

EMERGENCY MANAGEMENT ACT 2005 (WA)
QUARANTINE (CLOSING THE BORDER) DIRECTIONS
APPROVAL FOR MARITIME CREW (NO 4)
UNDER PARAGRAPH 27(r)

On 5 April 2020, I made the Quarantine (Closing the Border) Directions (**Directions**).

Under paragraph 27(r) of the Directions, an exempt traveller within the meaning of the Directions includes any person or category of person who I approve, provided that the person or a person in that category complies with any terms or conditions to which that approval is subject.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, give written approval to **maritime crew** under paragraph 27(r) of the Directions subject to the following terms and conditions.

PREAMBLE

1. The purpose of this approval is to provide for the terms and conditions under which maritime crew may **enter** Western Australia as exempt travellers under the Directions in order to limit the spread of COVID-19.

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

Note 2: this is not an approval under anything except paragraph 27(r) of the Directions. For the avoidance of doubt, a person under this approval will also need to comply with any other relevant directions under State or Commonwealth law, for example, the Presentation for Testing Directions (No 6) that I made on 2 October 2020, or any further directions that I make that amend or replace those directions.

Note 3: a person under this approval who has been in Victoria in the 14 day period prior to entering Western Australia will also need approval under para 5(e)(ii) of the Directions, the terms and conditions of which may include a quarantine direction.

CITATION

2. This approval may be referred to as the **Approval for Maritime Crew (No 4)**.

COMMENCEMENT

3. This approval comes into effect at 11.59 pm on 19 October 2020.

REVOCATION AND CONTINUING OBLIGATIONS

4. The Approval for Maritime Crew (No 3) (*revoked approval*) given by Acting Deputy Commissioner Paul Steel on 18 August 2020 is revoked (other than for persons referred to in paragraph 5 below) at the time that this approval comes into effect.
5. Despite paragraph 4, if a person was subject to any obligation under the revoked approval immediately before this approval came into effect, the person must continue to comply with the revoked approval to the same extent that the person would have had to comply with the revoked approval if it had not been revoked.

APPROVAL

When a crew member may enter Western Australia under this approval

Crew members disembarking from affected vessels

6. A **crew member** may only disembark from an **affected vessel** onto land in Western Australia at a **Perth Port** if any of paragraphs 9, 11, 13, 15 or 16 apply to the crew member, subject to the crew member complying with:
 - (a) the terms and conditions set out in the paragraph which applies to the crew member; and
 - (b) each of paragraphs 17 and 18 to the extent that they apply to the crew member.
7. A crew member may only disembark from an affected vessel onto land in Western Australia at a **port** that is not a Perth Port if any of paragraphs 10, 12, 14, 15 or 16 apply to the crew member, subject to the crew member complying with:
 - (a) the terms and conditions set out in the paragraph which applies to the crew member; and
 - (b) each of paragraphs 17 and 18 to the extent that they apply to the crew member.

Persons flying into Western Australia to become crew members

8. A person may only disembark from an **affected aircraft** at an airport (*relevant airport*) in Western Australia if the person:
- (a) travels as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel to:
 - (i) a **quarantine centre** specified in a **centre direction** if the person arrives at the relevant airport on a flight that originated from a place outside Australia, or on a connecting flight from a flight that originated from a place outside Australia and the person has not completed a 14-day period of **supervised quarantine** in another State or Territory immediately before entering Western Australia; or
 - (ii) if the person does not fall within subparagraph (a)(i), a place specified in a **quarantine direction**, which may include, for the avoidance of doubt, a **crew hotel**; and
 - (b) complies with the direction described in subparagraph (a); and
 - (c) after complying with the direction described in subparagraph (a), travels as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel to the **vessel** and boards the vessel for the purpose of being a member of the vessel's crew; and
 - (d) complies with paragraph 17(b) to the extent that the person's travel to the vessel involves one or more flights; and
 - (e) at all times:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the person's elbow or a tissue; and
 - (f) washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
 - (g) when travelling, including whilst at an airport, wears a face mask.

A crew member disembarking at a Perth Port and leaving Perth on a flight within 8 hours

9. A crew member may disembark from an affected vessel at a Perth Port if:

- (a) the crew member has a ticket or other confirmed booking for a flight to a destination outside of Australia that is scheduled to depart from Perth Airport within 8 hours of the crew member disembarking from the affected vessel; and
- (b) the crew member remains on the affected vessel for as long as is consistent with having enough time to leave on the flight; and
- (c) as soon as possible after disembarking from the affected vessel, the crew member travels in any manner directed by an **authorised officer** and, subject to such a **direction**, by the most direct route and without stopping except as required by law or necessary for fuel, to Perth Airport; and
- (d) the crew member complies with paragraph 17(a) in respect of the flight; and
- (e) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and
- (f) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (g) when travelling, including whilst at an airport, the crew member wears a face mask.

