

EMERGENCY MANAGEMENT ACT 2005 (WA)
QUARANTINE (CLOSING THE BORDER) DIRECTIONS
APPROVAL FOR TRANSITING AIRCRAFT PASSENGERS
UNDER PARAGRAPH 27(r)

On 5 April 2020, the State Emergency Coordinator (SEC) made the Quarantine (Closing the Border) Directions (**Directions**).

Under paragraph 27(r) of the Directions, an exempt traveller within the meaning of the Directions includes any person or category of person who the SEC, or someone authorised by the SEC for the purpose, approves in writing, provided that the person or a person in that category complies with any terms or conditions to which that approval is subject.

I, Paul Steel, Assistant Commissioner, having been approved by the SEC for the purpose of giving written approval under paragraph 27(r) of the Directions, give written approval to **transiting aircraft passengers** subject to the following terms and conditions.

PREAMBLE

1. The purpose of this approval is to revoke a previous approval and to provide for the terms and conditions under which transiting aircraft passengers may enter Western Australia as exempt travellers under the Directions in order to limit the spread of COVID-19.

Note 1: a person who is an exempt traveller under this approval and paragraph 27(r) of the Directions remains subject to the Directions so far as they apply to exempt travellers, including paragraph 5 (which identifies circumstances in which an exempt traveller cannot enter Western Australia).

Note 2: this is not an approval under anything except paragraph 27(r) of the Directions. For the avoidance of doubt, it is also necessary to comply with any other relevant directions under State and Commonwealth law, including the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020 of the Commonwealth.

CITATION

2. This approval may be referred to as the **Approval for Transiting Aircraft Passengers**.

COMMENCEMENT

3. This approval comes into effect when it is made.

REVOCATION

4. The Exempt Traveller (Transiting Passengers) Approval and Conditions made on 6 April 2020 is revoked.

APPROVAL

When a person may enter Western Australia under this approval

5. A **short-term transiting passenger** may disembark from the **affected aircraft** at the airport if the person complies with:
 - (a) the terms and conditions set out in paragraph 7; and
 - (b) paragraph 9 if the destination of the person's **next flight** is inside Western Australia, for as long as that paragraph applies to them; and
 - (c) paragraph 10 to the extent that paragraph is relevant to the person.
6. A **long-term transiting passenger** may disembark from the affected aircraft at the airport if the person complies with:
 - (a) the terms and conditions set out in paragraph 8; and
 - (b) paragraph 9 if the destination of the person's next flight is inside Western Australia, for as long as that paragraph applies to them; and
 - (c) paragraph 10 to the extent that paragraph is relevant to the person.

Short-term transiting passengers

7. A short-term transiting passenger may disembark from an affected aircraft at an airport in Western Australia if:
 - (a) as soon as possible after disembarking from the affected aircraft, the person travels in any manner directed by an **authorised officer** and, subject to such a direction, by the most direct route available to the **departure terminal**; and
 - (b) the person remains at the departure terminal until the person boards their next flight, unless otherwise directed by an authorised officer; and
 - (c) the person immediately informs an authorised officer if the person develops or has recently experienced any one or more of these symptoms:
 - (i) a fever of 38 degrees or above; or

- (ii) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); and
- (d) the person at all times:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) takes all reasonable steps to limit interactions with other persons; and
 - (iii) when coughing or sneezing does so into the person's elbow or a tissue; and
- (e) the person washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (f) the person wears a surgical mask (if available and practicable) when transiting through a **terminal** or any other crowded place; and
- (g) the person boards their next flight when it is possible for the person to do so and remains on the next flight until it takes off.

