

Form 59
Rule 29.02(1)

Affidavit

Federal Court of Australia
District Registry: New South Wales
Division: General

No. NSD 912 of 2020

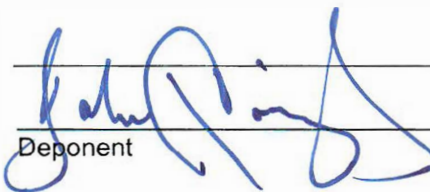
Clive Frederick Palmer
Applicant/Cross-Respondent

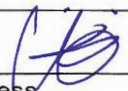
Mark McGowan
Respondent/Cross-Claimant

Affidavit of: John Robert Quigley
Address: Level 11, Dumas House, 2 Havelock Street West Perth, WA 6005
Occupation: Attorney General of Western Australia
Date: 24 January 2022

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Deponent


Witness

Filed on behalf of: The respondent

Prepared by: Nick Cooper
Law firm: Clayton Utz


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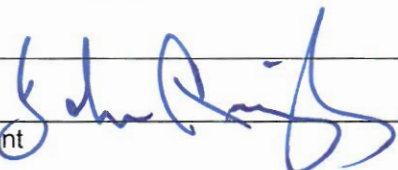
I, **John Robert Quigley** of Level 11, Dumas House, 2 Havelock Street West Perth, WA 6005, Attorney General of Western Australia, say on oath:

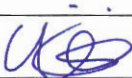
1. I am the Attorney General of the State of Western Australia and have been since 16 March 2017. I am also currently the Minister for Electoral Affairs.
2. I am the member for Butler in the Western Australian Legislative Assembly.
3. I have previously sworn an affidavit in these proceedings dated 25 March 2021.
4. I understand that for the evidence in my affidavit of 25 March 2021 to be relied upon I am required to be available to give oral evidence at the trial of this matter. I understand the trial of this matter has been listed for 31 January 2022 until 18 February 2022.
5. On 20 January 2022 the Premier and Minister for Health announced the revised border arrangements that would be in place from 5 February 2022.
6. Under the arrangements announced on 20 January 2022, I understand that after 5 February I would be permitted to re-enter Western Australia after giving evidence in this matter in New South Wales as I would be an approved interstate traveller (as a State Member of Parliament and a person required to attend a court matter).
7. Upon my return to Western Australia I would be subject to a number of requirements including a requirement to undertake 14 days of self-quarantine at a suitable premises (subject to any exceptions that may be contained in the applicable directions).
8. The first sitting days of this year of the Legislative Assembly of the Parliament of Western Australia are 15 to 17 February 2022. The Legislative Assembly is also sitting on 22 to 24 February 2022.
9. The Legislative Assembly does not allow or have the capability for members to participate remotely. Accordingly, if my evidence in this matter was concluded by 4 February and I returned to Western Australia on 5 February then I would be in self-quarantine from 5 February 2022 until 19 February 2022. I would therefore be in self-quarantine and unable to attend Parliament during the first 3 sitting days of the year (subject to any exceptions that may be contained in the applicable directions). Alternatively, if my evidence in this matter was concluded by 11 February and I returned to Western Australia on 12 February then I would be in self-quarantine from 12 February until 26 February 2022. I would therefore be in self-quarantine and unable to attend Parliament during the first 6 sitting days of the year (subject to any exceptions that may be contained in the applicable directions).

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10. During the first 6 sitting days of the year I am expected to personally attend the Legislative Assembly as follows:
- (a) Tuesday 15 and 22 February 2022 from 2:00pm to approximately 10:00pm;
 - (b) Wednesday 16 and 23 February 2022 from 12:00pm to approximately 10:00pm; and
 - (c) Thursday 17 and 24 February 2022 from 9:00am to approximately 5:00pm.
11. In addition to attending the Legislative Assembly on the days and times outlined in paragraph 10(above) during the first 6 sitting days of the year I am expected to attend to several important Parliamentary commitments as follows:
- (a) As the Minister responsible for the *Bail Act 1982 (WA)* I am scheduled to introduce and first read the *Bail Amendment Bill 2022 (WA)* in the Legislative Assembly on 15 February 2022, and to second read the Bill in the Legislative Assembly on 16 February 2022. Under the Bill courts must give particular consideration to the nature and seriousness of sexual offending and aim to ensure alleged child victims are at the centre of decision-making in relation to bail. If I am not in Parliament to introduce this Bill its introduction will be delayed until I am able to attend Parliament and introduce it; and
 - (b) As the Attorney General and Minister for Electoral Affairs, attending the Legislative Assembly, and being available to answer Questions With Notice and Questions Without Notice during Question Time on Tuesday 15 and 22 February 2022 from 2:05pm to 2:45pm, Wednesday 16 and 23 February 2022 from 2:00pm to 2:45pm, and Thursday 17 and 24 February 2022 from 2:00pm to 2:45pm.
12. Apart from the Parliamentary commitments outlined above, between 5 February 2022 and 26 February 2022 I am scheduled to personally attend several meetings in Western Australia as the Attorney General as follows:
- (a) attending and participating in the Prison Services Evaluation and Budget Sustainability Ministerial Oversight Committee meeting on 8 February 2022;
 - (b) delivering an address at the launch of the Department of Justice's Reconciliation Action Plan on 14 February 2022;
 - (c) attending the swearing in ceremony for a Magistrate of the Magistrates Court of Western Australia on 22 February 2022; and
 - (d) attending the Women Lawyers Honours Dinner on 25 February 2022.

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13. As a member of Cabinet, between 5 February 2022 and 26 February 2022 I am expected to personally attend Cabinet meetings on 7, 14 and 21 February 2022 in Western Australia. On rare occasions I have attended these meeting remotely. However, due to security concerns, and to facilitate Cabinet operating optimally, I understand these requests are only granted in exceptional circumstances.
14. As a member of Cabinet I am also expected to personally attend Security and Emergency Committee of Cabinet and State Disaster Council meetings in Western Australia. These meetings are called at short notice. I anticipate that one or more of these meetings will be scheduled between 5 February 2022 and 26 February 2022. Although in the past it has been possible to join these meetings remotely, for reasons of security and the effective conduct of these meetings members are usually required to attend in person.

Attending Parliament during quarantine period

15. Under the currently existing border directions, pursuant to section 28(a) of the Outbreak Outside of Western Australia Response Directions (No 19) (**Outbreak Directions**), on re-entry to Western Australia from New South Wales, at the discretion of a police officer at the rank of Senior Sergeant and above, a government official such as myself can be directed to:
- (a) comply with the re-entry conditions specified in paragraph 7 above, being hotel quarantine in a government approved facility (Outbreak Directions, 28(a)(i)); or
 - (b) comply with a modified quarantine regime (Outbreak Directions, 28(a)(ii), 29 and 104(b)); or
 - (c) comply with the government official requirements, which would allow me to self-quarantine in a suitable premises and leave the suitable premises on occasions throughout the quarantine period where it is necessary for me to perform official duties or functions in connection with my position as Premier of Western Australia (Outbreak Directions, 28(a)(iii) and Schedule A).

Annexed hereto and marked **JRQ1** is a true copy of the Outbreak Directions.

16. A direction for compliance with government official requirements would allow me to attend my place of work, being Dumas House and Parliament House, during the mandatory quarantine period. A modified quarantine direction could also facilitate this arrangement (Outbreak Directions, 29).
17. In that event, any person I have 'direct contact' with would be deemed an 'extreme risk' contact and would be subject to mandatory quarantine for a period of 14 days pursuant to section 41 of the Outbreak Directions. 'Direct contact' involves more than 15 minutes of face-to-face contact in any setting, or more than 2 hours in the same room, or any face-to-face contact where face coverings are not worn or physical distancing is not maintained (Outbreak Directions, section 74). Any person

Deponent

Witness

who is an extreme risk contact must quarantine for 14 days and there is no provision in the Outbreak Directions for that requirement to be modified to permit them to attend their place of work or elsewhere.