A crew member disembarking at a port that is not a Perth Port and leaving Perth on a flight within 8 hours

10. A crew member may disembark from an affected vessel at a port that is not a Perth Port if:

- (a) the affected vessel is not scheduled to depart from the port earlier than 8 hours before the **charter flight** is scheduled to depart; and

- (b) the crew member remains on the affected vessel for as long as is consistent with having enough time to leave on the charter flight; and
- (c) as soon as possible after disembarking the affected vessel, the crew member travels, by the most direct route and without stopping except as required by law or necessary for fuel, in a **charter vehicle** to the airport from which the crew member will board the charter flight (*relevant airport*) to an airport in the **Perth Metropolitan Region**; and
- (d) the crew member remains at the relevant airport until they board the charter flight, unless otherwise directed by an authorised officer; and
- (e) the crew member has a ticket or other confirmed booking for a flight to a destination outside of Australia that is scheduled to depart from Perth Airport within 8 hours of the crew member's disembarkation from the charter flight; and
- (f) as soon as possible after disembarking from the charter flight, the crew member travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel to the departure terminal at Perth Airport from which the crew member's flight is scheduled to depart; and
- (g) the crew member remains at the terminal referred to in subparagraph (f) until they board their flight, unless otherwise directed by an authorised officer; and
- (h) the crew member complies with paragraph 17(a) in respect of the flight; and
- (i) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and
- (j) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (k) when travelling, including whilst at an airport, the crew member wears a face mask.

A crew member disembarking at a Perth Port and leaving Perth on a flight more than 8 hours later

11. A crew member may disembark from an affected vessel at a Perth Port if:
- (a) the crew member has a ticket or other confirmed booking for a flight to a destination outside of Australia that is scheduled to depart from Perth Airport more than 8 hours after the crew member disembarks from the affected vessel; and
 - (b) the affected vessel will depart earlier than 8 hours before the flight is scheduled to depart from Perth Airport; and
 - (c) the crew member remains on the affected vessel for as long as possible prior to the affected vessel's departure; and
 - (d) as soon as possible after disembarking from the affected vessel, the crew member travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel, to a place specified in a direction (*relevant place*), which may include, for the avoidance of doubt, a quarantine centre or a crew hotel; and
 - (e) the crew member remains in an allocated room at the relevant place until:
 - (i) no earlier than 8 hours before the time the flight is scheduled to depart from Perth Airport; and
 - (ii) for as long as is consistent with having enough time to leave on the flight; and
 - (f) whilst at the relevant place, the crew member does not allow another person to access the crew member's allocated room at the relevant place unless the person:
 - (i) is a **relevant officer** or a person assisting a relevant officer; or
 - (ii) is acting in compliance with a direction or **instruction** given by a relevant officer; or
 - (iii) accesses the allocated room for medical or emergency purposes; or
 - (iv) is required to access the allocated room for the purpose of performing critical and time-sensitive maintenance,

provided that no more than two persons access the allocated room at any one time in accordance with this subparagraph; and

- (g) as soon as possible after the crew member leaves the relevant place, the crew member travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel, to Perth Airport; and
- (h) the crew member complies with paragraph 17(a) in respect of the flight; and
- (i) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and
- (j) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (k) when travelling, including whilst at an airport, the crew member wears a face mask.

A crew member disembarking at a port that is not a Perth Port and leaving Perth on a flight more than 8 hours later

12. A crew member may disembark from an affected vessel at a port that is not a Perth Port if:
- (a) the affected vessel is not scheduled to depart from the port earlier than 8 hours before the charter flight is scheduled to depart; and
 - (b) the crew member remains on the affected vessel for as long as is consistent with having enough time to leave on the charter flight; and
 - (c) as soon as possible after disembarking the affected vessel, the crew member travels, by the most direct route and without stopping except as required by law or necessary for fuel, in a charter vehicle to the airport from which the crew member will board the charter flight (*relevant airport*) to an airport in the Perth Metropolitan Region; and

