

South Australia

Emergency Management (Cross Border Travel No 37) (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.

Part 1—Preliminary

1—Citation

This direction may be cited as the *Emergency Management (Cross Border Travel No 37) (COVID-19) Direction 2021*.

2—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Cross Border Travel No 36) (COVID-19) Direction 2021*.
- (2) The *Emergency Management (Cross Border Travel No 36) (COVID-19) Direction 2021* is revoked.

Note—

See also clause 4.

3—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);

essential traveller means a person referred to in Schedule 1 or Schedule 2;

exempt arrival means a person referred to in Schedule 3;

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, Hobsons Bay, and the Shire of Mitchell;

low community transmission zone is comprised of the following:

- (a) the Australian Capital Territory;
- (b) New South Wales;
- (c) the Northern Territory;
- (d) Queensland;
- (e) Tasmania;
- (f) Western Australia;

low community transmission zone arrival means a person—

- (a) who arrives in South Australia from the low community transmission zone; and
- (b) who has not, at any time during the period of 14 days immediately before their arrival in South Australia, been in a place other than South Australia or the low community transmission zone;

overseas arrival means a person who arrives in South Australia from overseas by any means and includes—

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

but does not include a person arriving from New Zealand;

prescribed location means a restricted location or a prohibited location;

prohibited location means —

- (a) Victoria;

restricted location means

- (a) New Zealand;

screening officer means—

- (a) an authorised officer under the *Emergency Management Act 2004*; or
- (b) an employee of South Australia Police performing duties of screening persons arriving in South Australia for symptoms of COVID-19 or potential exposure to COVID-19;

- (2) The following persons will be taken to be low community transmission zone arrivals:
- (a) a person whose journey originates in the low community transmission zone and who travels through Victoria to South Australia (other than via Melbourne Airport) if—
 - (i) they do not stop within Greater Melbourne (including the Shire of Mitchell); and
 - (ii) they wear a face mask for the entirety of the time they come into contact with the public and cannot maintain physical distance during their journey through any prescribed location; and
 - (iii) they travel through any prescribed location via the most direct and practicable route and do not stop in that location except in an emergency or for respite or other essential purposes (such as obtaining petrol);

but a person who enters South Australia via Victoria other than in accordance with paragraphs (a)(i) through (iii) is taken not to be a low community transmission zone arrival for the purposes of this direction.

- (3) For the purposes of this direction, a person who arrives in South Australia is taken not to be an *essential traveller* if the person's departure from South Australia was for a purpose unrelated to their work or duties (such as a departure for personal or recreational purposes).

Note—

A departure by an essential traveller who travels to their usual place of residence as part of a rostered break from work is not a departure for a purpose unrelated to their work or duties.

An essential traveller who is a cross-border community member is permitted to travel across the border unrestricted subject to the testing requirements in Schedule 1 clause 4.

- (4) For the purposes of this direction, in determining a 14 day period commencing on the date of a person's arrival in South Australia, or in determining 14 days not counting the day of a person's arrival, the day of arrival is not to be counted.

Example—

A person arrives on 7 February 2021 and is required to quarantine. The 14 day period of quarantine ends at midnight on 21 February 2021.

Part 2—General provisions

4—Application etc

- (1) This direction applies to all persons 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).

Note—

This direction also applies to certain persons who are already in South Australia.

- (2) For the avoidance of doubt—
- (a) this direction applies to all persons who arrive in South Australia, irrespective of where that person resides, including residents of South Australia; and
 - (b) 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.

Note—

The previous Cross Border Directions continue to require that persons who have arrived from certain restricted zones submit to COVID-19 testing and self-quarantine until receiving written advice of a negative result, and persons who have arrived from certain high risk sites self-quarantine for 14 days.

5—Low community transmission zone arrivals exempt

Except as otherwise provided in this direction, this direction does not apply to a person who arrives as a low community transmission zone arrival.

6—Entry from Victoria prohibited

- (1) Subject to this direction, a person is prohibited from entering South Australia from Victoria.
- (2) Subclause (1) does not apply to—
 - (a) an essential traveller under Schedule 1; or
 - (b) an essential traveller under Schedule 2 if the person complies with any self-quarantine requirement applying under Schedule 2 clause 11; or
 - (c) an exempt arrival under Schedule 3 if the person complies with any self quarantine requirement applying under the relevant clause of Schedule 3.

7—Restricted location arrivals—testing requirements

A person who arrives from a restricted location must submit to COVID-19 testing in accordance with Schedule 5.