18. The directions that will implement the changes to apply to border controls after 5 February are in the process of being prepared but they have not yet been finalised or signed by the State Emergency Coordinator.
19. Even if the directions that are to apply after 5 February contain a regime similar to that described in 15 and 16 above which would allow me to apply to be permitted to attend Parliament during the quarantine period, I would not make such an application. This is because:
 - (a) I consider that attending Parliament House shortly after being in Sydney would carry too high a risk of me inadvertently transmitting COVID-19 to others in Parliament;
 - (b) if the same (or similar) 'direct contact' regime as described in paragraph 17 above applies after 5 February 2020, my attendance at Parliament would cause many Members of Parliament and staff to have to isolate, including all members of the Legislative Assembly; and
 - (c) I would not want to seek different conditions to those which any other Western Australian would be subject to.

Sworn by the deponent John Robert Quigley
at Perth in the State of Western Australia
this 24th day of January 2022

Before me:



Signature of witness



Deponent

Cecilia Louise Cornu, a legal practitioner who has held a practice certificate for 2 years and who holds a current practice certificate

Rule 29.02

Annexure Certificate JRQ1

Federal Court of Australia
District Registry: New South Wales
Division: General

No. NSD 912 of 2020

Clive Frederick Palmer

Applicant/Cross-Respondent

Mark McGowan

Respondent/Cross-Claimant

This is the Annexure marked "JRQ1" referred to in the affidavit of John Robert Quigley sworn at Perth, Western Australia on 24 January 2022.

Before me:


.....
Witness

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EMERGENCY MANAGEMENT ACT 2005 (WA)**Sections 67, 70 and 72A****OUTBREAK OUTSIDE OF WESTERN AUSTRALIA RESPONSE DIRECTIONS
(NO 19)**

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. The purpose of these directions is to help prevent the importation of COVID-19 into Western Australia following an outbreak or outbreaks of COVID-19 outside of Western Australia, and to otherwise limit the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **Outbreak Outside of Western Australia Response Directions (No 19)**.

COMMENCEMENT

3. These directions come into effect upon signing.

REVOCATION AND CONTINUING OBLIGATIONS

4. These directions revoke the **Outbreak Outside of Western Australia Response Directions (No 18) (revoked directions)**.
5. Despite paragraph 4, if a person was subject to a requirement in the revoked directions immediately before the date and time specified in paragraph 3, including by operation of paragraph 5 of the revoked directions, the person must continue to comply with that requirement to the same extent that the person would if the revoked directions had not been revoked.

- 5A. Any approval given by me or a person authorised by me for that purpose under paragraph 6(c) of the revoked directions, or continued in effect by the revoked directions, continues in effect as if it was made under paragraph 6(c) of these directions.

DIRECTIONS

Requirements for a person subject to a specified arrangement

Entry by a person subject to a specified arrangement

6. A person who is subject to a **specified arrangement** and who:
- (a) is an **indirect international arrival**; or
 - (b) has been in an **outbreak jurisdiction**:
 - (i) after the **relevant time** for that outbreak jurisdiction; and
 - (ii) in the 14 days before the person **enters** Western Australia,
- may only **enter** Western Australia if the person:
- (c) is approved by me, or a person authorised by me for that purpose (whether in a specific instance or otherwise), and complies with any terms or conditions to which that approval is subject; and
 - (d) despite paragraphs 4A and 4B of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5 and (save for a **transport, freight and logistics driver**) 6A of the Controlled Border for Western Australia Directions,

and, despite paragraphs 4A and 4B of the Controlled Border for Western Australia Directions, (and consistent with paragraph 5B of the Controlled Border for Western Australia Directions) must comply with paragraph 5A of the Controlled Border for Western Australia Directions.

Requirements for supervised quarantine travellers

Entry requirements for supervised quarantine travellers

7. A **supervised quarantine traveller** may only enter Western Australia if the person:
- (a) meets each of the **supervised quarantine requirements**; and

- (b) despite paragraph 4A of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5, and 6A of the Controlled Border for Western Australia Directions,

provided that nothing in this paragraph prevents a person who is a supervised quarantine traveller from entering Western Australia in accordance with any other paragraph of these directions.

8. Despite paragraph 4A of the Controlled Border for Western Australia Directions, a supervised quarantine traveller must comply with paragraph 5A of the Controlled Border for Western Australia Directions after their entry into Western Australia.

Presentation for testing requirements for supervised quarantine travellers

9. Subject to paragraph 11, a supervised quarantine traveller, other than an **extreme risk supervised quarantine traveller**, must comply with the **post-quarantine presentation requirement**.
10. Notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), a supervised quarantine traveller, other than an extreme risk supervised quarantine traveller, is not required to comply with the:
- (a) **airport presentation requirement**; or
 - (b) **48 hour presentation requirement**; or
 - (c) **6th day presentation requirement**; or
 - (d) **12th day presentation requirement**.

Quarantine and testing requirements for extreme risk supervised quarantine travellers

11. Unless:
- (a) an **authorised officer** directs otherwise, which **direction** may add to, remove or modify the requirements of this paragraph; or
 - (b) the extreme risk supervised quarantine traveller is an **excused supervised quarantine traveller**,
- an extreme risk supervised quarantine traveller must comply with the:
- (c) **self-quarantine requirements**; and
 - (d) **airport presentation requirement**; and

- (e) 24 hour presentation requirement (unless the extreme risk traveller was tested for COVID-19 after complying with the airport presentation requirement); and
 - (f) 12th day presentation requirement.
12. Notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), an extreme risk supervised quarantine traveller is not required to comply with the:
- (a) 48 hour presentation requirement; or
 - (b) 6th day presentation requirement.
13. An excused supervised quarantine traveller must comply with the post-quarantine presentation requirement.
14. Notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), an excused supervised quarantine traveller is not required to comply with the:
- (a) airport presentation requirement; or
 - (b) 48 hour presentation requirement; or
 - (c) 6th day presentation requirement; or
 - (d) 12th day presentation requirement.

Requirements for medium risk travellers

Entry requirements applying to medium risk travellers

15. A **medium risk traveller** may only enter Western Australia if the person:
- (a) is an **approved traveller**; and
 - (b) despite paragraph 4A of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5, and 6A of the Controlled Border for Western Australia Directions,
- and the person either:

- (c) meets each of the following additional requirements:
- (i) the person:
 - (A) 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; or
 - (B) is **vaccine ineligible** and produces evidence of this to the satisfaction of a relevant officer on request; or
 - (C) is **vaccine exempt** and produces **accepted proof of vaccination exemption** to a relevant officer on request; and
 - (ii) the person has access to **suitable premises** which are located:
 - (A) in the case of a medium risk traveller who has **entered** Western Australia other than by crossing the border by road, within a distance that may reasonably be travelled by **motor vehicle** within 12 hours, including provision for reasonable rest periods, and without exceeding applicable speed limits, of their **point of entry** into Western Australia; or
 - (B) in the case of a medium risk traveller who has entered Western Australia by crossing the border by road, within a distance of 1500 kilometres of their point of entry into Western Australia; and
 - (iii) if the person is not an **exempt child**, the person has downloaded the **G2G Now app** to a **suitable device** which will be accessible to that person at all times while they remain subject to a quarantine requirement; or
- (d) is approved by me or a person authorised by me for that purpose notwithstanding that the person does not meet one or more of the additional requirements in paragraph 15(c), and complies with any terms or conditions to which that approval is subject.

Presentation for testing requirements for medium risk travellers

16. Unless an authorised officer directs otherwise, a medium risk traveller:
- (a) must comply with the **24 hour presentation requirement**; and
 - (b) notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), is not required to comply with the 48 hour presentation requirement.

Quarantine requirements applying to medium risk travellers

17. Unless an authorised officer directs otherwise, which direction may add to, remove or modify the requirements of this paragraph, a medium risk traveller:
- (a) falling into one or more of the categories described in paragraph 68(a) to (e), must comply with the **government official requirements**; or
 - (b) falling into paragraph 68(f) to (g) must comply with the self-quarantine requirements or any **modified quarantine direction** given to the person by an authorised officer; and
 - (c) despite paragraph 4A of the Controlled Border for Western Australia Directions, must comply with paragraph 5A of the Controlled Border for Western Australia Directions.
18. Notwithstanding any provision in a **quarantine requirement** that allows a person to travel a greater distance or stop for rest while travelling to suitable premises, a medium risk traveller who has entered Western Australia other than by crossing the border by road, must travel:
- (a) as soon as possible; and
 - (b) by the most direct route available; and
 - (c) without stopping except as required by law or necessary for fuel or rest, and for the avoidance of doubt without stopping overnight,
- to suitable premises that are located within a distance that may reasonably be travelled by motor vehicle within 12 hours, including provision for reasonable rest periods, and without exceeding applicable speed limits, of their point of entry into Western Australia, unless alternate travel arrangements have been approved by me or a person

authorised by me for that purpose and the medium risk traveller complies with any terms or conditions to which that approval is subject.