- (d) the crew member remains at the relevant airport until they board the charter flight, unless otherwise directed by an authorised officer; and
- (e) the crew member has a ticket or other confirmed booking for a flight to a destination outside of Australia that is scheduled to depart from Perth Airport more than 8 hours after the crew member disembarks from the charter flight; and
- (f) as soon as possible after disembarking from the charter flight, the crew member travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel, to a place specified in a direction (*relevant place*), which may include, for the avoidance of doubt, a quarantine centre or a crew hotel; and
- (g) the crew member remains in an allocated room at the relevant place until:
 - (i) no earlier than 8 hours before the time the flight is scheduled to depart from Perth Airport; and
 - (ii) for as long as is consistent with having enough time to leave on the flight; and
- (h) whilst at the relevant place, the crew member does not allow another person to access the crew member's allocated room at the relevant place unless the person:
 - (i) is a relevant officer or a person assisting a relevant officer; or
 - (ii) is acting in compliance with a direction or instruction given by a relevant officer; or
 - (iii) accesses the allocated room for medical or emergency purposes; or
 - (iv) is required to access the allocated room for the purpose of performing critical and time-sensitive maintenance,provided that no more than two persons access the allocated room at any one time in accordance with this subparagraph; and
- (i) as soon as possible after the crew member leaves the relevant place, the crew member travels in any manner directed by an authorised officer and, subject to

such a direction, by the most direct route and without stopping except as required by law or necessary for fuel, to Perth Airport; and

- (j) the crew member complies with paragraph 17(a) in respect of the flight; and
- (k) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and
- (l) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (m) when travelling, including whilst at an airport, the crew member wears a face mask.

A crew member ordinarily resident in Australia who disembarks at a Perth Port

13. A crew member who is ordinarily resident in Australia may disembark from an affected vessel at a Perth Port if the crew member:

- (a) as soon as possible after disembarking from the affected vessel, travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel to a quarantine centre specified in a centre direction; and
- (b) complies with the centre direction referred to in subparagraph (a); and
- (c) at all times when coughing or sneezing does so into the crew member's elbow or a tissue; and
- (d) washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (e) when travelling, wears a face mask.

A crew member ordinarily resident in Australia who disembarks at a port that is not a Perth Port

14. A crew member who is ordinarily resident in Australia may disembark from an affected vessel at a port that is not a Perth Port if:
- (a) the affected vessel is not scheduled to depart from the port earlier than 8 hours before the charter flight is scheduled to depart; and
 - (b) the crew member remains on the affected vessel for as long as is consistent with having enough time to leave on the charter flight; and
 - (c) as soon as possible after disembarking the affected vessel, the crew member travels, by the most direct route and without stopping except as required by law or necessary for fuel, in a charter vehicle to the airport from which the crew member will board the charter flight (*relevant airport*) to an airport in the Perth Metropolitan Region; and
 - (d) the crew member remains at the relevant airport until they board the charter flight, unless otherwise directed by an authorised officer; and
 - (e) as soon as possible after disembarking from the charter flight, the crew member travels in any manner directed by an authorised officer and, subject to such a direction, by the most direct route and without stopping except as required by law or necessary for fuel to a quarantine centre specified in a centre direction; and
 - (f) complies with the centre direction referred to in subparagraph (e); and
 - (g) at all times the crew member when coughing or sneezing does so into the crew member's elbow or a tissue; and
 - (h) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
 - (i) when travelling, including whilst at an airport, the crew member wears a face mask.

A crew member disembarking to immediately board another vessel at the same port

15. A crew member may disembark from an affected vessel for the purpose of boarding another vessel in the same port to serve as a member of that other vessel's crew if:
- (a) the crew member travels to and boards the other vessel as soon as possible, by the most direct route and without stopping except as required by law; and
 - (b) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and
 - (c) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
 - (d) when travelling, the crew member wears a face mask.

A crew member disembarking to undertake port activities

16. A crew member may disembark from an affected vessel for the purpose of carrying out **port activities** in connection with the affected vessel, provided that:
- (a) the crew member does not go further from the affected vessel than is necessary for the purpose of carrying out the port activities; and
 - (b) immediately after carrying out the port activities, the crew member returns to and boards the affected vessel from which the crew member disembarked for the purpose of carrying out the port activities, and does not disembark from the affected vessel again except in accordance with this approval or a direction; and
 - (c) at all times the crew member:
 - (i) takes all reasonable steps to avoid coming within 1.5 metres of another person; and
 - (ii) when coughing or sneezing does so into the crew member's elbow or a tissue; and

- (d) the crew member washes their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (e) when carrying out the port activities, the crew member wears a face mask.