Note—

See also clause 13.

8—Restricted location arrivals—quarantine requirements

A person who arrives from a restricted location must comply with the self-quarantine requirements under Schedule 4 until having undertaken a COVID-19 test, and receiving a written confirmation of having undertaken that test.

Note—

A person required to self-quarantine under this clause may stop self-quarantining before receiving the result of the COVID-19 test.

9—Face masks for restricted location arrivals and in airports etc

- (1) A person who arrives from a restricted location must wear a surgical face mask (covering mouth and nose) in South Australia at any time that they come into contact with the public commencing on the date of their arrival in South Australia until receiving written confirmation of a negative result for a COVID-19 test

- (2) A person (including crew of commercial transport and freight services) may not—
- (a) enter South Australia by airplane unless the person wore a face mask (covering mouth and nose) at all times while the person was on the airplane or present at any airport during the journey; or
 - (b) be present inside the terminal at Adelaide Airport unless the person is wearing a face mask (covering mouth and nose).

Note—

The terminal at Adelaide Airport is taken to include the arrivals and departures areas, and any other publically accessible areas in the terminal.

The requirements in this clause must be read in conjunction with the *Emergency Management (Supervised Quarantine No 3) (COVID-19) Direction 2021* or any successor direction.

- (3) Despite subclauses (1) and (2)—
- (a) a person is not required to wear a mask if they have a relevant medical condition, including problems with their breathing, a serious condition of the face, a disability or a mental health condition;

Note—

Evidence of a relevant medical condition must be produced on request.

- (b) a mask is not required to be worn 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;
 - (c) a mask is not required to be worn when a person is eating or drinking;
 - (d) a child under the age of 12 is not required to wear a mask.
- (4) Subclause (1) does not apply to—
- (a) an essential traveller under Schedule 1 clause 1 (National and State security and governance); or
 - (b) an essential traveller under Schedule 1 clause 3 (Commercial transport and freight services);
 - (c) an essential traveller under Schedule 2 clause 1 (National and State security and governance—prescribed location residents) while the person is working.

10—Overseas arrivals to remain in medi-hotel or other directed place of quarantine

- (1) Subject to this clause, all overseas arrivals must reside and remain, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival.

Note—

A medi-hotel will generally be the place determined by an authorised officer for the purposes of this clause.

- (2) If an arrival referred to in subclause (1) 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).

Note—

If an unaccompanied minor arrives in another State or Territory on a flight originating outside of Australia, that jurisdiction will require a carer to quarantine with the minor in that State or Territory.

- (3) This clause does not apply to an overseas arrival who is a low community transmission zone arrival.

Note—

Arrivals from New Zealand are not overseas arrivals—see the definition of *overseas arrival*.

11—Exemption for 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 for the purpose of travelling on a connecting flight to another Australian State or Territory—
 - (i) the person has approval of—
 - (A) the Chief Executive of the Department for Health and Wellbeing or the South Australian Chief Public Health Officer to arrive in South Australia for the purpose of taking the connecting flight; and
 - (B) the relevant authority in the other State or Territory to travel to that State or Territory; or
 - (ii) 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) This clause does not apply to an overseas arrival.

12—Special provisions for overseas arrivals by vessel

- (1) Clause 10 does not apply to a person who is a crew member or passenger of a vessel that has had no other person embarking the vessel (other than a person referred to in subclause (3)) within the preceding 14 days before disembarking who—
- (a) remains on the vessel, for 14 days before disembarking (whether in South Australian, Australian or international waters); and
 - (b) submits to a COVID-19 test in the 48 hours before disembarking and furnishes a negative result; and
 - (c) is cleared to disembark by a Human Biosecurity Officer for South Australia appointed under the *Biosecurity Act 2015* (Cth) before disembarking in South Australia.

- (2) A crew member or a passenger of a vessel, other than a person referred to in subclause (1), must reside and remain, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date of their arrival in South Australia for a period determined by an authorised officer, up to 14 days not counting the day of arrival.

Note—

An authorised officer may determine that a period of quarantine of less than 14 days is necessary if the person has remained quarantined on the vessel for a period of time. Such a person is subject to the testing requirements in clause 10.

- (3) No person may embark a vessel that has arrived in South Australia before it is cleared for embarking by a Human Biosecurity Officer for South Australia appointed under the *Biosecurity Act 2015* (Cth) without wearing personal protective equipment as approved by the Department of Health and Wellbeing.

