



# Victoria Government Gazette

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## Public Health and Wellbeing Act 2008 Section 200

### DIRECTIONS FROM ACTING CHIEF HEALTH OFFICER IN ACCORDANCE WITH EMERGENCY POWERS ARISING FROM DECLARED STATE OF EMERGENCY

#### Victorian Border Crossing Permit Directions (No. 33)

I, Professor Benjamin Cowie, Acting Chief Health Officer, consider it reasonably necessary to eliminate or reduce the serious risk to public health –and reasonably necessary to protect public health –to give the following directions pursuant to sections 200(1)(b) and (d) of the **Public Health and Wellbeing Act 2008** (Vic.) (PHW Act):

#### 1 Preamble

- (1) These directions replace the **Victorian Border Crossing Permit Directions (No. 32)** and continue to provide a ‘traffic light’ border crossing scheme for persons seeking to enter Victoria from any other **State** or **Territory** in Australia or, after entering Australia from a **Green Zone Country** in order to limit the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- (2) These directions must be read together with the **Directions currently in force**.

#### 2 Citation

These directions may be referred to as the **Victorian Border Crossing Permit Directions (No. 33)**.

#### 3 Commencement, revocation and transitional provisions

- (1) The **Victorian Border Crossing Permit Directions (No. 32)** are revoked at 11:59:00 pm on 29 September 2021.
- (2) These directions commence at 11:59:00 pm on 29 September 2021 and end at 11:59:00 pm on 21 October 2021.
- (3) Any **permit** issued under a **revoked Border Crossing Permit Scheme Direction** continues to have effect until the validity period expires under the revoked Border Crossing Permit Scheme Direction.  
*Note 1: a person who has a permit under previous directions may continue to enter Victoria under that permit.*
- (4) Any **specified worker (multiple entry) permit** that was applied for before 11:59:00 pm on 23 September 2021, for workers who are subject to the mandatory vaccination requirements in clause 12 was revoked as at 11:59:00 pm on 27 September 2021 under a revoked Border Crossing Permit Scheme Direction and continues to be revoked.
- (5) Any request for exemption submitted under a revoked Border Crossing Permit Scheme Direction continues to have effect.
- (6) Any exemption granted under a revoked Border Crossing Permit Scheme Direction continues to have effect.

#### 4 Restrictions on persons entering Victoria

- (1) A **prohibited person** must not enter Victoria unless the prohibited person:
  - (a) is a **cross border community member** who is permitted to enter Victoria under clause 8(1); or
  - (b) is a cross border community member who has a valid **cross border extreme risk zone permit** under clause 8(5); or
  - (c) is a cross border community member under the age of 18 who does not require a cross border extreme risk zone permit under clause 8(5)(c) and otherwise complies with clause 8; or

**SPECIAL**

- (d) is an **aircrew services worker** who is permitted to enter Victoria under clause 9; or
- (e) has a valid **transit permit** under clause 10; or
- (f) has a valid **specified worker (single entry) permit** under clause 11(1); or
- (g) has a valid specified worker (multiple entry) permit under clause 11(6); or
- (h) has a **departing hotel quarantine permit** under clause 12; or
- (i) is an **excepted person** under clause 16; or
- (j) has a valid exemption under clause 3(5) or 17.

*Note: a prohibited person is not eligible to enter Victoria from a Green Zone Country under a specified worker (multiple entry) permit under clause 11(7).*

- (2) A **restricted person** must not enter Victoria unless the restricted person:
  - (a) has a valid **green zone permit** under clause 5; or
  - (b) has a valid **orange zone permit** under clause 6; or
  - (c) has a valid **red zone permit** under clause 7; or
  - (d) has a valid **extreme risk zone permit** under clause 14; or
  - (e) is a cross border community member who is permitted to enter Victoria under clause 8(1); or
  - (f) is an aircrew services worker who is permitted to enter Victoria under clause 9; or
  - (g) has a valid transit permit under clause 10; or
  - (h) has a valid specified worker (multiple entry) permit under clause 11(6); or
  - (i) has a departing hotel quarantine permit under clause 12; or
  - (j) is an excepted person under clause 16(1); or
  - (k) has a valid exemption under clause 3(5) or 17.

