Cocos (Keeling) Islands (Coronavirus Emergency—Entry and Quarantine) Direction (No. 2)

Cocos (Keeling) Islands Emergency Management Ordinance 2012

I, David Williams, Territory Controller.

REVOKE the Cocos (Keeling) Islands (Coronavirus Emergency—Entry and Quarantine) Direction; and

MAKE the direction set out in Schedule 1 under subsection 22(1) of the Ordinance.

Dated 9 June 2020

David Williams
AFP Officer-in-charge
Territory Controller
Schedule 1 - Directions

1. Definitions

For the purposes of these directions:

**centre direction** means a direction containing the requirements set out in the form of direction scheduled to these directions and bearing the citation “Centre Direction”, together with any other direction given to the person.

**close contact with a COVID-19 case** occurs when a person:
(a) has more than 15 minutes of face-to-face contact in any setting; or
(b) shares 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 to when the other person is informed they no longer have to self-isolate.

**enter the Territory** means disembark from an aircraft onto land anywhere in the Territory or cross the border into the Territory by any other means.

**essential services direction** means a direction containing the requirements set out in the form of direction scheduled to these directions and bearing the citation “Essential Services Direction”, together with any other direction given to the person.

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

**Ordinance** means the Cocos (Keeling) Islands Emergency Management Ordinance 2012.

**parent** includes a guardian or person with parental responsibility.

**self-quarantine (unaccompanied child) direction** means a direction containing the requirements set out in the form of direction scheduled to these directions and bearing the citation “Self-Quarantine (Unaccompanied Child) Direction”, together with any other direction given to the person.

**suitable premises** means a quarantine centre, or premises that:
(a) are suitable for the person to reside in for a period ending fourteen (14) days after the day on which the person is given a self-quarantine (unaccompanied child) direction or an essential services direction; and
(b) are not being used by anyone else to self-quarantine at the time when the person is given the self-quarantine (unaccompanied child) direction or essential services direction.

**symptoms** means any one or more of:
(a) a fever of 38 degrees or above; or
(b) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat).

**Territory** means the Territory of Cocos (Keeling) Islands.

**unaccompanied child** means a person under 18 years of age who is travelling without the supervision of a parent.
2. **Commencement**

This direction commences at 12:01 am on 30 June 2020.

3. **Authority**

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

   (2) I am authorized by section 13 of the Ordinance, during a state of emergency for the purpose of emergency management, to exercise a power of an authorized 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) Further, the Commonwealth Deputy Chief Medical Officer was consulted on and supports this direction.

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

4. **Travel ban**

A person must not enter the Territory unless the person has the approval in writing of the Administrator.

**Note:** A person (including an airline crew member) who does not disembark from an aircraft does not enter the Territory for the purposes of this direction.

5. **Quarantine**

   (1) This clause applies to a person who enters the Territory, other than:

   (a) a person whose point of departure was in the IOTs; or

   (b) a person whose point of departure was in Western Australia, provided that the person has not, in the 14 days before entry:

   (i) been on land besides in Western Australia or the IOTs; or

   (ii) tested positive for COVID-19; or

   (iii) been tested for COVID-19 and at the time of entry is awaiting the test result; or

   (iv) had close contact with a COVID-19 case.

   (2) The person must be given a centre direction, unless the person is given a direction under subclauses (3) or (4).

   (3) The person may be given a self-quarantine (unaccompanied child) direction if the Territory Controller or an authorized officer is satisfied that the person:

   (c) is an unaccompanied child; and

   (d) is not displaying any symptoms; and

   (e) will be released directly into the custody of their parent after being given the direction; and

   (f) will travel with the person’s parent to the nearest suitable premises to which the person’s parent has access as soon as possible, by the most direct route available and without stopping except as required by law or necessary for fuel or rest; and
(g) will take all reasonable steps to maintain a distance of at least 1.5 metres from any other person; and
(h) will immediately self-quarantine at those premises after arriving for a period of 14 days after the day on which the person is given the direction.

(4) Subject to subclause (5), the person may be given an essential services direction if the Territory Controller or an authorised officer is satisfied that the person is one of the following, and that the person needs to carry out essential services involving their duties as one of the following:
(a) a senior Government official or Australian Federal Police officer who in carrying out his or her duties is responsible (alone or with others) for the safety or security of Australia or a state/territory 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 carrying out functions under a law of the Commonwealth;
(d) a person carrying out functions under a contract with the Commonwealth;
(e) a person performing duties in connection with the provision of health services in the Territory;
(f) 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;
(g) 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;
(h) 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;
(i) a person travelling to the Territory in their capacity as an emergency services worker;
(j) a judicial officer or staff member of a court, tribunal or commission who enters the Territory for the purposes of that court, tribunal or commission.

(5) Despite subclause (4), the person must not be given an essential services direction if the person:
(a) shows symptoms associated with COVID-19; or
(b) has tested positive for COVID-19 or has been tested and is awaiting a test result; or
(c) has had close contact with a COVID-19 case any time in the 14 days before entry.

6. Exemptions

The Territory Controller or an authorised 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).
**COCOS (KEELING) ISLANDS EMERGENCY MANAGEMENT ORDINANCE 2012**

**CENTRE DIRECTION**


The Administrator of the Territory has declared a state of emergency in respect of the pandemic caused by COVID-19 under section 17 of the *Cocos (Keeling) Islands Emergency Management Ordinance 2012* (Ordinance). The state of emergency applies to all of the Territory.

I, ___________________________, Territory Controller/authorised officer, now give

__________________________
of

the following direction under section 22 of the Ordinance.

**DIRECTION**

You must follow this direction. It may be an offence to fail to comply with this direction, with a penalty of up to 500 penalty units ($105,000 before 1 July 2020) for the first offence.