13—Testing of certain arrivals

- (1) Subject to this clause, the following persons must submit to COVID-19 testing in accordance with Schedule 5:
- (a) an overseas arrival;
 - (b) an essential traveller, other than—
 - (i) an essential traveller under Schedule 1 clause 2 (Emergency services workers); or
 - (ii) an essential traveller under Schedule 2 clause 2 (Health services);
 - (c) an exempt arrival;
 - (d) a person required to submit to testing under—
 - (i) clause 7 (restricted location arrivals).
- (2) 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.
- (3) Nothing in this clause requires a person to submit to a COVID-19 test after leaving South Australia.
- (4) If a person required to remain quarantined (whether at a place determined by an authorised officer or self-quarantined in accordance with Schedule 4) 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 the place (whether or not the other person or persons have submitted to testing under this clause),

must reside and remain at that place, 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 on their arrival in South Australia.

- (5) This clause does not apply to—
- (a) an essential traveller under Schedule 1 clause 2 (Emergency services workers); or
 - (b) an essential traveller under Schedule 2 clause 2 (Health services); or
 - (c) an essential traveller—
 - (i) under Schedule 1 clause 3 (Commercial transport and freight services) who is not an overseas arrival; or
- Note—
- Overseas arrivals must comply with Schedule 4 and special rules apply to arriving international airline crew: see subclause (6)
- (ii) under Schedule 1 clause 4 (Cross border community members); or
 - (iii) under Schedule 2 clause 4 (Commercial transport and freight services—prescribed location residents) who is not ordinarily resident in Victoria,
- 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.
- (6) Any airline crew who are overseas arrivals will only be taken to have complied with Schedule 4 clause 1(1)(a) if they submit to a COVID-19 test—
- (a) at the airport on arrival in South Australia; or
 - (b) on their arrival at a supervised quarantine location.

14—Screening of arrivals

- (1) A screening officer may require any person arriving in South Australia to answer questions about whether they are suffering any symptoms of COVID-19 and their possible exposure to COVID-19.
- (2) Despite any preceding clause, a screening officer may require a person arriving in South Australia to—
- (a) submit to a COVID-19 test; or
 - (b) wear a surgical face mask (covering mouth and nose) in South Australia at any time that they come into contact with the public for up to 14 days; or
 - (c) quarantine at a place specified by the screening officer for up to 14 days.

15—Prohibition on entering South Australia from Victoria except on certain roads

- (1) Subject to this clause, a person entering South Australia from Victoria is prohibited from entering South Australia on a road that is not listed in Schedule 5.

Note—

Entry to South Australia from Victoria is prohibited except in certain circumstances. For example, a person whose journey originates in Queensland, New South Wales or the ACT, who complies with clause 3(2) and who enters South Australia via Victoria is prohibited from entering South Australia on a road that is not listed in Schedule 5.

To avoid doubt, this clause applies to cross border community members.

- (2) Subclause (1) does not apply—
 - (a) in the case of an emergency; or
 - (b) to a person who uses a road in circumstances where use of the road is required for routine access to the person's property.

16—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.

17—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.

Part 3—Additional provisions relating to essential travellers and exempt arrivals

18—Face masks

- (1) Subject to this clause, any person who is an essential traveller or an exempt arrival must wear a surgical face mask (covering mouth and nose) in South Australia at any time that they come into contact with the public commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival.
- (2) Subclause (1) does not apply to—
 - (a) an essential traveller under Schedule 1 clause 1 (National and State security and governance); or
 - (b) an essential traveller under Schedule 1 clause 3 (Commercial transport and freight services);
 - (c) an essential traveller under Schedule 1 clause 4 (Cross border community members);
 - (d) an essential traveller under Schedule 2 clause 1 (National and State security and governance—prescribed location residents) while the person is working.

19—Cessation of essential travel

- (1) A person who, at the time of their arrival in South Australia, was an overseas arrival and who ceases to be an essential traveller less than 14 days after their arrival in South Australia must, on so ceasing, comply with clause 10.
- (2) A person who, at the time of their arrival in South Australia, was an essential traveller for the purpose of performing duties, functions or activities specified in the 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—
 - (a) performing those duties, functions or activities; or
 - (b) 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 10 until such time as they are required to travel back to the airport to commence their next shift.

- (3) Despite a preceding subclause, maritime crew arriving in South Australia on an aircraft must comply with the direction set out in clause 10.

Note—

Quarantine and segregation at a place determined by an authorised officer under clause 10 does not permit travel to and from duties.