*Note: a restricted person is not eligible to enter Victoria from a Green Zone Country under a specified worker (multiple entry) permit under clause 11(7).*

#### 4A Definition of zones

- (1) For the purposes of these directions:
  - (a) a **green zone** means an area in a State, Territory or **Green Zone Country** that is not an **extreme risk zone**, **red zone** or an **orange zone**; and
  - (b) an **orange zone** means an area in a State, Territory or Green Zone Country at any time after the **zone commencement time** for that area; and
  - (c) a **red zone** means an area in a State, a Territory or Green Zone Country at any time after the zone commencement time for that area; and
  - (d) an **extreme risk zone** means an area in a State, Territory or Green Zone Country at any time after the zone commencement time for that area.
- (2) A **zone commencement time** is the time from which the Chief Health Officer has determined that an area is an orange zone, red zone or extreme risk zone as amended from time to time by the Chief Health Officer and detailed on the Department's website available at [www.coronavirus.vic.gov.au/victorian-border-crossing-permit](http://www.coronavirus.vic.gov.au/victorian-border-crossing-permit)

*Note: the zone commencement time is not the date of the announcement by the Chief Health Officer or the Department that an area has been designated as a green zone, orange zone, red zone or extreme risk zone.*
- (3) An extreme risk zone, red zone or orange zone ceases to be an extreme risk zone, red zone or orange zone (as applicable) at a time determined by the Chief Health Officer, and amended from time to time by the Chief Health Officer and detailed on the Department's website available at [www.coronavirus.vic.gov.au/victorian-border-crossing-permit](http://www.coronavirus.vic.gov.au/victorian-border-crossing-permit)

## 5 Green zone permit

### Eligibility

- (1) Subject to the requirements in subclause (2), a restricted person may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country if the person, at the time they enter Victoria:
- (a) has not been:
    - (i) at a **very high risk exposure site** in a State, Territory or Green Zone Country at any time during a **very high risk period**; or
    - (ii) in **hotel quarantine** in any other State, Territory or Green Zone Country in the 14 days prior to the person's entry to Victoria; and
  - (b) either:
    - (i) has not been in an area that is an extreme risk zone, red zone or an orange zone in a State, Territory or Green Zone Country at any time after the relevant **zone commencement time** in the previous 14 days; or  
*Note 1: a person that is in an extreme risk zone, red zone or orange zone some of the time during the 14 day period and in a green zone at other times (including entering Victoria from a green zone) will not be permitted to enter Victoria under this subclause.*  
*Note 2: if a person has been in an area that is a green zone and one day prior to entering Victoria, the Chief Health Officer determines the area is an extreme risk zone, red zone or orange zone effective from a date 14 days prior to the announcement, the person cannot enter Victoria with a green zone permit.*  
*Note 3: if a person leaves an area before the zone commencement time for an extreme risk zone, red zone or an orange zone and travels to Victoria, that person remains eligible for a green zone permit pursuant to subclause (2) (provided they have not been in any other area that is an extreme risk zone, red zone or orange zone 14 days prior to entry to Victoria).*
    - (ii) has been in an area that is an extreme risk zone, red zone or an orange zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days only for the purpose of direct and short term transit through an extreme risk zone, red zone or orange zone in a State, Territory or Green Zone Country to Victoria; and  
*Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any extreme risk zone or red zone, they will be a prohibited person. If a person spends more than 24 hours in any orange zone, they will remain a restricted person, however they will need to enter Victoria with an orange zone permit, unless any other exception applies or an exemption has been granted.*
  - (c) is not a **diagnosed person** or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in a State, Territory or Green Zone Country; and
  - (d) is not experiencing **SARS-CoV-2 symptoms**.
- (2) A person referred to in subclause (1)(b)(ii) is permitted to enter Victoria if in transiting to Victoria the person has complied with the **direct and short-term transit conditions**.
- (3) Compliance with direct and short-term transit conditions while transiting through an area requires that, a person must, while in that area:
- (a) travel directly from their place of departure to Victoria; and
  - (b) whilst in direct and short term transit to Victoria through an extreme risk zone, red zone or orange zone:
    - (i) minimise contact with other persons (except in cases of emergency); and
    - (ii) not enter or stay in any **vehicle** (other than the vehicle used for transit) or indoor space, except to the extent that such entry and stay was reasonable and necessary for the purpose of:
      - (A) departing for Victoria from an airport, seaport, railway station, bus station or other transport facility; or

