.

Persons who are employed or engaged in agricultural or primary industry activities and are required to be physically present in South Australia.

Persons who ordinarily live or work in South Australia and travel for work purposes for regular periods according to established work schedules.

Note—

A FIFO worker (being an essential traveller under the last paragraph of this clause) is not required to self-quarantine on return to South Australia, provided that their employer is applying risk mitigation strategies during periods of work.

6—Emergency services workers

Emergency services workers (including fire fighters, paramedics, ambulance officers and police officers) who are required to be physically present in South Australia in the conduct of their duties.

7—Cross border community members

Persons who are ordinarily resident at, or near, a South Australian border and who, in the ordinary course of their occupation, education or daily life, have reasonable cause to travel across that border.

8—Passing through

Persons who pass through the State by the most direct and practical route and means.

9—Compassionate grounds

Persons who travel to South Australia to visit a critically or terminally ill relative or to attend the funeral of an immediate family member, provided that such persons self-quarantine during any period during which they are not visiting their relative or attending the funeral.

Note—

Persons who claim to be essential travellers under this clause may be required to provide evidence that they fall within the scope of this clause.