20—Essential travellers to keep records of close contacts

- (1) Subject to this clause, an essential traveller must keep and retain records in accordance with subclause (2) of close contacts commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival (or, if they remain in South Australia for a period of less than 14 days, for that period).
- (2) For the purposes of subclause (1)—
 - (a) a person is a *close contact* of another person if they are in the company of the other person—
 - (i) within an enclosed space for a period of 2 hours or longer; or
 - (ii) within 1.5 metres of the other person for a period of 15 minutes or longer; and
 - (b) the records that are required to be kept in relation to a close contact are—
 - (i) the name and phone number or other contact details of the close contact and the location at which the close contact occurred; or
 - (ii) if the details under subparagraph (i) are not known and it is not reasonably practicable to obtain those details—the time during which and location at which the close contact occurred; and
 - (c) the records must—
 - (i) be retained for a period of 28 days from the end of the period for which the records must be kept under subclause (1); and
 - (ii) be provided to an authorised officer on request.

- (3) Subclause (1) does not apply to—
- (a) an essential traveller under Schedule 1 clause 1 (National and State security and governance); or
 - (b) an essential traveller under Schedule 1 clause 2 (Emergency services workers); or
 - (c) an essential traveller under Schedule 1 clause 4 (Cross border community members); or
 - (d) an essential traveller under Schedule 2 clause 1 (National and State security and governance—prescribed location residents); or
 - (e) an essential traveller under Schedule 2 clause 8 (Passing through).

This direction operates from the 13th day of February, 2021 at 0001 hours

SIGNED at ADLAIDE on this 12th day of February, 2021
at 0000 hours


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GRANTLEY STEVENS
STATE CO-ORDINATOR

Schedule 1—Essential travellers

Note—

A person who is, or who claims to be, an essential traveller under a provision of this Schedule must not bring another person into South Australia with them, unless—

- (a) the other person is, or claims to be, an essential traveller; and
- (b) they stop and declare the other person at a check point on entering South Australia.

1—National and State security and governance

- (1) Any person (other than a person who is ordinarily resident in a prescribed location) who, in the conduct of their role in relation to the protection of Australia or South Australia from threats such as terrorism, war, espionage, or acts of foreign interference is required to be physically present in South Australia for that purpose and who has the written approval of their manager (being of an executive level or higher) or an officer of a military or defence organisation.
- (2) Active military and Defence Department personnel (including civilian staff and private contractors) and personnel required to support time-critical national security and defence activities, (other than such persons who are ordinarily resident in a prescribed location) who are required to be physically present in South Australia in the conduct of their duties and—
 - (a) whose organisation has undertaken risk mitigation strategies; and
 - (b) who have the written approval of their manager (being of an executive level or higher) or an officer of a military or defence organisation.

Note—

Evidence of an approval under this clause is required.

2—Emergency services workers

- (1) Emergency services workers (including fire fighters, paramedics, ambulance officers, medical retrieval personnel, police officers and State Emergency Service officers) who are required to be physically present in South Australia in the conduct of their duties and who are on duty and are required in the conduct of those duties to travel across a South Australian border to attend, or respond to, an emergency.
- (2) If it is necessary for an emergency services worker referred to in subclause (1) to attend or enter a health facility or hospital in South Australia, the emergency services worker must inform the health facility or hospital of their arrival from outside of the State prior to arrival at the health facility or hospital.
- (3) In this clause—

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.

3—Commercial transport and freight services

- (1) Persons (other than persons referred to in Schedule 2 clause 4 or Schedule 2 clause 4A) 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) on a commercial basis and are required to be physically present in South Australia for such purposes.
- (2) A person referred to in subclause (1)—
 - (a) must minimise time spent and distance travelled in other jurisdictions; and
 - (b) must not, without the approval of the Chief Executive of the Department for Health and Wellbeing, the South Australian Chief Public Health Officer or a deputy, enter—
 - (i) a disability care, correctional or residential aged care facility; or
 - (ii) a health care facility.
- (3) Despite subclause (2)(b)(ii), a person referred to in subclause (1) may enter a health care facility for the purpose of seeking personal medical care.

4—Cross border community members

- (1) Subject to this clause, persons who are ordinarily resident within the cross border corridor and who have reasonable cause to travel across the border into South Australia from Victoria, for the purposes of—
 - (a) shopping for necessary goods and services (but only one person per household, once per day, accompanied by a support person if required); or
 - (b) caregiving reasons; or
 - (c) permitted education; or
 - (d) essential cross-border employment; or
 - (e) providing care and support to, or receiving care and support from, another person; or
 - (f) obtaining food, petrol or other fuel or medical care or supplies.