19. Notwithstanding any provision in a quarantine requirement that allows a person to travel a greater distance or stop for rest while travelling to suitable premises, a medium risk traveller who has entered Western Australia by road, must travel:

- (a) as soon as possible; and
- (b) by the most direct route available; and
- (c) without stopping except as required by law or necessary for fuel or rest, including for the purpose of stopping overnight for one night only; and
- (d) without exceeding applicable speed limits

to suitable premises that are located within 1500 kilometres, of their point of entry into Western Australia, unless alternate travel arrangements have been approved by me or a person authorised by me for that purpose and the medium risk traveller complies with any terms or conditions to which that approval is subject.

20. A medium risk traveller (other than an exempt child) who has entered Western Australia must, at all times while such person remains subject to a quarantine requirement:

- (a) do all things necessary to ensure that the G2G Now app may be used through their suitable device, including but not limited to:
 - (i) enabling camera access for the G2G Now app; and
 - (ii) enabling push notifications for the G2G Now app; and
 - (iii) enabling location services for the G2G Now app; and
- (b) have read the **terms of use**; and
- (c) remain in close proximity to their suitable device; and
- (d) monitor their suitable device for messages or instructions received from the G2G Now app; and
- (e) promptly respond to any message received from the G2G Now app in a manner consistent with that message, and comply with any instructions received from the G2G Now app; and

- (f) subject to paragraph 44, use the G2G Now app in accordance with the terms of use,

unless such person has been exempted from compliance with this paragraph 20 by me or a person authorised by me for that purpose, and the medium risk traveller complies with any terms or conditions to which that exemption is subject.

Requirements for high risk travellers

Entry requirements applying to high risk travellers

21. A **high risk traveller** may only enter Western Australia if the person:

- (a) is an approved traveller; and
- (b) despite paragraph 4A of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5, and 6A of the Controlled Border for Western Australia Directions,

and the person either:

- (c) meets each of the following additional requirements:
- (i) the person:
- (A) 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; or
- (B) is vaccine ineligible and produces evidence of this to the satisfaction of a relevant officer on request; or
- (C) is vaccine exempt and produces accepted proof of vaccination exemption to a relevant officer on request; and
- (ii) the person has access to suitable premises which are located within 200 kilometres of their point of entry into Western Australia; and
- (iii) if the person is not an exempt child, the person has downloaded the G2G Now app to a suitable device which will be accessible to that person at all times while they remain subject to a quarantine requirement; or
- (d) is approved by me or a person authorised by me for that purpose notwithstanding that the person does not meet one or more of the additional

requirements in paragraph 21(c), and complies with any terms or conditions to which that approval is subject.

Presentation for testing requirements for high risk travellers

22. Unless an authorised officer directs otherwise, a high risk traveller:
- (a) must comply with the 24 hour presentation requirement; and
 - (b) notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), is not required to comply with the 48 hour presentation requirement.

Quarantine requirements applying to high risk travellers

23. Unless an authorised officer directs otherwise, which direction may add to, remove or modify the requirements of this paragraph, a high risk traveller:
- (a) falling into one or more of the categories described in paragraph 68(a) to (e), must comply with the government official requirements; or
 - (b) falling into paragraph 68(f) to (g) must comply with the self-quarantine requirements or any modified quarantine direction given to the person by an authorised officer; and
 - (c) despite paragraph 4A of the Controlled Border for Western Australia Directions, must comply with paragraph 5A of the Controlled Border for Western Australia Directions.
24. Notwithstanding any provision in a quarantine requirement that allows a person to travel a greater distance or stop for rest while travelling to suitable premises, a high risk traveller who has entered Western Australia must travel:
- (a) as soon as possible; and
 - (b) by the most direct route available; and
 - (c) without stopping except as required by law or necessary for fuel or rest, and for the avoidance of doubt without stopping overnight,
- to suitable premises that are located within 200 kilometres of their point of entry into Western Australia, unless alternate travel arrangements have been approved by me or a person authorised by me for that purpose, and the high risk traveller complies with any terms or conditions to which that approval is subject.

25. A high risk traveller (other than an exempt child) who has entered Western Australia must, at all times while such person remains subject to a quarantine requirement that is not the **centre quarantine requirements**:

- (a) do all things necessary to ensure that the G2G Now app may be used through their suitable device, including but not limited to:
 - (i) enabling camera access for the G2G Now app; and
 - (ii) enabling push notifications for the G2G Now app; and
 - (iii) enabling location services for the G2G Now app; and
- (b) have read the terms of use; and
- (c) remain in close proximity to their suitable device; and
- (d) monitor their suitable device for messages or instructions received from the G2G Now app; and
- (e) promptly respond to any message received from the G2G Now app in a manner consistent with that message, and comply with any instructions received from the G2G Now app; and
- (f) subject to paragraph 44, use the G2G Now app in accordance with the terms of use,

unless such person has been exempted from compliance with this paragraph 25 by me or a person authorised by me for that purpose, and the high risk traveller complies with any terms or conditions to which that exemption is subject.

26. If a high risk traveller resides or intends to reside in suitable premises at which there is, or will be, an **exposed household contact**, the high risk traveller must notify the WA Police Force by calling the 13 COVID (13 268 43) hotline at the earliest practicable time, providing the following information in relation to each person who is or will be an exposed household contact:

- (a) full name; and
- (b) date of birth; and
- (c) telephone number; and
- (d) email address; and

- (e) address of suitable premises.

Requirements for extreme risk travellers

Entry requirements applying to extreme risk travellers

27. An **extreme risk traveller** may only enter Western Australia if the person:

- (a) is:
- (i) a **government official extreme risk traveller**; or
 - (ii) a specialist required for the performance of time-critical services where the specialist's skills are not otherwise reasonably available in Western Australia:
 - (A) whose entry into Western Australia has been individually approved by me or the Chief Health Officer; or
 - (B) who belongs to a specified class of specialist worker that has been approved by me or the Chief Health Officer for the purposes of this paragraph 27(a)(ii); or
 - (iii) a person approved under paragraph 68(g) on one of the following grounds:
 - (A) to attend the funeral of a direct lineal relative; or
 - (B) to visit a direct lineal relative who is terminally ill and/or receiving palliative care; or
 - (C) is a member of the family of an approved traveller; or
 - (D) is a person who is a student and usually resides in an education residential facility in another State or Territory (such as, for example, a boarding school or college) which is closed for scheduled holidays, who needs to enter Western Australia to stay with family or a carer; and

Note: This provision is not confined to persons under the age of 18. It may include, for example, a boarder at a high school or a university student living at one of the university's residential colleges.

- (b) despite paragraphs 4A and 4B of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5, and 6A of the Controlled Border for Western Australia Directions; and
- (c) meets each of the following additional requirements, unless such entry has been approved by me or the Chief Health Officer:
 - (i) the person:
 - (A) 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; or
 - (B) is vaccine ineligible and produces evidence of this to the satisfaction of a relevant officer on request; or
 - (C) is vaccine exempt and produces accepted proof of vaccination exemption to a relevant officer on request; and
 - (ii)
 - (iii) if the person will not be subject to the centre quarantine requirements, the person has access to suitable premises which are located within 200 kilometres of their point of entry into Western Australia; and
 - (iv) if the person will not be subject to the centre quarantine requirements or is not an exempt child, the person has downloaded the G2G Now app to a suitable device which will be accessible to that person at all times while they remain subject to a quarantine requirement.

Quarantine requirements applying to government official extreme risk travellers

28. A government official extreme risk traveller who enters Western Australia:

- (a) must, subject to paragraph 29, comply with:
 - (i) the centre quarantine requirements; or
 - (ii) a modified quarantine direction described in paragraph 104(b) of these directions; or
 - (iii) the government official requirements,

as directed by me or a person authorised by me for that purpose; and

- (b) must comply with:
 - (i) the airport presentation requirement; and
 - (ii) the 24 hour presentation requirement (unless the government official extreme risk traveller was tested for COVID-19 after complying with the airport presentation requirement); and
 - (iii) the 6th day presentation requirement; and
 - (iv) the 12th day presentation requirement,

unless that government official extreme risk traveller is subject to the centre quarantine requirements; and

- (c) despite paragraphs 4A and 4B of the Controlled Border for Western Australia Directions, must comply with paragraph 5A of the Controlled Border for Western Australia Directions.