Requirements in relation to flights

17. A person required to comply with this paragraph must comply with the following requirements to the extent they are relevant:

- (a) the person must leave Western Australia on the flight or, if the person is unable to leave Western Australia on the flight for any reason, as soon as possible after the person becomes unable to leave on the flight the person must:
 - (i) travel back to and board the affected vessel from which the person disembarked as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel, if the affected vessel is still in the port where the person disembarked; or
 - (ii) contact an authorised officer as soon as possible and ask for a direction and comply with any direction given, if the affected vessel is no longer in the port where the person disembarked, or it is otherwise impracticable for the person to comply with paragraph 17(a)(i); and
- (b) if a person must board one or more flights to travel to a vessel:
 - (i) the person must leave on the first flight or, if the person is unable to leave on the first flight for any reason, the person must contact an authorised officer as soon as possible and ask for a direction and comply with any direction given; and
 - (ii) upon arriving at an airport at the end of the first flight and if the person has a ticket or other confirmed booking for a next flight in order to travel to the vessel, the person must proceed directly to the departure terminal for the person's next flight and remain there until the person boards their next flight unless otherwise directed by an authorised officer; and
 - (iii) the person must leave on the next flight or, if the person is unable to leave on the next flight, the person must contact an authorised officer as

soon as possible and ask for a direction and comply with any direction given.

If a person cannot comply with a requirement of this approval

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

Example: a crew member cannot go to or remain in a crew hotel because one has not been organised. The crew member must contact an authorised person as soon as possible, ask for a direction and comply with any direction given.

DEFINITIONS

19. Unless otherwise stated, terms used in the Directions have the same meaning when they are used in this approval.
20. **Charter flight** means a flight on an aircraft that has been hired for the exclusive use of one or more crew members who disembarked from an affected vessel at the same port.
21. **Charter vehicle** means a charter bus or other charter vehicle that has been hired for the exclusive use of one or more crew members who disembarked from an affected vessel at the same port.
22. **Crew hotel** means a hotel which:
- (a) has been organised by the employer of a crew member; and
 - (b) has been approved by me or by a **police officer** acting in their capacity as an authorised officer; and
 - (c) in the event that subparagraph (a) and (b) is not satisfied, any other place which a crew member is given a direction to travel to and remain in.
23. **Crew member** means a person who is a member of a maritime crew.
24. **Cruise ship** means a ship, boat or any other kind of vessel for travelling on water that:
- (a) has sleeping facilities for 100 or more passengers; and
 - (b) is usually used to provide a service of sea transportation, being a service that:
 - (i) is provided in return for a fee payable by persons using the service; and
 - (ii) is available to the general public.

25. **Direction** includes any direction under the Act or the *Public Health Act 2016* (WA) or referred to in the Directions, whether given orally or in writing, and **directed** includes directed by way of a direction under the *Emergency Management Act 2005* (WA) or the *Public Health Act 2016* (WA), whether given orally or in writing.
26. **Instruction** means an instruction given for the purposes of this approval, which is not a direction, whether the instruction is given orally or in writing.
27. **Maritime crew** means the crew of an affected vessel or the class of persons described in paragraph 8.
28. **Perth Metropolitan Region** means the Metropolitan region described in Schedule 3 to the *Planning and Development Act 2005* (WA).
29. **Perth Port** means:
- (a) the **Port of Fremantle**; or
 - (b) any other place within the Perth Metropolitan Region at which the crew of an affected vessel can disembark onto land within the Perth Metropolitan Region.
30. **Port** means:
- (a) a port within the meaning of the *Port Authorities Act 1999* (WA); or
 - (b) a port within the meaning of the *Shipping and Pilotage Act 1967* (WA).
- Note: for the avoidance of doubt, a Perth Port within the meaning of paragraph 29(b) is not a port for the purposes of this paragraph.*
31. **Port activities** means:
- (a) the movement, mooring, hauling out, maintenance and launching of vessels; or
 - (b) the movement of, and provision of services to, passengers of vessels; or
 - (c) the movement, handling and storage of goods.
32. **Port of Fremantle** means the port that is, pursuant to section 4 of the *Port Authorities Act 1999* (WA), named at item 1 in column 3 of Schedule 1 to that Act.
33. **Quarantine centre** means a place specified as a quarantine centre by an authorised officer.

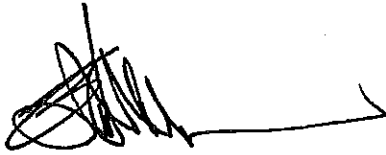
34. **Relevant officer** means:

- (a) an authorised officer; or
- (b) an **emergency officer**; or
- (c) a **responsible officer**.

35. **Vessel** means a ship, boat or any other kind of vessel for travelling on water but does not include an oil rig or offshore platform or a **cruise ship**.

PENALTIES

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



.....
Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

19 October 2020 1640 hours