Note—

South Australian residents are bound by Victorian legislative restrictions when in Victoria.

- (2) A person who enters South Australia under subclause (1) from Victoria must not travel outside of the cross border corridor.
- (3) This clause does not apply to a person who is ordinarily resident in South Australia (at, or near, a South Australian border) if the person is entering South Australia after travelling outside of the cross border corridor into Victoria.

Note—

If a South Australian resident leaves the cross border corridor, they will be required to self-quarantine for 14 days on entering South Australia.

- (4) In this clause—

cross border corridor is the area 70 km to the west and 70 km to the east of the length of the border between South Australia and Victoria;

Note—

There is no restriction on the distance travelled within the cross border corridor in accordance with this clause.

essential cross-border employment means employment as defined in Schedule 7;

permitted education means:

- (a) childcare or family day care; or
- (b) school, but only to the extent that education services are provided to the child of a person engaging in essential cross-border employment or a child who is vulnerable.

Schedule 2—Essential travellers—restricted

1—National and State security and governance—prescribed location residents

- (1) Any person who—
- (a) is ordinarily resident in a prescribed location; and
 - (b) in the conduct of their role in relation to the protection of Australia or South Australia from threats such as terrorism, war, espionage, or acts of foreign interference is required to be physically present in South Australia for that purpose; and
 - (c) has the written approval of their manager (being of an executive level or higher) or an officer of a military or defence organisation.
- (2) Active military and Defence Department personnel (including civilian staff and private contractors) and personnel required to support time-critical national security and defence activities—
- (a) who are ordinarily resident in a prescribed location; and
 - (b) who are required to be physically present in South Australia in the conduct of their duties; and
 - (c) whose organisation has undergone risk mitigation strategies; and
 - (d) who have the written approval of their manager (being of an executive level or higher) or an officer of a military or defence organisation.

Note—

Evidence of an approval under this clause is required.

2—Health services

Persons who are approved by the Chief Executive of the Department for Health and Wellbeing, the South Australian Chief Public Health Officer or a deputy Chief Public Health Officer to assist in the provision of health services (including aeromedical personnel).

Note—

Evidence of an approval to assist in the provision of health services under this clause is required.

3—Specialist workers in essential sectors

(1) Individual specialist workers required for the purposes of maintaining operations in an essential sector if their employer is applying risk mitigation strategies during periods of work in accordance with a risk mitigation plan relating to COVID-19 approved by the Department for Health and Wellbeing (SA) and—

- (a) in relation to operations in South Australia—
 - (i) the service is time critical; and
 - (ii) the appropriate skills are not available in South Australia or the low community transmission zone; and
 - (iii) the provision of the service requires that the person be physically present in South Australia; or
- (b) in relation to operations outside of South Australia—the service is time critical.

Note—

To avoid doubt, this clause does not apply to—

- (a) a person working in a health services, aged care or disability care facility (including medical practitioners (including specialists), nurses, other health or allied health practitioners or other persons performing work in such facilities) (for such persons, see clause 2 of this Schedule); or
 - (b) seasonal workers (such as forestry workers, fruit pickers or shearers) (for such persons, see subclause (2)).
- (2) Seasonal workers (such as forestry workers, fruit pickers or shearers) if—
- (a) they are—
 - (i) arriving in South Australia for seasonal work purposes as part of a group employed by an essential sector employer; or
 - (ii) returning to South Australia having travelled outside South Australia for seasonal work purposes as part of a group employed by an essential sector employer; and
 - (b) the essential sector employer applies on behalf of the group for authorisation of the group as essential travellers under this subclause; and
 - (c) the essential sector employer is applying risk mitigation strategies during periods of work in accordance with a risk mitigation plan relating to COVID-19 approved by the Department for Health and Wellbeing (SA).

(3) In this clause—

essential sector—the following sectors are essential sectors:

- (a) mining, oil, gas, energy, water, agriculture or other primary industries;
- (b) telecommunications;
- (c) commercial construction or maintenance of critical infrastructure including but not limited to major road, rail or marine projects;

essential sector employer means an employer operating in an essential sector (or an employer carrying on the business of supplying workers to employers in an essential sector).

4—Commercial transport and freight services—prescribed location residents

Persons who—

- (a) are ordinarily resident in a prescribed location; 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.

Note—

A person referred to in this clause could (for example) self-quarantine by sleeping in the cabin of their truck.