If you have any questions about what you must do or you do not understand what you must do, please ask.

1. You must travel as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest to the following quarantine centre:

2. You must travel to the quarantine centre in the following way:
   - [ ] in your own vehicle
   - [x] in another way which an authorised officer will orally direct you to take

3. You must remain at the quarantine centre for a period of 14 days after the day on which you are given this direction (unless otherwise directed at the quarantine centre).

4. While you are subject to this direction, you must at all times take all reasonable steps to keep at least 1.5 metres away from any other person.

   You should immediately inform a person in authority at the quarantine centre if you develop or have recently experienced any one or more of these symptoms:
   a. a fever of 38 degrees or above; or
   b. symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough

Even though these symptoms may not be caused by COVID-19, informing a person in authority is essential to your safety and the safety of everyone and will help to ensure that you receive any treatment you need.

When you arrive at the quarantine centre, you will be met by people who will explain to you what you need to do while you are there. Please cooperate with them and comply with their directions, including any direction requiring you to undergo medical observation, medical examination or medical treatment. They are there to help and protect you and other members of the Territory community.
This direction takes effect immediately after it is made.

Signature of authorised officer

___/___/2020 at ___:

Day  Month
COCOS (KEELING) ISLANDS EMERGENCY MANAGEMENT ORDINANCE 2012

SELF-QUARANTINE (UNACCOMPANIED CHILD) DIRECTION


The Administrator of the Territory has declared a state of emergency in respect of the pandemic caused by COVID-19 under section 17 of the Cocos (Keeling) Islands Emergency Management Ordinance 2012 (Ordinance). The state of emergency applies to all of the Territory.

I, ________________________________, Territory Controller/authorized officer, now give
______________________________ of ____________________________

the following direction under section 22 of the Ordinance.

DIRECTION

You must follow this direction. It may be an offence to fail to comply with this direction, with a penalty of up to 500 penalty units ($105,000 before 1 July 2020) for the first offence.

If you have any questions about what you must do or you do not understand what you must do, please ask.

1. You must travel as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest to the following suitable premises:

2. You must travel to the suitable premises in the following way:
   - [ ] in your own vehicle
   - [ ] in another way which an authorized officer will orally direct you to take

3. You must remain at the suitable premises for a period of 14 days after the day on which you are given this direction unless:
   a. you are given another direction which you are required by law to obey; or
   b. you must leave them to escape an immediate threat to your safety.

4. If you leave the suitable premises to escape an immediate threat to your safety, you must:
   a. go no further from them than you have to in order to escape that threat; and
   b. return to the suitable premises as soon as it is safe for you to do so; and
   c. take all reasonable steps to stay at least 1.5 metres away from any other person.

   Note: If you are unable to return to the suitable premises within an hour of leaving, telephone (or ask a parent to telephone) the police and inform them that you are subject to a self-quarantine (unaccompanied child) direction and had to leave the suitable premises.

5. While you are subject to this direction, you must at all times take all reasonable steps to keep at least 1.5 metres away from any other person.
You should (or should ask a parent to) immediately inform the police if you develop or have recently experienced any one or more of these symptoms:

a. a fever of 38 degrees or above; or

b. symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough

Even though these symptoms may not be caused by COVID-19, informing the police is essential to your safety and the safety of everyone and will help to ensure that you receive any treatment you need.

This direction takes effect immediately after it is made.

____________________________________________________   ______________________/2020 at _____:
Signature of authorised officer                     Day   Month
ESSENTIAL SERVICES DIRECTION


The Administrator of the Territory has declared a state of emergency in respect of the pandemic caused by COVID-19 under section 17 of the Cocos (Keeling) Islands Emergency Management Ordinance 2012 (Ordinance). The state of emergency applies to all of the Territory.

I, ________________________________, Territory Controller/authorised officer, now give

______________________________ of ________________________________

the following direction under section 22 of the Ordinance.

DIRECTION

You must follow this direction. It may be an offence to fail to comply with this direction, with a penalty of up to 500 penalty units ($105,000 before 1 July 2020) for the first offence.

If you have any questions about what you must do or you do not understand what you must do, please ask.

1. You must travel as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest to the following suitable premises:

2. You must travel to the suitable premises in the following way:
   - [ ] in your own vehicle
   - [ ] in another way which an authorised officer will orally direct you to take

3. As soon as you arrive at the suitable premises, you must remain inside them for a period of 14 days after the day on which you are given this direction unless:
   a. you are given another direction which you are required by law to obey; or
   b. you must leave them to escape an immediate threat to your safety; or
   c. you need to carry out essential services involving the duties for which you were granted approval to enter the Territory.

4. If you leave the suitable premises to escape an immediate threat to your safety, you must:
   a. go no further from them than you have to in order to escape that threat; and
   b. return to the suitable premises as soon as it is safe for you to do so.

Note: If you are unable to return to the suitable premises within an hour of leaving, telephone the police and inform them that you are subject to a self-quarantine (essential service) direction and had to leave the suitable premises.

5. If you leave the suitable premises to carry out essential services, you must:
   a. only travel to and from the place where you are to carry out the essential services; and
b. travel to and from the place by the most direct route available and without stopping except as required by law or necessary for fuel or rest.

6. While you are subject to this direction, you must at all times take all reasonable steps to keep at least 1.5 metres away from any other person.

You should immediately inform the police if you develop or have recently experienced any one or more of these symptoms:

a. a fever of 38 degrees or above; or
b. symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough

Even though these symptoms may not be caused by COVID-19, informing the police is essential to your safety and the safety of everyone and will help to ensure that you receive any treatment you need.

This direction takes effect immediately after it is made.

________________________________________      __________/________/_2020 at ______:
Signature of authorised officer                     Day    Month