Cocos (Keeling) Islands (Coronavirus Emergency—Quarantine) Direction

Cocos (Keeling) Islands Emergency Management Ordinance 2012

I, David Williams Territory Controller, make the DIRECTION set out in Schedule 1 under the Ordinance.

Dated 31 APRIL 2020

David Williams
Territory Controller
Schedule 1—Direction

1. Definitions

For the purposes of this direction:

relevant person means:
(a) a person who arrived in the Cocos (Keeling) Islands on flight VA1918 on 31 March 2020; and
(b) every person living together in the same premises as a person mentioned in paragraph (a).

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

specified premises means such premises as are specified by the Territory Controller from time to time for the purpose of quarantining one or more relevant persons from the community.

2. 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 managing the risk to the community arising from the failure of persons specified in paragraph (a) of the definition of ‘relevant persons’ to self-isolate in accordance with advice and guidance provided to them to prevent the possible spread of COVID-19.

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

3. Quarantine direction

(1) Every relevant person must as soon as possible move to a specified premises, while taking all reasonable steps to avoid moving within 1.5 metres of another person (other than a person who normally lives together with the relevant person) at any time.

(2) Every relevant person is prohibited from leaving that specified premises for a period of 14 days after the day on which the person first enters the premises, except:
   (a) for the purpose of obtaining care or essential medical supplies with the agreement of an Indian Ocean Territories Health Service officer; or
   (b) in an emergency situation.

(3) A person is not required to comply with subclauses (1) and (2) if the person is:
   (a) a senior Government official or Australian Federal Police officer performing duties in connection with the safety or security of Australia;
   (b) an active military serviceperson required to be on duty in the Territory;
   (c) a person performing duties in connection with the provision of health services in the Territory or a person traveling to the Territory in their capacity as an emergency services worker; or
   (d) a person who in the course of their duties is responsible for the provision of transport or freight and 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.
4. 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).