4A—Commercial transport and freight services—presence at Terminal 4 of Melbourne Airport

Persons who—

- (a) have been present at Terminal 4 of Melbourne Airport at any time on or after 12.01am on 7 February 2021; 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) are required to be physically present in South Australia for such purposes.

5—Remote or isolated workers—work in prescribed locations

- (1) Persons who travel for work purposes to locations in a prescribed location that is remote or geographically isolated for regular periods according to established work schedules.
- (2) Persons who travel for work purposes to locations in a prescribed location that is remote or geographically isolated where—
 - (a) their employer is applying risk mitigation strategies during periods of work, and
 - (b) the person is a specialist required for industry or business continuity and maintenance of competitive operations, or maintenance or repair of critical infrastructure in the mining, oil, gas and energy sectors.

6—Remote or isolated workers—prescribed location residents who enter South Australia

- (1) Persons who are ordinarily resident in a prescribed location and who enter South Australia for work purposes at locations that are remote or geographically isolated for regular periods according to established work schedules.
- (2) Persons who are ordinarily resident in a prescribed location and who enter South Australia for work purposes at locations that are remote or geographically isolated where—
 - (a) their employer is applying risk mitigation strategies during periods of work, and
 - (b) the person is a specialist required for industry or business continuity and maintenance of competitive operations, or maintenance or repair of critical infrastructure in the mining, oil, gas and energy sectors.

7—Urgent medical, dental or health treatment

- (1) Persons who travel to South Australia for the receipt of urgent medical, dental or other health treatment with the approval of the Chief Executive of the Department for Health and Wellbeing, the South Australian Chief Public Health Officer or a deputy Chief Public Health Officer.

Note—

Evidence of an approval under this clause is required.

- (2) A person who accompanies the person referred to in subclause (1) for the purpose of providing care and support.
- (3) Nothing in this clause is intended to prevent a person from accessing treatment in the case of an emergency.

8—Passing through

Persons entering South Australia who are passing through the State by the most direct and practical route and means, if the person—

- (a) has permission (if relevant) to enter the State or Territory that they are passing through South Australia to enter; and
- (b) does not remain in South Australia for more than 72 hours; and
- (c) does not remain overnight or for periods longer than one hour in the townships of Coober Pedy, Ceduna or Port Augusta other than to obtain take away food, groceries, petrol or other fuel, or supplies; and
- (d) avoids any non-essential contact with people in South Australia other than to obtain food, petrol or other fuel, or supplies.

Note—

Evidence of a permission to enter another State or Territory under this clause is required

9—Compassionate grounds

- (1) Persons who are entering South Australia from a prescribed location for compassionate purposes if—
 - (a) they have the approval of the Chief Executive of the Department for Health and Wellbeing, the South Australian Chief Public Health Officer or a deputy Chief Public Health Officer; and
 - (b) in the case of a person proposing to visit a health care, disability care or residential aged care facility—the relevant facility approves the proposed visit.
- (2) Persons (other than those referred to in subclause (1)) who are entering South Australia for compassionate purposes.
- (3) For the purposes of subclauses (1) and (2), the following are *compassionate purposes*:
 - (a) the purpose of visiting a critically or terminally ill member of the person's immediate family; or
 - (b) the purposes of end of life support for a member of the person's immediate family who is a resident of a residential aged care facility for whom death is imminent (likely within 2 weeks).
- (4) In this clause—

domestic partner means a person who is a domestic partner within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;

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;

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

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.

10—Foreign diplomatic or consular staff

Foreign diplomatic or consular staff (including Honorary consular staff) accredited by the Commonwealth Department of Foreign Affairs and Trade travelling to South Australia to perform official duties.

11—Self quarantine requirements for essential travellers under this Schedule

- (1) Subject to this clause, an essential traveller under this Schedule (other than clause 5 (Remote or isolated workers—work in prescribed locations) or 6 (Remote or isolated workers—prescribed location residents who enter South Australia)) for the purpose of performing duties, functions or activities specified in this Schedule must comply with the self-quarantine requirements under Schedule 4 at all times during which the person is not—
 - (a) performing those duties, functions or activities; or
 - (b) travelling to or from the place at which they are performing those duties, functions or activities.
- (2) An essential traveller under clause 3(1)(b) (Individual Specialist Worker in an Essential Sector who travels to a prescribed location to work) must comply with the self-quarantine requirements under Schedule 4 on their return to South Australia after travelling under that clause.
- (3) An essential traveller under clause 3(2) (Seasonal Worker in an Essential Sector)—
 - (a) must comply with the self-quarantine requirements under Schedule 4 on their entry; and
 - (b) must comply with the self-quarantine requirements under Schedule 4 on their return to South Australia after travelling under that clause.
- (4) An essential traveller under clause 6 (Remote or isolated workers—prescribed location residents who enter South Australia) entering South Australia for work purposes must comply, so far as is reasonably practicable, with the self-quarantine requirements under Schedule 4 at all times during which the person is not working.

