

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 70 and 72A

AIR NORTH (CREW AND ENGINEER) DIRECTIONS (NO 3)

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 am on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005 (WA) (Act) (State of Emergency)*. The State of Emergency applies to the State of Western Australia.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, now give the following directions pursuant to my powers under sections 67, 70 and 72A of the Act.

PREAMBLE

1. These directions set out the requirements that apply to an **Air North crew member** immediately after they **enter** Western Australia, and the entry requirements for those who are a **close contact**, and are for the purpose of preventing the importation of COVID-19 into Western Australia and otherwise limiting the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **Air North (Crew and Engineer) Directions (No 3)**.

COMMENCEMENT

3. These directions come into effect at 12.01 am on 9 February 2022.

REVOCATION AND CONTINUING OBLIGATIONS

4. The Air North (Crew and Engineer) Directions (No 2) (**revoked directions**) are revoked.
5. Subject to paragraph 6 and despite paragraph 4, a person who was subject to any obligation or requirement under the revoked directions immediately prior to their revocation must now comply with the requirements of these directions instead as if these directions were in effect immediately before the person became subject to the obligation or requirement under the revoked directions.

6. If more than 7 days have passed since the time a person became subject to the obligation or requirement under the revoked directions, the person must, despite paragraph 4, continue to comply with any requirement to remain in suitable premises or suitable accommodation or otherwise quarantine which still applied to them under the revoked directions immediately before they were revoked until:
 - (a) the person is **tested**; and
 - (b) receives a negative result for that test,provided that the person does not need to test under paragraph (a) if the person has been tested under the revoked directions on or after the sixth day after the person became subject to the obligations or requirement under the revoked directions and received a negative result.
7. A person to whom paragraph 6 applies must produce **acceptable evidence** showing their negative result on request by a **relevant officer**.

DIRECTIONS

8. An Air North crew member who enters Western Australia pursuant to these directions is not required to comply with the Flight Crew Directions (No 11) or the COVID Transition (Border Requirements) Directions, except for paragraphs 4, 5 and 6 of the COVID Transition (Border Requirements) Directions, and must instead comply with these directions.

Entry Requirements

9. Despite paragraph 4(b) of the COVID Transition (Border Requirements) Directions, an Air North crew member who is a close contact within that paragraph may enter Western Australia provided that, before the person enters Western Australia, the person:
 - (a) has completed a period of quarantine for 7 days from the day on which the person last became a close contact; and
 - (b) has been tested for COVID-19 using a rapid antigen test on the 6th day after the person last became a close contact and returned a negative result for that test.

10. An Air North crew member may enter Western Australia in order to work as a flight crew member, cabin crew member or engineer for the purposes of an **intrastate flight**, provided that the person:
- (a) has been tested for COVID-19 using a rapid antigen test immediately prior to embarking their flight into Western Australia and returned a negative result for that test; and
 - (b) has had administered to them a **full course** of an **approved COVID-19 vaccine** and produces **accepted proof of vaccination** to a **relevant officer** on request.

General Requirements

11. While in Western Australia, an Air North crew member who enters Western Australia pursuant to these directions must:
- (a) take all reasonable steps to maintain a distance of at least 1.5 metres from any other person; and
 - (b) practise good hygiene, including but not limited to washing their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending the bathroom, and covering their cough or sneeze; and
 - (c) take all reasonable steps to limit interaction with any passengers or crew members during any flight; and
 - (d) comply with the relevant physical distancing requirements, workplace hygiene requirements set out on pages 4 to 8 of the **approved plan** and monitor for **symptoms** in accordance with the requirements set out on pages 8 and 9 of the approved plan.
12. An Air North crew member who enters Western Australia pursuant to these directions:
- (a) may not disembark an aircraft in Western Australia except for the purpose of conducting a pre-flight safety check; and
 - (b) must remain within the **airside area** of the airport at all times, unless they are directed to leave the airside area of the airport in accordance with paragraph 13.

13. If an Air North crew member who enters Western Australia pursuant to these directions is required to layover overnight in Western Australia for any aircraft breakdown, they must immediately contact a relevant officer and comply with any **instruction** or **direction** given by that relevant officer.
14. An Air North crew member who is directed to quarantine in a **crew hotel** by a relevant officer must:
 - (a) travel as soon as possible, by the most direct and practicable route available and without stopping except as required by law or necessary for fuel to the crew hotel; and
 - (b) if:
 - (i) they satisfy each of the **quarantine release protocols**, remain in the crew hotel for a period ending seven (7) days; or
 - (ii) they do not satisfy each of the quarantine release protocols, remain in the crew hotel for a period ending fourteen (14) days, after the day on which they were last in a **restricted location** or for the duration of the time until their onward flight is able to depart, whichever is the shorter time period; and
 - (c) not leave the crew hotel other than to return to the Western Australian airport for their onward flight by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
 - (d) comply with the relevant travel and accommodation requirements set out on pages 3 and 4 of the approved plan.