- (B) travelling to Victoria on an aircraft, train, sea vessel, bus or other transport vehicle; or
  - (C) accessing toilet and bathroom facilities; or
  - (D) paying for fuel; or
  - (E) purchasing essential items; or
  - (F) purchasing takeaway food or drink; or
- Note: the person must have purchased takeaway food and drink only and must have eaten or drunk in the vehicle used for transit and not in any other vehicle or indoor space whilst in transit through an extreme risk zone, red zone or orange zone.*
- (G) accessing accommodation; and
- (iii) practise **physical distancing**; and
  - (iv) keep detailed records of each place they stop (including accommodation) in an extreme risk zone or red zone; and
  - (v) wear a **face covering** at all times in all:
    - (A) indoor public places; and
    - (B) outdoor public spaces; and
    - (C) vehicles, if the restricted person or prohibited person is in a vehicle with any other person (unless the other person ordinarily resides with the person),

unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
  - (c) if applicable, wear a face covering at all times during any flight to Victoria unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person.

*Requirements for entry*

- (4) A person referred to in subclause (1) may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if the person:
  - (a) has a valid green zone permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address from which the person is departing when entering Victoria; and
    - (v) where applicable, the current address where the person ordinarily resides; and
    - (vi) the address where the person will reside after entering Victoria; and
    - (vii) the date of entry to Victoria; and
    - (viii) if applicable, any planned date of departure from Victoria; and
    - (ix) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (1); and
      - (B) have provided information in the permit that is true and correct;

- and
- (C) will not re-enter Victoria using a valid green zone permit if they have entered an extreme risk zone, red zone or an orange zone in a State, Territory or Green Zone Country in the 14 days prior to the attempted re-entry; and
  - (D) subject to subclause (E), will comply with the conditions in subclause (5); and
  - (E) acknowledges that any zone in a State, Territory or Green Zone Country may change from time to time and the person may be required to comply with different conditions in these directions (as amended from time to time); and
- (x) a QR code capable of being scanned by an **authorised officer**, a Victoria Police member or a Protective Services Officer (or other person under such person's direction).

#### *Obligations after entry*

- (5) A person who enters Victoria under subclause (1), clause 6(6)(b) or clause 7(6)(b) must, during the green zone permit's validity period in subclause (5)(a) (or, if clause 6(6)(b) or clause 7(6)(b) applies, the relevant validity period in clause 6(5)(a) or clause 7(5)(a)):
- (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid green zone permit (or, if clause 6(6)(b) applies, a valid orange zone permit or if clause 7(6)(b) applies, a valid red zone permit); and
    - (ii) an **acceptable form of identification**; and
  - (b) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms; and
  - (c) comply with all Directions currently in force.

*Note: a person who enters Victoria under a green zone permit under subclause (1) must continue to comply with the Directions currently in force at all times when in Victoria.*

#### *Validity and revocation*

- (6) A green zone permit:
- (a) is valid for 14 days from the date the person first enters Victoria (unless revoked earlier); and
  - (b) may be used by the person to enter Victoria multiple times during the validity period in subclause (a); and
  - (c) is revoked immediately if the person:
    - (i) enters an extreme risk zone, red zone or orange zone in a State, Territory or Green Zone Country after the delivery of the green zone permit; or
    - (ii) a determination is made by the Chief Health Officer prior to the person's first entry to Victoria that results in the person having been in an extreme risk zone, red zone or orange zone in a State, Territory or Green Zone Country after the relevant zone commencement time in the 14 days prior to the delivery of the green zone permit.

*Note: a person who has entered Victoria with a valid green zone permit and remains in Victoria does not need to apply for nor produce a new green zone permit after the initial green zone permit's validity period has expired.*

*Change to obligations after entry under green zone permit*

- (7) If a person has entered Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country with a green zone permit and during the green zone permit validity period in subclause (5)(a), the Chief Health Officer determines that any **relevant green zone** is:
- (a) an extreme risk zone or red zone and the person was in the extreme risk zone or red zone after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, red zone obligations under clause 7(4)(b) – (n); or
  - (b) an orange zone and the person was in the orange zone after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, orange zone obligations under clause 6(4)(b) – (g), will apply to that person from the time of notification by the Department for the remainder of the green zone permit validity period in subclause (5)(a).