29. A government official extreme risk traveller who:

- (a) is directed under paragraph 28(a)(i) to comply with the centre quarantine requirements; and
- (b) becomes obliged to perform duties or functions of their office at a time when they remain subject to the centre quarantine requirements,

may be given a modified quarantine direction described in paragraph 104(b) of these directions by me or a person authorised by me for that purpose, and must, from the time any such direction is given, comply with the modified quarantine direction and not the centre quarantine requirements.

30. Notwithstanding any provision in a quarantine requirement that allows a person to travel a greater distance or stop for rest while travelling to suitable premises, a government official extreme risk traveller who is not subject to the centre quarantine requirements and who has entered Western Australia 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 suitable premises that are located within 200 kilometres of their point of entry into Western Australia, unless alternate travel arrangements have been approved by me or a person authorised by me for that purpose, and the

government official extreme risk traveller complies with any terms or conditions to which that approval is subject.

31. A government official extreme risk traveller who has entered Western Australia and who is not subject to the centre quarantine requirements must, at all times while such person remains subject to a quarantine requirement:

- (a) do all things necessary to ensure that the G2G Now app may be used through their suitable device, including but not limited to:
 - (i) enabling camera access for the G2G Now app; and
 - (ii) enabling push notifications for the G2G Now app; and
 - (iii) enabling location services for the G2G Now app; and
- (b) have read the terms of use; and
- (c) remain in close proximity to their suitable device; and
- (d) monitor their suitable device for messages or instructions received from the G2G Now app; and
- (e) promptly respond to any message received from the G2G Now app in a manner consistent with that message, and comply with any instructions received from the G2G Now app; and
- (f) subject to paragraph 44, use the G2G Now app in accordance with the terms of use,

unless such person has been exempted from compliance with this paragraph 31 by me or a person authorised by me for that purpose, and the government official extreme risk traveller complies with any terms or conditions to which that exemption is subject.

32. If a government official extreme risk traveller resides or intends to reside in suitable premises at which there is, or will be, an exposed household contact, the government official extreme risk traveller must notify the WA Police Force by calling the 13 COVID (13 268 43) hotline at the earliest practicable time, providing the following information in relation to each person who is or will be an exposed household contact:

- (a) full name; and
- (b) date of birth; and

- (c) telephone number; and
- (d) email address; and
- (e) address of suitable premises.

Quarantine requirements applying to other extreme risk travellers

33. If the extreme risk traveller is a **specialist extreme risk traveller** or is an extreme risk traveller falling into paragraph 27(a)(iii), the extreme risk traveller:
- (a) must comply with the centre quarantine requirements; and
 - (b) despite paragraphs 4A and 4B of the Controlled Border for Western Australia Directions, must comply with paragraph 5A of the Controlled Border for Western Australia Directions provided that they must comply with the centre quarantine requirements and not the Quarantine (Undiagnosed) Directions during any period when they remain subject to the centre quarantine requirements.
34. Notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), an extreme risk traveller who is a specialist extreme risk traveller or is an extreme risk traveller falling into paragraph 27(a)(iii) is not required to comply with the:
- (a) airport presentation requirement; or
 - (b) 48 hour presentation requirement; or
 - (c) 6th day presentation requirement; or
 - (d) 12th day presentation requirement.

Requirements for indirect international arrivals

Entry requirements applying to indirect international arrivals

35. An indirect international arrival, other than any person who is an extreme risk traveller or who is subject to a specified arrangement, may only enter Western Australia if the person:
- (a) is an approved traveller; and

- (b) despite paragraph 4B of the Controlled Border for Western Australia Directions, complies with paragraphs 4, 5, and 6A of the Controlled Border for Western Australia Directions,

and the person either:

- (c) meets each of the following additional requirements:
- (i) the person:
 - (A) 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; or
 - (B) is vaccine ineligible and produces evidence of this to the satisfaction of a relevant officer on request; or
 - (C) is vaccine exempt and produces accepted proof of vaccination exemption to a relevant officer on request; or
 - (d) is approved by me or a person authorised by me for that purpose notwithstanding that the person does not meet one or more of the additional requirements in paragraph (c), and complies with any terms or conditions to which that approval is subject.

Quarantine requirements applying to indirect international arrivals

36. An indirect international arrival, other than any person who is subject to a specified arrangement:
- (a) must, unless otherwise directed by me or a person authorised by me for that purpose, which direction may add to, remove or modify the requirements of this paragraph, comply with the centre quarantine requirements; and
 - (b) despite paragraph 4B of the Controlled Border for Western Australia Directions, must comply with paragraph 5A of the Control Border for Western Australia Directions provided that they must comply with the centre quarantine requirements and not the Quarantine (Undiagnosed) Directions during any period when they remain subject to the centre quarantine requirements.

37. Unless otherwise directed by me or a person authorised by me for that purpose, which direction may add to, remove or modify the requirements of this paragraph, and notwithstanding any provision to the contrary in the Presentation for Testing Directions (No 37), an indirect international arrival is not required to comply with the:
- (a) airport presentation requirement; or
 - (b) 48 hour presentation requirement; or
 - (c) 6th day presentation requirement; or
 - (d) 12th day presentation requirement.

Requirements applying to exposed household contacts and persons having direct contact with an extreme risk traveller

Quarantine requirements applying to exposed household contacts

38. If a high risk traveller or an extreme risk traveller (**affected traveller**) who is subject to a quarantine requirement resides in suitable premises at which any other person is also residing, the other person (**A**) becomes an exposed household contact for the purposes of these directions from the time the affected traveller and A are first in or at the suitable premises at the same time, provided that A does not become an exposed household contact if the affected traveller:
- (a) has undertaken quarantine at a quarantine centre for a period of 11 or more days in accordance with the centre quarantine requirements or the **children requirements**; and
 - (b) has left their allocated room at the quarantine centre in accordance with the centre quarantine requirements or the children requirements in order to undertake quarantine at the suitable premises.
39. An exposed household contact must, unless otherwise directed by me or a person authorised by me for that purpose:
- (a) in addition to the requirements in paragraph 44, comply with paragraphs 21(c)(iii) and 25 as if that exposed household contact is a high risk traveller provided that the obligation to download the G2G Now app arises at the time the person becomes an exposed household contact; and

(b) in a case where they are sharing suitable premises with a high risk traveller, comply with:

- (i) the self-quarantine requirements; or
- (ii) if the exposed household contact is a person responsible for the care of a **child** residing at the suitable premises, the children requirements,

for the **high risk modified quarantine period**, save for any requirements relating to how a person must travel to suitable premises or what a person must do while travelling to suitable premises; and

(c) in a case where they are sharing suitable premises with an extreme risk traveller comply with:

- (i) the self-quarantine requirements; or
- (ii) if the exposed household contact is a person responsible for the care of a **child** residing at the suitable premises, the children requirements,

for the **extreme risk contact modified quarantine period**, save for any requirements relating to how a person must travel to suitable premises or what a person must do while travelling to suitable premises; and

(d) comply with the 12th day presentation requirement and, if the exposed household contact is subject to the children requirements, ensure any child in connection with whom the exposed household contact is required to comply with the children requirements complies with the 12th day presentation requirement; and

(e) unless the person has evidence that such notice has already been given pursuant to paragraph 26 or 32 (as applicable), as soon as practicable after becoming an exposed household contact, notify the WA Police Force by calling the 13 COVID (13 268 43) hotline that the person is an exposed household contact, providing the following details:

- (i) full name; and
- (ii) date of birth; and

- (iii) telephone number; and
- (iv) email address; and
- (v) address of suitable premises.