Long-term transiting passengers

8. A long-term transiting passenger may disembark from an affected aircraft at an airport in Western Australia if:
 - (a) as soon as possible after disembarking from the affected aircraft, the person travels in any manner directed by an authorised officer to a **quarantine centre**; and
 - (b) the person complies with any direction given by an authorised officer or an **emergency officer** while at the quarantine centre; and
 - (c) the person remains at the quarantine centre until the person needs to travel to the departure terminal to board their next flight, unless otherwise directed by an authorised officer or an emergency officer; and
 - (d) when the person needs to travel to the departure terminal, the person does so by the most direct route available and in any manner directed by an authorised officer or an emergency officer; and

- (e) the person immediately informs an authorised officer or an emergency officer if the person develops or has recently experienced any one or more of the symptoms described in paragraph 7(c); and
- (f) the person at all times:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) takes all reasonable steps to limit interactions with other persons; and
 - (iii) when coughing or sneezing does so into the person's elbow or a tissue; and
- (g) the person washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (h) the person wears a surgical mask (if available and practicable) when transiting through a terminal or any other crowded place; and
- (i) the person boards their next flight when it is possible for the person to do so and remains on the next flight until it takes off.

Persons who arrive at a WA airport on a next flight or a subsequent flight

9. If a person lands at an airport in Western Australia on a next flight or a **subsequent flight**, the person must comply with each of the following requirements which apply to the person:

Where the person is scheduled to take a flight within 12 hours

- (a) if the person has a **flight within 12 hours** to catch, the person must:
 - (i) as soon as possible after disembarking from the aircraft on which the person took their next flight or their previous subsequent flight, as the case may be, travel in any manner directed by an authorised officer and, subject to such a direction, by the most direct route available to the departure terminal; and
 - (ii) remain at the departure terminal until the person boards their subsequent flight, unless otherwise directed by an authorised officer; and

- (iii) immediately inform an authorised officer if the person develops or has recently experienced any one or more of these symptoms described in paragraph 7(c); and
- (iv) at all times take all reasonable steps to avoid coming within 1.5 metres of another person; and
- (v) at all times take all reasonable steps to limit interactions with other persons; and
- (vi) when coughing or sneezing, do so into the person's elbow or a tissue; and
- (vii) wash their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (viii) wear a surgical mask (if available and practicable) when transiting through a terminal or any other crowded place; and
- (ix) board their flight when it is possible for the person to do so and remain on that flight until it takes off; and

Where the person is scheduled to take a flight in more than 12 and less than 36 hours

- (b) if a person has a **later flight** to catch, the person must:
 - (i) as soon as possible after disembarking from the aircraft on which the person took their next flight or their previous subsequent flight, as the case may be, travel in any manner directed by an authorised officer to a quarantine centre; and
 - (ii) comply with any direction given by an authorised officer or an emergency officer while at the quarantine centre; and
 - (iii) remain at the quarantine centre until the person needs to travel to the departure terminal to board their flight, unless otherwise directed by an authorised officer or an emergency officer; and
 - (iv) when the person needs to travel to the departure terminal, travel by the most direct route available and in any manner directed by an authorised officer or an emergency officer; and

- (v) immediately inform an authorised officer or an emergency officer if the person develops or has recently experienced any one or more of these symptoms described in paragraph 7(c); and
- (vi) at all times take all reasonable steps to avoid coming within 1.5 metres of another person; and
- (vii) at all times take all reasonable steps to limit interactions with other persons; and
- (viii) when coughing or sneezing, do so into the person's elbow or a tissue; and
- (ix) wash their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (x) wear a surgical mask (if available and practicable) when transiting through a terminal or any other crowded place; and
- (xi) board their flight when it is possible for the person to do so and remain on that flight until it takes off.

Example 1: a person lands at Broome Airport on an aircraft out of Darwin. Their next flight (to Perth Airport) is scheduled to depart from Broome Airport within 12 hours of the person disembarking from the aircraft out of Darwin. The person must comply with paragraph 7 from when the person disembarks the aircraft out of Darwin until the person disembarks from their next flight in Perth. If the person will be catching a subsequent flight from Perth within the next 12 hours, the person must comply with paragraph 9(a). If the person will be catching a subsequent flight from Perth in more than 12 hours but less than 36 hours, the person must comply with paragraph 9(b). At each airport where the person lands on another subsequent flight inside Western Australia, the person will have to comply with whichever of paragraph 9(a) or (b) applies to them. That will continue until the person leaves Western Australia.