*Example: a person arrives in Victoria with a green zone permit which is valid for 14 days from their arrival date. Two days after entering Victoria, an area the person was in is determined to be a red zone and the person was in the red zone at a time after the relevant zone commencement time. The Department notifies the person that the green zone permit obligations which applied after entering Victoria have changed to align with the higher, red zone permit obligations in clause 7(4) for the remaining 12 days of the green zone permit's validity period. This includes requirements for the person to self-quarantine for the remaining 12 days and get tested at certain times.*

**6 Orange zone permit***Eligibility*

- (1) Subject to the requirements in subclause (2), a **restricted person** may enter Victoria from any other State, or Territory or, after entering Australia, from a Green Zone Country if the person, at the time they enter Victoria:
- (a) has not been:
    - (i) at a very high risk exposure site in a State, Territory or Green Zone Country at any time during a very high risk period; or
    - (ii) in hotel quarantine in any other State, Territory or Green Zone Country in the 14 days prior to the person's entry to Victoria; and
  - (b) either:
    - (i) has not been in an area that is an extreme risk zone or red zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days; or

*Note 1: a person that is in an extreme risk zone or red zone some of the time during the 14 day period and in an orange zone or green zone at other times (including entering Victoria from an orange zone or green zone), will not be permitted to enter Victoria under this subclause.*

*Note 2: if a person has been in an area that is an orange zone and one day prior to entering Victoria, the Chief Health Officer determines the area is an extreme risk zone or red zone effective from a date 14 days prior to the announcement, the person cannot enter Victoria with an orange zone permit.*

*Note 3: if a person leaves an area before the zone commencement time for an extreme risk zone or red zone and travels to Victoria, that person remains eligible for an orange zone permit pursuant to subclause (2) (provided they have not been in any other area that is an extreme risk zone or red zone 14 days prior to entry to Victoria).*

- (ii) has been in an area that is an extreme risk zone or red zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days only for the purpose of direct and short term transit through the extreme risk zone or red zone in that State, Territory or Green Zone Country to Victoria; and

*Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any extreme risk zone or red zone, they will be a prohibited person.*

- (c) is not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in a State, Territory or Green Zone Country; and
  - (d) is not experiencing SARS-CoV-2 symptoms.
- (2) A person referred to in subclause (1)(b)(ii) is permitted to enter Victoria if in transiting to Victoria the person has complied with the direct and short-term transit conditions.

*Requirements for entry*

- (3) A person referred to in subclause (1) may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if the person:
- (a) has a valid orange zone permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address from which the person is departing when entering Victoria; and
    - (v) where applicable, the current address where the person ordinarily resides; and
    - (vi) the address where the person will reside after entering Victoria; and
    - (vii) the date of entry to Victoria; and
    - (viii) if applicable, any planned date of departure from Victoria; and
    - (ix) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (1); and
      - (B) have provided information in the permit that is true and correct; and
      - (C) subject to sub-subclause (D), will comply with the conditions in subclause (4); and
      - (D) acknowledges that any zone in a State, Territory or Green Zone Country may change from time to time and the person may be required to comply with different conditions in these directions (as amended from time to time); and
  - (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction).

*Obligations after entry*

- (4) A person who enters Victoria under subclause (1), clause 5(1), clause 7(1) or clause 8(3) must, during the orange zone permit validity period in subclause (5)(a) (or, if clause 5(6)(b), clause 7(6)(a) or clause 8(9)(b) applies, the relevant validity period in clause 5(5)(a), clause 7(5)(a) or clause 8(8)(a)):
- (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid orange zone permit (or, if clause 5(6)(b) applies, a valid green zone permit, if clause 7(6)(a) applies, a valid red zone permit and if clause 8(9)(b) applies, a valid cross border extreme risk zone permit); and
    - (ii) an acceptable form of identification; and



- (b) get tested for SARS-CoV-2 within 72 hours of:
  - (i) the time the person enters Victoria; or
  - (ii) if clause 5(6)(a) or clause 8(9)(b) applies, the time of notification by the Department; or
  - (iii) if clause 7(6)(a) applies and the person has not been tested in accordance with clause 7(4)(e)(i) since entry to Victoria, the time the person enters Victoria; and
- (c) travel immediately and directly to, and self-quarantine at, the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine until the person (including a person where clause 7(6)(a) and requirements to test under clause 7(4)(e)(i) applied) receives a negative SARS-CoV-2 test result; and
  - (i) for the purposes of subclause (c), must not self-quarantine at premises located at an **alpine resort**; and

*Note: if a person has been tested in accordance with clause 7(4)(e) since entering Victoria under red zone obligations, the Department has notified the person that they are now subject to orange zone obligations and the person has already received a negative SARS-CoV-2 test result, they may cease self-quarantining immediately.*

- (d) reside at the premises described in subclause (c) and not leave the premises except:
  - (i) to obtain medical care or medical supplies; or
  - (ii) to get tested for SARS-CoV-2; or
  - (iii) in an emergency situation; or
  - (iv) if required to do so by law; or
  - (v) to leave Victoria,
 during the period of self-quarantine under subclause (c); and
- (e) if the person leaves the premises described in subclause (c) in accordance with subclause (d) during the period of self-quarantine under subclause (c), wear a face covering in all:
  - (i) indoor public places; and
  - (ii) outdoor public places; and
  - (iii) vehicles, if the person is in a vehicle with any other person (unless the other person ordinarily resides with the person),
 unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
- (f) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms; and
- (g) comply with all Directions currently in force.