Quarantine requirements applying to persons having direct contact with extreme risk travellers

40. If an extreme risk traveller has had **direct contact** with a person (B) other than:
- (a) an exposed household contact; or
 - (b) a person who is not an exposed household contact but who resides in suitable premises at which the extreme risk traveller is also residing,
- while the extreme risk traveller is subject to a quarantine requirement, B becomes an **extreme risk contact** for the purposes of these directions from the time the extreme risk traveller and B have direct contact.
41. An extreme risk contact must:
- (a) unless otherwise directed by me or a person authorised by me for that purpose, in addition to the requirements in paragraph 44, comply with paragraphs 27(c)(iv) and 31 as if that extreme risk contact is a government official extreme risk traveller who is not subject to the centre quarantine requirements, provided that the obligation to download the G2G Now app arises at the time the person becomes an extreme risk contact; and
 - (b) comply with:
 - (i) the self-quarantine requirements; or
 - (ii) if the extreme risk contact is a person responsible for the care of a child residing at the suitable premises, the children requirements,

for the extreme risk contact modified quarantine period, save for any requirements relating to how a person must travel to suitable premises or what a person must do while travelling to suitable premises; and
 - (c) comply with the:
 - (i) 48 hour presentation requirement; and
 - (ii) 6th day presentation requirement; and

(iii) 12th day presentation requirement,

and if the extreme risk contact is subject to the children requirements, must ensure any child in connection with whom the extreme risk contact is required to comply with the children requirements complies with the 48 hour presentation requirement, the 6th day presentation requirement and the 12th day presentation requirement; and

(d) unless the person has evidence that such notice has already been given pursuant to paragraph 32, as soon as practicable after becoming an extreme risk contact, must notify the WA Police Force by calling the 13 COVID (13 268 43) hotline that the person is an extreme risk contact, providing the following details:

- (i) full name; and
- (ii) date of birth; and
- (iii) telephone number; and
- (iv) email address; and
- (v) address of suitable premises.

General

Persons who have been in more than one outbreak jurisdiction

42. If a medium risk traveller, high risk traveller or extreme risk traveller has been in more than one outbreak jurisdiction in the 14 days before the person enters Western Australia, the period that the person must quarantine for under a quarantine requirement is determined by reference to the date and time that the person was last in an outbreak jurisdiction.

Example: State A and State B are both outbreak jurisdictions. In the period of 14 days before entering Western Australia, a person visited State A and then travelled to State B. The period of quarantine that person must complete in Western Australia is calculated by reference to the date and time that they were last in State B.

Children

43. Unless an authorised officer directs otherwise, which direction may add to, remove or modify the requirements of this paragraph, if:
- (a) an extreme risk supervised quarantine traveller, a medium risk traveller or a high risk traveller is a child, the **parent** or parents who travelled with the child or into whose care the child is released must, unless otherwise directed, comply with the children requirements after the parent or parents enter Western Australia or take the child into their care, and not with paragraph 11(c), 17(a), 17(b), 23(a) or 23(b); or
 - (b) an extreme risk traveller or an indirect international arrival is a child who is released into the care of a parent or parents, that child, the parent or parents and any other members of the same household must comply with the centre quarantine requirements.

G2G Now app

44. Notwithstanding anything to the contrary in the terms of use:
- (a) use of the G2G Now app by medium risk travellers, high risk travellers, extreme risk travellers, exposed household contacts and extreme risk contacts, other than a **G2G Now exempt traveller** or an exempt child, is mandatory during the period of any quarantine requirement (other than a centre quarantine requirement) and not voluntary; and
 - (b) any request to provide consent that is built into the terms of use should not be read as a request to provide consent but instead as a request to read the terms of use, and any confirmation provided by the high risk traveller, extreme risk traveller, exposed household contact or extreme risk contact will take effect not as a consent but as an acknowledgment the person has read the terms of use.

Obligation on owner or operator of aircraft

45. The owner or **operator** of an **affected commercial aircraft** from which any person (**relevant person**) is expected to disembark onto land anywhere in Western Australia must:
- (a) provide a flight manifest to the Western Australian Police Force at least 6 hours prior to the departure of the relevant flight, and if the flight carries any

passenger who is not named on the flight manifest, must not allow that passenger to disembark onto land in Western Australia unless such passenger holds a valid **G2G Pass Entry QR Code**; or

- (b) if a flight manifest is not provided to the Western Australian Police Force at least 6 hours prior to the departure of the relevant flight, must not allow any passenger to disembark onto land in Western Australia unless such passenger holds a valid G2G Pass Entry QR Code.

Varying the location at which quarantine requirements are discharged

- 46. A person subject to a quarantine requirement under these directions may be given a further oral or written direction by me or a person authorised by me for that purpose doing one or both of the following:
 - (a) varying the location at which that person must discharge their quarantine requirement; and
 - (b) specifying how that person must travel from their current quarantine location to the new quarantine location.

General obligation to comply

- 47. A person who enters Western Australia pursuant to these directions must also comply with any other direction given to them by an authorised officer.

Interaction with an exposure site direction

- 48. If a person is subject to these directions and an **exposure site direction**:
 - (a) the person may only enter Western Australia in accordance with these directions; and
 - (b) the person must quarantine in accordance with these directions and not the exposure site direction, provided that, if the period of quarantine imposed by the exposure site direction ends at a later time than the quarantine requirement that the person is subject to under these directions, these directions must be read as requiring a period of quarantine that ends at the same time as the quarantine requirement that the person would be subject to under the exposure site direction.

Unauthorised arrivals at Perth Airport

49. If an **unauthorised arrival** arrives at Perth Airport, the unauthorised arrival may be given a direction by me or a person authorised by me for that purpose:
- (a) requiring the unauthorised arrival to remain at Perth Airport until a flight is available by which the unauthorised arrival may leave Western Australia, and to leave Western Australia by that flight; or
 - (b) notwithstanding any prohibition on entering Western Australia that would otherwise apply under these directions or the Controlled Border for Western Australia Directions, requiring the unauthorised arrival to travel to a location outside of Perth Airport, and quarantine in that location until the unauthorised arrival is given a further direction by me or a person authorised by me for that purpose; or
 - (c) permitting an unauthorised arrival to remain in Western Australia subject to terms and conditions with which the person must comply.
50. Without limiting what may be included in the relevant direction:
- (a) a direction given pursuant to paragraph 49 (including a further direction given pursuant to paragraph 49(b)) may also require the unauthorised arrival to do things or adopt measures to reduce the risk to COVID-19 transmission, including to wait in a particular location, travel in a particular manner or at a particular time, wear a face mask, or maintain physical distance from other persons; and
 - (b) a further direction given pursuant to paragraph 49(b) may require an unauthorised traveller to travel from their quarantine location to Perth Airport and to leave Western Australia.
51. Notwithstanding any direction given under paragraph 49(b), an unauthorised arrival is not an approved traveller.

INCONSISTENCY

52. In the event of any inconsistency between a provision of these directions and a provision of:
- (a) a specified arrangement; or

- (b) the Controlled Border for Western Australia Directions,
these directions prevail to the extent of the inconsistency.

AUTHORISATIONS

53. Without limiting any other authorisation in effect, **border officers** are authorised pursuant to section 61 of the Act to give directions as authorised officers under, pursuant to, or for the purposes of giving effect to these directions.
54. Except in relation to the authorisations under paragraphs 55 and 56, any **police officer** acting at or above the rank of Senior Sergeant is authorised to give approval to, authorise, direct, or exempt a person or category of persons under paragraphs 6(c), 15(d), 18, 19, 20, 21(d), 24, 25, 28(a), 29, 30, 31, 41(a), 46, 49, 68(f) or 68(g) of these directions, including any terms or conditions to which that approval, authorisation, direction or exemption is subject.
55. Any police officer acting at or above the rank of Inspector is authorised to give approval to, authorise, direct, or exempt a person or category of persons:
- (a) who is an indirect international arrival under paragraphs 35(d), 36(a), 37, 68(f) or 68(g) of these directions; or
 - (b) who is an extreme risk traveller under paragraph 68(g) on one of the grounds in paragraph 27(a)(iii) of these directions,
- including any terms or conditions to which that approval, authorisation, direction or exemption is subject.
56. Any police officer holding the position of:
- (a) Assistant Commissioner, Operation Tide; and
 - (b) Police Commander, Operation Tide; and
 - (c) Deputy Police Commander, Operation Tide; and
 - (d) Police Commander Operations, Operation Tide; and
 - (e) Superintendent, Border and Quarantine Operations, Operation Tide; and
 - (f) State COVID Command Inspector, Operation Tide,

is authorised to give a direction to an unauthorised arrival permitting the person to remain in Western Australia, under paragraph 49(c) of these directions, including any terms or conditions to which that direction is subject.