Quarantine Requirements

15. A person who is required to comply with paragraph 12 must:
 - (a) remain inside their allocated room at the crew hotel unless:
 - (i) the person is otherwise directed; or
 - (ii) the person must leave to receive urgent medical treatment at a **hospital**; or

- (iii) the person must leave to escape an imminent threat to their safety;
and
- (b) if the person leaves the crew hotel to receive urgent medical treatment at a hospital:
 - (i) prior to leaving the crew hotel (and if it is practicable to do so), telephone the ambulance service or the hospital at which the urgent medical treatment will be sought and inform them that they are subject to a quarantine requirement and need to attend the hospital for urgent medical treatment; and
 - (ii) go to the hospital by ambulance or by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
 - (iii) comply with any direction or instruction given by an **emergency officer** or a **responsible officer**; and
 - (iv) unless otherwise directed by an emergency officer or a responsible officer, return to the crew hotel as soon as possible after the urgent medical treatment has been provided by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
- (c) if the person leaves the crew hotel to escape an imminent threat to their safety:
 - (i) go no further from the crew hotel than the person has to in order to escape that threat; and
 - (ii) return to the crew hotel as soon as it is safe to do so; and
 - (iii) if unable to return to the crew hotel within an hour of leaving, telephone the police on 131 444 and inform them that they are subject to a quarantine requirement and had to leave the crew hotel;
and

- (d) if the person develops or has recently experienced symptoms:
 - (i) immediately telephone 13 COVID (13 268 43) and ask for an instruction; and
 - (ii) comply with any instruction given; and
- (e) not allow any person to access their allocated room at the crew hotel unless the person:
 - (i) is a relevant officer or a person assisting a relevant officer; or
 - (ii) accesses the allocated room for medical or emergency purposes; or
 - (iii) is required to access the allocated room for the purpose of performing critical and time-sensitive maintenance; or
 - (iv) is acting in compliance with a direction or instruction given by a relevant officer,

provided that no more than two persons access the allocated room at any one time if they access the relevant place in accordance with subparagraph (e)(i) to (iii); and
- (f) keep the door to their allocated room closed at all times, except to the extent necessary:
 - (i) to allow a person referred to in subparagraph (e) to enter the room; or
 - (ii) for receiving deliveries including meals, packages or medical treatment; or
 - (iii) for the disposal of rubbish and the collection of linen at pre-arranged times; and
- (g) wear a **face mask** at all times whenever the door to their allocated room is open or whilst a person referred to in subparagraph (e) is inside their allocated room unless one or more of the **face covering exceptions** apply.

Entry into high risk settings

16. An Air North crew member must not enter a **high risk setting** during the **exclusion period** unless:
- (a) the person is authorised, or is a member of a class of persons authorised by the Chief Health Officer (or a person designated by the Chief Health Officer to authorise a person or class of persons for the purposes of this paragraph) to enter the high risk setting and complies with all terms or conditions to which that authorisation is subject; or
 - (b) the person does so for the purposes of obtaining emergency medical treatment at a hospital or other appropriate medical facility and the person advises a relevant officer prior to attending or as soon as possible upon their arrival that they are subject to this clause.

Requirement to wear face mask

17. Without derogating from any other requirement under this direction or another direction to wear a face mask, an Air North crew member must comply with the **face covering requirements**.

INCONSISTENCY

18. If there is any conflict between these directions and the COVID Transition (Border Requirements) Directions or Flight Crew Directions (No 11), these directions prevail to the extent of any inconsistency.

INTERPRETATION

19. Unless specified otherwise, any reference in these directions to any other direction made by the State Emergency Coordinator is deemed to be a reference to that direction as amended or replaced from time to time.

DEFINITIONS

20. **Acceptable evidence** has the same meaning that it has in the COVID Transition (Modification of Obligations) Directions.
21. **Accepted proof of vaccination** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

22. **Affected aircraft** means an **aircraft** which originated from a place outside Western Australia.
23. **Aircraft** includes any vehicle for travelling by air.
24. **Air North crew member** means:
- (a) any member of the flight crew or cabin crew of an Air North aircraft; and
 - (b) any engineer of an Air North aircraft,
- who:
- (c) has been in a restricted location; and
 - (d) has not been in a place outside of Australia,
- in the 14 days before the person enters Western Australia.
25. **Airside area** means the area catering for air traffic at an airport in Western Australia, and excludes the airport terminal.
26. **Approved COVID-19 vaccine** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
27. **Approved plan** means the plan entitled "Airthort COVID-19 Management Plan – Intrastate Flights in Western Australia" dated 11 January 2022.
28. **Authorised officer** has the same meaning that it has in the Act.
29. **Close contact** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
30. **Crew hotel** means the hotel which has been organised for an Air North crew member by Air North in the event of an aircraft breakdown under the approved plan, or any other hotel which is approved in writing by me, or a person authorised by me for that purpose, as an approved crew hotel under the Flight Crew Directions (No 11).
31. **Direction** includes any direction given under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing, and **directed** includes directed by way of a direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
32. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).

33. **Enter** means to disembark from an **affected aircraft** onto land anywhere in Western Australia.
34. **Exclusion period** means the period ending 14 days after the day a person is required to commence a period of quarantine under these directions.
35. **Face covering exception** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
36. **Face covering requirements** means the requirements of paragraphs 24B and 24C of the COVID Transition (Border Requirements) Directions.
37. **Face mask** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
38. **Full course** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
39. **High risk setting** has the same meaning that it has in the COVID Transition (Testing and Isolation) Directions.
40. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
41. **Instruction** means an instruction given for the purposes of these directions which is not a direction, whether the instruction is given orally or in writing.
42. **Intrastate flight** means a flight between two airports in Western Australia.
43. **Quarantine release protocols** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.
44. **Relevant officer** means:
 - (a) an **authorised officer**; or
 - (b) an emergency officer; or
 - (c) a responsible officer.
45. **Responsible officer** means:
 - (a) an officer, employee or contractor of the Department of Health; or
 - (b) an officer, employee or contractor of a health service provider, as that term is defined by section 6 of the *Health Services Act 2016* (WA); or

(c) any other person authorised by the Chief Health Officer orally or in writing to perform a function for the purposes of these directions.

46. **Restricted location** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

47. **Symptoms** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

48. **Tested** has the same meaning that it has in the COVID Transition (Border Requirements) Directions.

PENALTIES

It may be an offence to fail to comply with any of these directions, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.

Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

8 February 2022 2021 hours