*Validity and revocation*

- (5) An orange zone permit:
  - (a) is valid for 14 days from the date the person enters Victoria (unless revoked earlier); and
  - (b) may only be used once by a person to enter Victoria during the validity period in subclause (a); and
  - (c) is revoked immediately if the person is outside Victoria and:
    - (i) enters an extreme risk zone or red zone in a State, Territory or Green Zone Country after the delivery of the orange zone permit but prior to entry to Victoria; or



- (ii) a determination is made by the Chief Health Officer prior to the person's first entry to Victoria that results in the person having been in an extreme risk zone or red zone in a State, Territory or Green Zone Country after the relevant zone commencement time in the 14 days prior to delivery of the orange zone permit.

*Note: a person who has entered Victoria with a valid orange zone permit and remains in Victoria does not need to apply for nor produce a new orange zone permit after the initial orange zone permit's validity period has expired.*

#### *Change to obligations after entry under orange zone permit*

- (6) If a person has entered Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country with an orange zone permit and during the orange zone permit validity period in subclause 5(a), the Chief Health Officer determines that:
  - (a) any **relevant orange zone** is an extreme risk zone or red zone and the person was in the extreme risk zone or red zone after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, red zone obligations under clause 7(4)(b) – (n) will apply to the person from the time of notification by the Department for the remainder of the orange zone permit validity period in subclause (5)(a); or
  - (b) all relevant orange zones are green zones and the person was in only those, or other, green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the lesser, green zone obligations under clause 5(4)(b) – (c) will apply to the person from the time of notification by the Department for the remainder of the orange zone permit validity period in subclause (5)(a).

*Example: a person arrives in Victoria with an orange zone permit which is valid for 14 days from their arrival date. Two days after entering Victoria, an area the person was in is determined to be a red zone and the person was in the red zone at a time after the relevant zone commencement time. The Department notifies the person that the orange zone permit obligations which applied after entering Victoria have changed to align with the higher, red zone permit obligations in clause 7(4) for the remaining 12 days of the orange zone permit's validity period. This includes requirements for the person to continue or recommence self-quarantining for the remaining 12 days and get tested at certain times, including just prior to the end of the self-quarantine period.*

## 7 Red zone permit

### *Eligibility*

- (1) Subject to the requirements in subclause (3), a **Victorian resident** may enter Victoria from any other State, or Territory or, after entering Australia, from a Green Zone Country if the Victorian resident, at the time the person enters Victoria:
  - (a) has not been at a very high risk exposure site in a State, Territory or Green Zone Country at any time during the very high risk period; and
  - (b) either:
    - (i) has not been in an extreme risk zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days; or

*Note 1: a person that is in an extreme risk zone some of the time during the 14 day period and in a red zone, orange zone or green zone at other times (including entering Victoria from a red zone, orange zone or green zone), will not be permitted to enter Victoria under this subclause.*

*Note 2: if a person has been in an area that is a red zone and one day prior to entering Victoria, the Chief Health Officer determines the area is an extreme risk zone effective from a date 14 days prior to the announcement, the person cannot enter Victoria with a red zone permit.*

*Note 3: if a person leaves an area before the zone commencement time for an extreme risk zone and travels to Victoria, that person remains eligible for a red zone permit pursuant to subclause (2) (provided they have not been in any other area that is an extreme risk zone 14 days prior to entry to Victoria).*

- (ii) has been in an area that is an extreme risk zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days only for the purpose of direct and short term transit through an extreme risk zone in that State, Territory or Green Zone Country to Victoria; and
 

*Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any extreme risk zone, they will be a prohibited person.*
  - (c) is not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in any State, Territory or Green Zone Country; and
  - (d) is not experiencing SARS-CoV-2 symptoms.
- (2) A person referred to in subclause (1)(b)(ii) is permitted to enter Victoria if in transiting to Victoria the person has complied with the direct and short-term transit conditions.