INTERPRETATION

57. 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

58. **6th day presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37).
59. **12th day presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37).
60. **24 hour presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37)..
61. **48 hour presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37).
62. **Accepted proof of vaccination** has the same meaning that it has in the Controlled Border for Western Australia Directions.
63. **Accepted proof of vaccination exemption** has the same meaning that it has in the Controlled Border for Western Australia Directions.
64. **Affected commercial aircraft** means an aircraft carrying paying passengers which embarked any passenger on board the aircraft from a high risk jurisdiction or an extreme risk jurisdiction.
65. **Aircraft** includes any vehicle for travelling by air.
66. **Airport presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37).
67. **Approved COVID-19 vaccine** means:
- (a) any vaccine that has been approved by the Therapeutic Goods Administration for use in Australia for the purpose of vaccinating persons against COVID-19; or

- (b) any other vaccine specified by the Chief Health Officer, or any other person authorised by the Chief Health Officer for that purpose, as an approved COVID-19 vaccine.

68. **Approved traveller** means a person who falls into one or more of the following categories:

National, State and Territory security and governance

- (a) a senior Government official who, in carrying out their official duties, is responsible (alone or with others) for the safety of the Nation or a State or Territory against threats such as terrorism, war, or espionage and is required to be present in Western Australia in connection with those duties; or
- (b) active Australian military personnel (including members of the Australian Defence Force Reserve on active duty) required to be on duty in Western Australia while in Western Australia, or any category of such personnel; or
- (c) a member of the Commonwealth Parliament; or
- (d) a person who is carrying out functions under a law of the Commonwealth; or
- (e) the Premier of Western Australia and any member or members of the Premier's staff; or

Specialist skills not available in Western Australia

- (f) a specialist or category of specialist required for the performance of time-critical services where the specialist's skills are not otherwise reasonably available in Western Australia, who me or a person authorised by me for the purpose, approves; or

Note: A person who performs their duties according to an established work schedule or roster will not be considered a specialist.

Persons otherwise approved on any other grounds, including other compassionate grounds

- (g) any person or category of persons who me or a person authorised by me for the purpose, approves, whether on any other compassionate ground or on any other ground whatsoever.

Note: This provision for approving persons or categories of persons is intended to ensure that where a person or category of persons is not provided

for, either generally or in a particular case, consideration can be given to whether entry should be permitted and, if so, on what terms. Consideration will be given on a case-by-case basis.

69. **Authorised officer** has the same meaning that it has in the Act.
70. **Border officer** means:
- (a) an **emergency officer**; or
 - (b) a member of the Australian Border Force; or
 - (c) a member of the Australian Federal Police.
71. **Centre quarantine requirements** has the same meaning that it has in the Controlled Border for Western Australia Directions.
72. **Child** means a person under the age of 18 years.
73. **Children requirements** has the same meaning that it has in the Controlled Border for Western Australia Directions.
74. **Direct contact** means:
- (a) more than 15 minutes of face-to-face contact in any setting; or
 - (b) more than 2 hours in the same room, or
 - (c) any face-to-face contact where face coverings are not worn by either person or physical distancing of 1.5 m is not maintained at all times.
75. **Direction** includes a quarantine direction and any other direction under the Act or the *Public Health Act 2016 (WA)*, whether the direction is given orally or in writing.
76. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016 (WA)*.
77. **Enter**:
- (a) in respect of a person subject to a specified arrangement containing a definition of 'enter', has the same meaning that it has in the specified arrangement; or
 - (b) otherwise has the same meaning that it has in the Controlled Border for Western Australia Directions, and

enters and entered has a corresponding meaning.

78. **Excused supervised quarantine traveller** means an extreme risk supervised quarantine traveller meeting each of the following conditions:
- (a) the person travels directly by charter vehicle from the place where they undertook **supervised quarantine** to the airport; and
 - (b) in the interval between the person arriving at the airport and the person boarding a charter flight, the person waits in a location where the only other persons present are persons contemplated in paragraph (c) below; and
 - (c) the only persons on the charter flight are:
 - (i) pilots and crew who are necessary to safely operate the charter flight; and
 - (ii) other supervised quarantine travellers who satisfy paragraphs 7(a) and (b) of these directions; and
 - (d) having boarded the charter flight, the person does not disembark the charter flight outside of Western Australia; and
 - (e) the person enters Western Australia no longer than 12 hours after completing the period of supervised quarantine; and
 - (f) the person wore a face mask at all times between leaving the place where they undertook supervised quarantine and entering Western Australia, unless one or more of the **face covering exceptions** applied to the person at the time.
79. **Exempt child** means a person who:
- (a) is under the age of 16 at the time they enter Western Australia; and
 - (b) will remain under the supervision of a parent or guardian at all times while they remain subject to a quarantine requirement under these directions.
80. **Exposed household contact** means any person who becomes an exposed household contact pursuant to paragraph 38.
81. **Exposure period** means a period of time identified in materials published by the relevant government authority of any Australian State or Territory as being a time

period when a person who was at or within the **exposure site** was at heightened risk of contracting COVID-19.

82. **Exposure site** means a specific building, business, facility or location that has been identified in publicly available materials published by the government of any Australian State or Territory as being a location where a heightened risk of contracting COVID-19 existed if persons were at or within that location during the **exposure period**.
83. **Exposure site direction** means a direction made under the Act which imposes obligations on a person based upon that person having been at an exposure site during the relevant exposure period.
84. **Extreme risk contact** means any person who becomes an extreme risk contact pursuant to paragraph 40.
85. **Extreme risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
86. **Extreme risk contact modified quarantine period** means the period ending 14 days:
- (a) after the day on which the extreme risk traveller was last in an **extreme risk jurisdiction** or a **high risk jurisdiction**, whichever is the later, in the case of person who became an extreme risk contact pursuant to paragraph 38; or
 - (b) after the day on which the extreme risk traveller had direct contact with the person in the case of person who became an extreme risk contact pursuant to paragraph 40.
87. **Extreme risk supervised quarantine traveller** means a person who completed a 14 day period of supervised quarantine in another State or Territory without displaying **symptoms** and, at the time of completing supervised quarantine, the other State or Territory is an extreme risk jurisdiction.
88. **Extreme risk traveller** means a person, other than a person subject to a specified arrangement, who has been in an extreme risk jurisdiction:
- (a) after the relevant time for that outbreak jurisdiction; and
 - (b) in the 14 days before the person enters Western Australia,
- and includes a person who is also an indirect international arrival, but excludes a

person who enters Western Australia as a supervised quarantine traveller in accordance with paragraph 7.

89. **Face covering exception** means any of the following circumstances or situations that apply to the person at the relevant time:

- (a) the person is within or at their home unless another direction requires a face covering to be worn in that circumstance; or
- (b) the person is a child 12 years of age or under; or
- (c) the person has a physical, developmental or mental illness, injury, condition or disability which makes wearing a face covering unsuitable; or
- (d) the person is communicating with a person who is deaf or hard of hearing and visibility of the mouth is essential for communication; or
- (e) the nature of a person's occupation means that wearing a face covering is impractical to perform that occupation or creates a risk to their health and safety; or
- (f) the person needs to temporarily remove their face covering so as to enable another person to appropriately perform their occupation; or
- (g) the nature of a person's work or the activity that they are engaging in means that clear enunciation or visibility of the mouth is essential; or
- (h) the person is consuming food, drink or medicine; or
- (i) the person is asked to remove the face covering to ascertain identity; or
- (j) not wearing a face covering is required for emergency purposes (other than emergency preparation or emergency preparation activities, unless another exception specified in this paragraph applies); or
- (k) the person is working in the absence of others in an enclosed indoor space (unless and until another person enters that indoor space); or
- (l) the person is running or jogging or otherwise engaged in some form of strenuous or vigorous exercise or physical activity; or
- (m) the person is travelling in a motor vehicle and is the sole occupant of that vehicle; or

- (n) the person is undergoing medical or dental related care or treatment to the extent that such care or treatment requires that no face covering be worn; or
- (o) the person is directed by a judicial officer or tribunal member in proceedings in a court or tribunal to remove their face covering to ensure the proper conduct of those proceedings; or
- (p) not wearing a face covering is otherwise required or authorised by law; or
- (q) wearing a face covering is not safe in all the circumstances,

provided that, where a person is relying on an exception under subparagraph (d) to (q), that person resumes wearing the face covering as soon as reasonably practicable after the person no longer falls within the relevant exception.