Example 2: a person lands at Bumbury Airport on an aircraft out of Adelaide. Their next flight (to Perth Airport) is scheduled to depart from Bumbury Airport more than 12 hours but less than 36 hours after the person disembarks from the aircraft out of Adelaide. The person must comply with paragraph 8 from when the person disembarks the aircraft out of Adelaide until the person disembarks from their next flight in Perth.

Once again, if the person will be catching a subsequent flight from Perth within the next 12 hours, the person must comply with paragraph 9(a). If the person will be catching a subsequent flight from Perth in more than 12 hours but less than 36 hours, the person must comply with paragraph 9(b). At each airport where the person lands on another subsequent flight inside Western Australia, the person will have to comply with whichever of paragraph 9(a) or (b) applies to them. That will continue until the person leaves Western Australia.

If a person cannot comply with a requirement of this approval

10. If a person cannot comply with a requirement of this approval, the person must contact an authorised officer as soon as possible and ask for a direction and comply with any direction given.

Example: a person cannot board or leave on a flight. The person must contact an authorised person as soon as possible, ask for a direction and comply with any direction given.

DEFINITIONS

11. **Act** means the *Emergency Management Act 2005* (WA).
12. **Affected aircraft** means an **aircraft** which originated from a place outside Western Australia.
13. **Aircraft** includes any vehicle for travelling by air.
14. **Authorised officer** has the meaning that it has in the **Act**.
15. **Departure terminal** means the terminal from which the person's next flight or subsequent flight (as the case may be) is scheduled to depart.
16. **Direction** means any direction under the Act or the *Public Health Act 2016* (WA) or referred to in the Directions, whether given orally or in writing.
17. **Emergency officer** has the meaning that it has in the *Public Health Act 2016* (WA).
18. **Flight within 12 hours** means a subsequent flight for which a person has a ticket or other booking and which is scheduled to depart from the airport within 12 hours of the person disembarking from the next flight or the previous subsequent flight.
19. **Later flight** means a subsequent flight for which a person has a ticket or other booking and which is scheduled to depart from the airport more than 12 hours but less than 36 hours after the person disembarks from the next flight or the previous subsequent flight.

20. **Long-term transiting passenger** means a person who has landed at an airport in Western Australia in an affected aircraft, provided that:
- (a) the person has a ticket or other booking for their next flight, which is scheduled to depart from that airport more than 12 hours but less than 36 hours after the person disembarks from the affected aircraft; and
 - (b) will leave Western Australia on the next flight, or on the last of one or more subsequent flights:
 - (i) for each of which the person has a ticket or other booking at the time the person landed at the airport in Western Australia in an affected aircraft; and
 - (ii) each of which is scheduled to depart less than 36 hours after the scheduled arrival of the flight which preceded it.
21. **Next flight** means the next flight which the person has to take from the airport where the person landed in an affected aircraft, in order to leave Western Australia or to connect with one or more subsequent flights.
22. **Quarantine centre** means a place specified as a quarantine centre by an authorised officer.
23. **Short-term transiting passenger** means a person who has landed at an airport in Western Australia in an affected aircraft and:
- (a) has a ticket or other booking for their next flight, which is scheduled to depart from that airport within 12 hours of the person disembarking from the affected aircraft; and
 - (b) will leave Western Australia on the next flight, or on the last of one or more subsequent flights:
 - (i) for each of which the person has a ticket or other booking at the time the person landed at the airport in Western Australia in an affected aircraft; and
 - (ii) each of which is scheduled to depart less than 36 hours after the scheduled arrival of the flight which preceded it.
24. **Subsequent flight** means a flight after the next flight (whether that flight is immediately after the next flight or is one of two or more subsequent flights after the next flight), on which a person will leave Western Australia, or will connect with one or more subsequent flights on which the person will ultimately leave Western Australia.
25. **Terminal** means a terminal at a Western Australian airport.

26. **Transiting aircraft passenger** means a short-term transiting passenger or a long-term transiting passenger.

PENALTIES

It may be an offence to fail to comply with the terms or conditions of this approval or the Directions more generally, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.



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Paul Steel
Assistant Commissioner

14 April 2020 1121 hours