Note—

This means that, subject to the exemption set out in subclause (7), a person who is ordinarily resident in a prescribed location and who enters South Australia for work purposes at a remote or geographically isolated location is required, so far as is reasonably practicable, to self-quarantine when not working.

- (5) An essential traveller required to self-quarantine on their return to the State by virtue of the operation of subclause (2) or (3)(b) may leave South Australia during the period of self-quarantine to travel for work purposes in accordance with this Schedule.
- (6) Nothing in this direction requires an essential traveller who remains in South Australia for more than 14 continuous days following their arrival to continue to self-quarantine after the expiry of the self-quarantine period referred to in paragraph (a) of Schedule 4.
- (7) This clause only applies to essential travellers who have been in a prescribed location within the 14 days immediately preceding their arrival in South Australia.

Schedule 3—Exempt arrivals

1—Genuine relocations

A person entering South Australia who satisfies an authorised officer that—

- (a) the entry is for the purpose of the person genuinely relocating to reside in South Australia; and

(b) the person has not previously entered South Australia under this clause, if the person resides and remains, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival;

Note—

A person may only enter South Australia for the purpose of genuine relocation under this clause once. Evidence to demonstrate genuine relocation will be required to be provided at the time of making application via an online platform.

2—South Australian residents returning

A person entering South Australia who satisfies an authorised officer that—

- (a) the person ordinarily resides in South Australia; and
- (b) the entry is for the purpose of the person returning to their place of ordinary residence in South Australia; and
- (c) the person has not previously entered South Australia under this clause, if the person resides and remains, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival.

3—Domestic violence

A person entering South Australia—

- (a) for the purpose of escaping domestic violence or providing support to a family member who is experiencing domestic violence; or
- (b) where the entry is reasonably necessary for the purpose of dealing with circumstances arising out of domestic violence,

if the person resides and remains, quarantined and segregated from other persons, at a place determined by an authorised officer commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival; or

Note—

Evidence for the purpose of entry under this paragraph (such as a copy of a recognised DVO) may be required.

Arrivals under this provision may be required to isolate at a medi-hotel.

Schedule 4—Self-quarantine requirements

For the purposes of this direction, a person complies with the self-quarantine requirements if the person:

- (a) identifies a suitable place and ensures arrangements are in place for them to reside and remain in that place commencing on the date of their arrival in South Australia for 14 days not counting the day of arrival, or such lesser period approved by the Chief Public Health Officer or a Deputy Chief Public Health Officer; and
- (b) having identified a suitable place, travels by the most direct practical route and means to the place; and
- (c) upon arrival at the place—

- (i) in all cases—resides and remains in that place, self-quarantined and segregated from other persons, for the period referred to in paragraph (a); and
- (ii) in the case of a person residing and remaining at short term accommodation—informs the owner or operator of the accommodation that they are self-quarantining in accordance with this Schedule; and
- (d) remains at the place, except—
 - (i) for the purposes of obtaining medical care or medical supplies; or
 - (ii) for the purposes of complying with clause 13; 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
- (e) takes 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 Schedule; or
 - (iii) is entering the place for medical or emergency purposes.

In this Schedule—

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.

Schedule 5—COVID-19 testing requirements

1—Testing requirements

- (1) A person required to submit to COVID-19 testing in accordance with this Schedule must submit to a COVID-19 test—
 - (a) within 24 hours after their arrival in South Australia; and
 - (b) on the 5th day after their arrival in South Australia; and
 - (c) on the 12th day after their arrival in South Australia.
- (2) 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.
- (3) 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 at a time when they are not in South Australia.

- (4) If a person required to remain quarantined (whether at a place determined by an authorised officer or self-quarantined in accordance with Schedule 4) 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 the place (whether or not the other person or persons have submitted to testing under this clause),

must reside and remain at that place, 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 on their arrival in South Australia.