Note: For the avoidance of doubt, nothing in this paragraph permits a person to do any of the activities mentioned this paragraph if the person is otherwise prohibited from doing so by operation of a quarantine requirement or other direction.

90. **Full course** means:

- (a) in respect of the SPIKEVAX, VAXZEVRIA and COMIRNATY – BNT162b2 vaccines, two doses of the vaccine administered with an appropriate interval between doses; and
- (b) in respect of the COVID-19 Vaccine Janssen, a single dose of that vaccine; and
- (c) in respect of any other approved COVID-19 vaccine, such number of doses of that vaccine as specified by the Chief Health Officer or a person authorised by the Chief Health Officer for that purpose.

91. **G2G Now app** means the app known as 'G2G Now' that facilitates electronic compliance checks on persons subject to a quarantine requirement.

92. **G2G Now exempt traveller** means a person who has been exempted from compliance with paragraph 20, 25 or 31 of these directions.

93. **G2G Pass Entry QR Code** has the same meaning that it has in the Controlled Border for Western Australia Directions.

94. **G2G Pass Platform** has the same meaning that it has in the Controlled Border for Western Australia Directions.

95. **Government official extreme risk traveller** means an extreme risk traveller who is an approved traveller falling within one or more of the categories defined in paragraph 68(a) to (e) of these directions.
96. **Government official requirements** means the requirements set out in Schedule A to these directions.
97. **High risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
98. **High risk modified quarantine period** means the period ending 14 days after the day on which the high risk traveller was last in a high risk jurisdiction.
99. **High risk traveller** means a person, other than a person subject to a specified arrangement, who has been in a high risk jurisdiction:
- (a) after the relevant time for that outbreak jurisdiction; and
 - (b) in the 14 days before the person enters Western Australia,
- but excludes any person who is an extreme risk traveller or an indirect international arrival or who enters Western Australia as a supervised quarantine traveller in accordance with paragraph 7.
100. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
101. **Indirect international arrival** has the same meaning that it has in the Controlled Border for Western Australia Directions.
102. **Medium risk jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
103. **Medium risk traveller** means a person, other than a person subject to a specified arrangement, who has been in a **medium risk jurisdiction**:
- (a) after the relevant time for that outbreak jurisdiction; and
 - (b) in the 14 days before the person enters Western Australia,
- but excludes any person who is a high risk traveller or an extreme risk traveller or an indirect international arrival or who enters Western Australia as a supervised quarantine traveller in accordance with paragraph 7.

104. **Modified quarantine direction** means:
- (a) the directions set out in Schedule 4 to the Controlled Border for Western Australia Directions if a person entered Western Australia to:
 - (i) provide care to a dependent person who resides in Western Australia; or
 - (ii) receive care from a person who resides in Western Australia; or
 - (iii) attend a funeral service; or
 - (iv) visit a relative who has had a serious medical episode or whose death is imminent; or
 - (v) receive urgent and essential medical treatment; or
 - (vi) comply with an order of an Australian court; or
 - (b) a direction entitled "Modified Quarantine Direction" which is sent to the person via the **G2G Pass Platform** or to the email address they nominated through the G2G Pass Platform.
105. **Motor vehicle** has the same meaning that it has in paragraph (b) of the definition of "motor vehicle" in section 4 of the *Road Traffic (Administration) Act 2008* (WA).
106. **Operator**, in relation to an affected aircraft, means a person who uses the aircraft in the course of carrying on a commercial air transport enterprise that involves offering or operating scheduled or chartered air services.
107. **Outbreak jurisdiction** has the same meaning that it has in the Controlled Border for Western Australia Directions.
108. **Parent**, in relation to a child, includes a guardian or person with parental responsibility for the child.
109. **Person in authority**, in relation to a place, means the owner, operator or person apparently in charge of that place.
110. **Point of entry** means the place at which the person first enters Western Australia.
111. **Police officer** means a person appointed under Part I of the *Police Act 1892* (WA).
112. **Post-quarantine presentation requirement** has the same meaning that it has in the Presentation for Testing Directions (No 37).

113. **Private vehicle** means a vehicle in which a person is the sole occupant other than the driver.
114. **Quarantine requirement** includes:
- (a) the self-quarantine requirements; and
 - (b) the Government official requirements; and
 - (c) a modified quarantine direction; and
 - (d) the children requirements; and
 - (e) the centre quarantine requirements.
115. **Relevant officer** means:
- (a) an authorised officer; or
 - (b) an emergency officer; or
 - (c) a **responsible officer**.
116. **Relevant time** has the same meaning that it has in the Controlled Border for Western Australia Directions.
117. **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.
118. **Self-quarantine requirements** has the same meaning that it has in the Controlled Border for Western Australia Directions.
119. **Specialist extreme risk traveller** means an extreme risk traveller meeting the requirements of paragraph 27(a)(ii) of these directions.
120. **Specified arrangement** has the same meaning that it has in the Controlled Border for Western Australia Directions.
121. **Suitable device** means a mobile phone or other electronic device which is capable of supporting the use of the G2G Now app.

122. **Suitable premises** means premises which meet the following criteria:
- (a) they are suitable for the person to reside in for a period of up to 14 days; and
 - (b) if the person is or is likely to be required by a direction to present for testing, they are close enough to a place where testing can occur in accordance with a direction to enable the person to comply with that direction; and
 - (c) they enable the person quarantining there to have access to a bedroom, and preferably a bathroom, without the need to share them with any other person who is not also quarantining there; and
 - (d) food and medication can be delivered to them as required without the need to come into contact with the person quarantining there.
123. **Supervised quarantine** means quarantine undertaken under the supervision of medical or other staff of, or engaged by, the Australian State or Territory in which the period of quarantine in relation to COVID-19 was completed.
- Example: A level of supervision equivalent to the supervision provided for by centre quarantine requirements would constitute supervised quarantine.*
124. **Supervised quarantine requirements** means each of the following:
- (a) the person travelled directly from the place at which they undertook supervised quarantine to the airport, and promptly boarded a flight to Western Australia; and
 - (b) having boarded a flight to Western Australia, the person did not disembark from the aircraft at a location outside of Western Australia; and
 - (c) the person entered Western Australia no longer than 12 hours after completing the period of supervised quarantine described in paragraph 125; and
 - (d) the person produces evidence to the satisfaction of an authorised officer or relevant officer that the person completed the period of supervised quarantine described in paragraph 125.
125. **Supervised quarantine traveller** means a person who completed a 14 day period of supervised quarantine in another State or Territory without displaying symptoms and,

at the time of completing supervised quarantine, the other State or Territory is an outbreak jurisdiction.

126. **Symptoms** means any one or more of the following:
- (a) a fever of 37.5 degrees or above; or
 - (b) a recent history of fever; or
 - (c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); or
 - (d) a loss of smell or taste.
127. **Terms of use** means the terms and conditions for the use of the G2G Now app, including any consent contained therein.
128. **Transport, freight and logistics driver** has the same meaning that it has in the Transport, Freight and Logistics Directions (No 9).
129. **Unauthorised arrival** means a medium risk traveller, high risk traveller, extreme risk traveller or indirect international arrival who is not authorised to enter Western Australia pursuant to these directions.
130. **Vaccine exempt** has the same meaning that it has in the Controlled Border for Western Australia Directions.
131. **Vaccine ineligible** has the same meaning that it has in the Controlled Border for Western Australia Directions.

PENALTIES

It may be an offence not to comply with any of these directions, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for an individual or \$250,000 for a body corporate.



