Christmas Island (Coronavirus Emergency—Travellers Quarantine) Direction

Christmas Island Emergency Management Ordinance 2012

I, Kylie Lawson, Territory Controller, make the directions set out in Schedule 1 under subsection 22(1) of the Ordinance.

Dated 3rd April 2020 at 14:45

Kylie Lawson
AFP Officer-in-charge
Territory Controller
Schedule 1 - Directions

1. Definitions

For the purposes of these directions:

*close contact* means a person who has:
(a) had more than 15 minutes of face-to-face contact in any setting; or
(b) shared a closed space for more than two hours;
with another person who has tested positive or otherwise been diagnosed with COVID-19 in the period extending from 24 hours before the onset of symptoms in the other person.

*IOTs* means the Territories of Cocos (Keeling) Islands and Christmas Island.

*Ordinance* means the *Christmas Island Emergency Management Ordinance 2012*.

*specified premises* means a premises specified by the Territory Controller from time to time which has been made available by the Australian Government for the purpose of quarantining one or more persons from the community.

*Territory* means the Territory of Christmas Island.

2. Commencement

This direction commences when it is made.

3. Authority

(1) I am the Territory Controller for the purposes of the Ordinance.

(2) I am authorised by section 13 of the Ordinance, during a state of emergency for the purpose of emergency management, to exercise a power of an authorised officer in accordance with Division 2 of Part 3 of the Ordinance.

(3) I am satisfied that this direction is reasonably required during a state of emergency for the purposes of emergency management, namely reducing the risk to the community that persons who arrive from outside the Territory may cause or contribute to the possible spread of COVID-19. This is a significant risk because there are no tertiary hospitals in the Territory and because of the remoteness of the Territory.

(4) Accordingly, I make this direction under subsection 22(1) of the Ordinance.

4. Direction

(1) A person who arrives in the Territory by sea or air and whose point of departure was not in the IOTs:
(a) must travel as soon as possible by the most direct route available to a specified premises while taking all reasonable steps to avoid coming within 1.5 metres of another person at any time (other than another person who normally lives with the person); and
(b) must not leave the premises mentioned in paragraph (a) for a period of 14 days after the day on which the person first enters them, except:
(i) for the purpose of obtaining medical care or essential medical supplies with the agreement of an Indian Ocean Territories Health Service officer; or
(2) Subclause (1) does not apply to:
   (a) a senior Government official or Australian Federal Police officer who in the carriage of his or her duties is responsible for the safety or security of Australia and is required to be present in the Territory in connection with those duties;
   (b) an active military serviceperson required to be on duty in the Territory while in the Territory;
   (c) a person performing duties in connection with the provision of health services in the Territory;
   (d) a person who in the course of their duties is responsible for the provision of transport or freight logistics services into and out of the Territory, provided the person remains in the Territory only for so long as is reasonably required to perform his or her duties;
   (e) a specialist required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in the Territory, where the service is time critical and where the provision of the service requires the person to be physically present in the Territory;
   (f) a person who, in the course of his or her duties, is responsible while in the Territory for critical maintenance or repair of infrastructure critical to the Territory;
   (g) a person traveling to the Territory in their capacity as an emergency services worker;
   (h) a person who is transiting the Territory, and will depart the Territory within 24 hours.

(3) Despite subclause (2), subclause (1) applies to:
   (a) a person showing symptoms associated with COVID-19;
   (b) a person who has tested positive for COVID-19 or has been tested and is awaiting a test result; and
   (c) a person who is a close contact.

5. Exemptions

The Territory Controller or an emergency services officer may, in writing and subject to conditions, grant an exemption to specified provisions of this direction.

Note 1: If a person does not comply with a direction, an authorised officer may do all things reasonably necessary to ensure compliance with the direction, using force as is reasonable in the circumstances (subsection 22(3) of the Ordinance).

Note 2: A person commits an offence if the person fails to comply with a direction or obstructs or hinders the Territory Controller or an authorised officer in the exercise of a power under the Ordinance, punishable by a significant monetary fine (sections 30 and 31 of the Ordinance).