Schedule 6—Permitted roads

Sturt Highway, Yamba

Wentworth Road, Renmark

Mallee Highway, Pinnaroo

Dukes Highway, Wolseley

High Street, Frances (which terminates at Minimay—Frances Road, Frances)

Wimmera Highway, Laurie Park

Edenhope Road, Wrattobully

Casterton Road, Penola

Glenelg Highway, Myora

Princes Highway, Glenburnie

Glenelg River Road, Donovans/Nelson

Wolseley Road—Serviceton North Road, Wolseley

Derghom Road—Dorodong Road, Penola

Mingbool Road, Pleasant Park

Schedule 7—Essential cross-border employment

A person engages in *essential cross-border employment* for the purposes of clause 4 of Schedule 1 if the person performs work that is essential for the continued operation of:

- (a) an essential provider; or
- (b) funerary or mortuary services or related activities; or
- (c) essential infrastructure and essential services without which the safety, health or welfare of the community or a section of the community would be endangered or
- (d) seriously prejudiced (whether provided by a public or private undertaking);
- (e) emergency repair workers
- (f) a person who is critical to, and involved in, South Australia's or Victoria's COVID-19 response (including in hotel quarantine);
- (g) roadside assistance services;

- (h) government or local government services (whether provided by government, local government or outsourced) determined to be essential by the relevant Chief Executive Officer;
- (i) a member of the Parliament of South Australia or Victoria;
- (j) anyone required to ensure the functioning of the Victorian or South Australian Parliament
- (k) domestic and commercial waste and resource recovery services (including collection, treatment and disposal services and transfer stations);
- (l) Commonwealth agency services, including Australian Border Force and Commonwealth law enforcement and intelligence agency services;
- (m) Services related to the administration of justice;
- (n) journalist and media services;
- (o) a factory or facility that is not able to be shut down without causing damage or loss to plant and equipment, but only those operations that are necessary in order to
- (p) prevent that damage or loss;
- (q) administrative services provided by an employer to enable its employees to work from home.
- (r) organisations that provide urgent services necessary for the health and safety of any person, animal or premises. Example: the performance of emergency plumbing services, Centrelink services and foodbanks.
- (s) a blood bank
- (t) care services for people with particular needs because of homelessness, age, infirmity, disability, illness or a chronic health condition;
- (u) truck stops and roadhouses, but not the provision of seated dining or shower facilities to persons who are not transport, freight or logistics drivers;
- (v) production and distribution of;
 - (i) food and groceries for sale by a supermarket, butcher, fruit and vegetable store, market or fishmonger (including for sale by operators of such premises at an indoor or outdoor market); or
 - (ii) liquor for sale at a bottleshop; or
 - (iii) medical and pharmaceutical products;
- (w) commercial operations that supply goods or service necessary:
 - (i) for the implementation of measures to limit the spread of COVID-19; or
 - (ii) to support any business activity that may be carried out in accordance with these directions; or
 - (iii) to support the export of goods and services from Victoria or South Australia. Example: manufacturing of personal protective equipment or hand sanitiser, or dry cleaning services.
- (x) a hotel, motel or other accommodation facility to the extent that they provide accommodation services;
- (y) forestry;
- (z) manufacturing, fabrication or assembly of goods and materials necessary for or related to supporting defence or security industries; or a person who is:
 - (i) a member of the Parliament of Victoria or South Australia or the Commonwealth of Australia, or a person on the staff of such a member of parliament; or
 - (ii) critical to, and involved in, Victoria's or South Australia's COVID-19 response (including in hotel quarantine);

In this Schedule—

essential provider means:

- (a) a supermarket, grocery store, bakery, butcher, fruit and vegetable store or fishmonger;
or
- (b) an indoor or outdoor market, but only to obtain groceries or fresh food; or
- (c) a restaurant, café, pub, bar or hotel, whether licensed or unlicensed, but only to the extent that:
 - (i) it provides takeaway meals or drinks or a meal delivery service; or
 - (ii) it provides food or drink to the homeless
- (d) a bottleshop; or
- (e) a financial institution; or
- (f) consular and diplomatic services; or
- (g) court, tribunal or commission services;
- (h) a post office; or
- (i) a news agent; or
- (j) a pharmacy; or
- (k) a petrol station (including a petrol station that sells groceries); or
- (l) vehicle and mechanical repair services; or
- (m) a pet store or veterinary clinic; or
- (n) urgent services necessary for the health and safety of any person, animal or premises;
or
- (o) essential child protection activities; or
- (p) a childcare or family day care provider; or
- (q) a school, but only to the extent that education services are provided to the child of an essential worker or to vulnerable children; or
- (r) a ‘click and deliver’ service.