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Christopher John Dawson
 Commissioner of Police and State Emergency Coordinator

7 January 2022 1749 hours

SCHEDULE A

Government Official Requirements

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 suitable premises.
2. You must travel to the suitable premises:
 - (a) in your own vehicle or a **private vehicle**; or
 - (b) by taxi or rideshare service; or
 - (c) in another way which an authorised officer orally directs you to take,
and, for the avoidance of doubt, you must not travel to the suitable premises using any form of mass public transport, such as a bus or train.
3. As soon as you arrive at the suitable premises, you must remain inside them for a period ending 14 days commencing from the date and time you were last in an outbreak jurisdiction (**relevant period**) 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 in accordance with paragraph 6; or
 - (c) you leave them to seek urgent medical treatment in accordance with paragraph 7; or
 - (d) you leave to present for COVID-19 testing in accordance with paragraph 8;
or
 - (e) you leave the suitable premises where it is necessary to do so to perform your official duties or functions in accordance with paragraph 9.
4. If your suitable premises are an allocated room or apartment or other similar accommodation at an accommodation facility, you must remain inside your allocated room or apartment or other similar accommodation, and not access any shared facilities or common property at the accommodation facility.

5. While at the suitable premises, unless you are the only person in the suitable premises, you must:
- (a) remain in your bedroom at the suitable premises unless you leave that room to use a common area or bathroom of the suitable premises when, subject to paragraph (c), no other person is present in that common area or bathroom; and
 - (b) not allow any person to enter your bedroom at the suitable premises unless the person:
 - (i) is a person who ordinarily resides at the suitable premises and is also subject to a quarantine requirement; or
 - (ii) is a relevant officer, or a person assisting a relevant officer; or
 - (iii) enters the bedroom for medical or emergency purposes; or
 - (iv) is required to enter the bedroom for the purpose of performing critical and time-sensitive maintenance at the suitable premises; or
 - (v) is acting in compliance with a direction or instruction given by a relevant officer; and
 - (c) not allow any person to enter the bathroom or any common area of the suitable premises while you are using that bathroom or common area unless the person:
 - (i) is a person who ordinarily resides at the suitable premises and is also subject to a quarantine requirement; or
 - (ii) is a relevant officer, or a person assisting a relevant officer; or
 - (iii) enters the bathroom or common area of the suitable premises for medical or emergency purposes; or
 - (iv) is required to enter the bathroom or common area of suitable premises for the purpose of performing critical and time-sensitive maintenance at the suitable premises; or
 - (v) is acting in compliance with a direction or instruction given by a relevant officer.

6. 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) if you are unable to return to the suitable premises within an hour of leaving, telephone the police on 131 444 and inform them that you are subject to a self-quarantine requirement and had to leave the suitable premises.
7. You may leave the suitable premises to seek urgent medical treatment at a **hospital** for you or for someone else at the suitable premises provided that:
- (a) it is necessary for you and the other person, if any, to leave those premises in order for that treatment to be provided; and
 - (b) before leaving the suitable premises to go to the hospital you:
 - (i) notify the relevant hospital that you and the other person, if any, are subject to these requirements; and
 - (ii) obtain approval from the relevant hospital to attend for treatment at the relevant hospital; and
 - (c) after obtaining the approval referred to in subparagraph (b)(ii) and as soon as reasonably practicable, contact an authorised officer and inform them that you and the other person, if any, have approval to attend the relevant hospital for treatment; and
 - (d) you and the other person, if any, go to the hospital by ambulance or by the most direct route available and without stopping except as required by law or necessary for fuel or rest; and
 - (e) you and the other person, if any, comply with any direction or instruction given by a relevant officer at the hospital; and
 - (f) unless otherwise directed or instructed by a relevant officer, you and the other person, if any, return to the suitable premises as soon as possible after the urgent treatment has been provided and by the most direct route available and without stopping except as required by law or necessary for fuel or rest.

8. If you have been directed or instructed to present for COVID-19 testing you must:
- (a) leave the suitable premises and travel to the COVID Clinic nearest to you 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; and
 - (b) comply with any other instruction which a relevant officer at the COVID Clinic gives you; and
 - (c) answer truthfully if a relevant officer at the COVID Clinic asks you to describe your state of health or asks whether you have or have had any symptoms; and
 - (d) remain at the COVID Clinic until:
 - (i) you have been tested for COVID-19; or
 - (ii) a relevant officer has instructed you that you may leave the COVID Clinic; and
 - (e) once you are no longer required to remain at the COVID Clinic, 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 suitable premises and remain there in accordance with these requirements; and
 - (f) travel to and from the COVID Clinic nearest to you by:
 - (i) private vehicle, a taxi or rideshare service; or

Note: a rideshare service does not include a bus, train or other form of mass public transport.

 - (ii) walking, provided that:
 - (A) the COVID Clinic is located within 2 km of the suitable premises; and
 - (B) you take all reasonable steps to keep at least 1.5 metres away from any other person whilst walking to and from the COVID Clinic.

Note: You must not leave your suitable premises for the purposes of being vaccinated against COVID-19.

9. You may leave your suitable premises where it is necessary to do so to perform your official duties or functions, provided that:
- (a) before leaving the suitable premises, you:
 - (i) notify a **person in authority** at the place you propose to attend to perform your official duties or functions that you are subject to self-quarantine requirements; and
 - (ii) obtain the approval of the person in authority to attend that place; and
 - (iii) comply with any requirements or instructions given by the person in authority at that place; and
 - (b) you travel in a private vehicle to the place by the most direct and practicable route available and without stopping, except as required by law or necessary for fuel or rest; and
 - (c) while you are at the place, you remain there only for so long as is reasonably necessary for you to perform your official duties or functions; and
 - (d) if you are required to travel from one place to another place to perform your official duties or functions, you comply with subparagraphs (a) to (c) in respect of each place at which you propose to attend to perform your official duties or functions; and
 - (e) following your attendance at the place or places and as soon as possible after you have performed your official duties or functions, you travel in a private vehicle to the suitable premises by the most direct and practicable route available and without stopping, except as required by law or necessary for fuel or rest.
10. You must take all reasonable steps to keep a written record of the following details relating to any person (A) with whom you have direct contact in the relevant period:
- (a) A's name; and
 - (b) A's contact telephone number; and
 - (c) the date and time when you had direct contact with A; and
 - (d) the location at which you had direct contact with A.

11. You must produce the written record referred to in paragraph 10 for inspection if requested by a relevant officer to do so.
12. You must not, during the relevant period, enter a hospital or any place to which either or both of the following directions apply, unless otherwise directed:
 - (a) the Remote Aboriginal Communities Directions No. 3, or any further directions that amend or replace those directions; and
 - (b) the Visitors to Residential Aged Care Facilities Directions (No 7), or any further directions that amend or replace those directions.
13. You must call 13 COVID (13 268 43) immediately if you develop or have recently experienced any one or more of these symptoms:
 - (a) a fever of 37.5 degrees or above; or
 - (b) a recent history of fever; or
 - (c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); or
 - (d) loss of smell or loss of taste.

Note: Even though the symptoms may not be caused by COVID-19, calling this number is essential to your safety and the safety of everyone and will help to ensure that you receive any treatment you need.

14. While you are subject to these requirements, you must:
 - (a) take all reasonable steps to keep at least 1.5 metres away from any other person; and
 - (b) not allow any person to access your suitable premises unless the person:
 - (i) is a relevant officer, or a person assisting a relevant officer; or
 - (ii) accesses the suitable premises for medical or emergency purposes; or
 - (iii) is required to access the suitable premises for the purpose of performing critical and time-sensitive maintenance at the suitable premises; or

- (iv) is acting in compliance with a direction or instruction given by a relevant officer; or
 - (v) usually resides at the suitable premises,
- provided that no more persons than is reasonably necessary in the circumstances enter the suitable premises at any one time if they access the suitable premises in accordance with subparagraph (b)(i) to (iii); and
- (c) wear a face mask in the following circumstances, unless one or more of the face covering exceptions apply to you at that time:
 - (i) from when you become subject to these requirements until you arrive at the suitable premises; and
 - (ii) whenever you open a door to the suitable premises and speak with, or otherwise interact with, any person who does not ordinarily reside at the suitable premises; and
 - (iii) whenever you open a door to your bedroom or bathroom at the suitable premises and speak with, or otherwise interact with, any person who ordinarily resides at the suitable premises but is not also subject to a quarantine requirement; and
 - (iv) whenever any person referred to in subparagraph (b)(i) to (iv), paragraph 5(b)(ii) to (v) or 5(c)(ii) to (v) is in the suitable premises; and
 - (v) at any time you are outside of the suitable premises; and
 - (d) when coughing or sneezing, do so into your elbow or a tissue; and
 - (e) wash your hands often with soap and water or using alcohol hand rub, particularly before and after attending a bathroom.