*Requirements for entry*

- (3) A person referred to in subclause (1) may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if the person:
- (a) has a valid red zone permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address from which the person is departing when entering Victoria; and
    - (v) the address where the person ordinarily resides in Victoria; and
    - (vi) the address where the person will reside after entering Victoria; and
    - (vii) the date of entry to Victoria; and
    - (viii) if applicable, any planned date of departure from Victoria; and
    - (ix) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (1); and
      - (B) have provided information in the permit that is true and correct; and
      - (C) is a Victorian resident; and
      - (D) subject to sub-subclause (E), will comply with the conditions in subclause (4); and
      - (E) acknowledges that any zone in a State, Territory or Green Zone Country may change from time to time and the person may be required to comply with different conditions in these directions (as amended from time to time); and
  - (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction); and
- (b) has been in **hotel quarantine** (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in Victoria or in other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria, provides (at the time of applying for the red zone permit):
- (i) the name of the facility attended; and
  - (ii) the name of the State, Territory or Green Zone Country of the facility attended.

*Obligations after entry*

- (4) A person who enters Victoria under subclause (1), clause 5(1), clause 6(1) or clause 8(3) must, during the red zone permit's validity period in subclause (5)(a) (or, if clause 5(6)(a), clause 6(6)(a) or clause 8(9)(a) applies, the relevant validity period in clause 5(5)(a), clause 6(5)(a) or clause 8(8)(a), or if clause 12(6) applies, during the period referred to in that clause):
- (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid red zone permit (or, if clause 5(6)(a) applies, a valid green zone permit, if clause 6(6)(a) applies, a valid orange zone permit and if clause 8(9)(a) applies, a valid cross border extreme risk zone permit, or if clause 12(6) applies, a valid departing hotel quarantine permit); and
    - (ii) an acceptable form of identification; and
  - (b) wear a face covering during each flight to Victoria unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
  - (c) travel immediately and directly to, and self-quarantine at, the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine for 14 days (subject to subclauses (g) and (h)(ii)); and
  - (d) reside at the premises described in subclause (c) and not leave the premises except:
    - (i) to obtain medical care or medical supplies; or
    - (ii) to get tested for SARS-CoV-2; or
    - (iii) in an emergency situation; or
    - (iv) if required to do so by law; or
    - (v) to leave Victoria,during the period of self-quarantine under subclause (c); and
  - (e) get tested for SARS-CoV-2 within 72 hours of:
    - (i) the time the person enters Victoria; or
    - (ii) if clause 5(6)(a), clause 8(9)(a) or clause 12(6) applies, the time of notification by the Department; or
    - (iii) if clause 6(6)(a) applies and the person has not been tested in accordance with clause 6(4)(b)(i) since entry to Victoria, the time the person enters Victoria; and
  - (f) get tested for SARS-CoV-2:
    - (i) on day 13 during the period of self-quarantine under subclause (c); or
    - (ii) if clause 5(6)(a), 6(6)(a), 8(9)(a) or 12(6) applies, on or about the day before the period of self-quarantine under subclause (c) ends; and
  - (g) if, during the period of self-quarantine, the person refuses or otherwise fails to take a test for SARS-CoV-2 in accordance with subclause (f), the period of self-quarantine in subclause (c) (as extended under subclause (h)(ii)) is extended for an additional period being the earlier of:
    - (i) an additional 14 days; or
    - (ii) until the person gets tested for SARS-CoV-2 and receives a negative test result; and

*Note: any test undertaken in accordance with subclause (4)(e) will not satisfy the requirement in subclause (4)(g)(ii).*

*Note: persons entering Victoria with a red zone permit will be required to test for SARS-CoV-2 on or around day 13 of their self-quarantine (or the day before the end of self-quarantine), as testing at this time is likely to detect the presence of SARS-CoV-2, even if a person has not yet developed symptoms. As a person may be infectious for up to 14 days after the 14 day incubation period, if this test does not occur, an additional 14 days of quarantine is required to prevent a person who develops SARS-CoV-2 towards the end of the 14 day incubation period, even if not symptomatic, transmitting SARS-CoV-2 to the broader community.*

- (h) if, during the period of self-quarantine:
  - (i) the person is tested for SARS-CoV-2; and
  - (ii) subject to subclause (iii), the period for which the person is required to self-quarantine under subclause (c) expires during the period in which the person is awaiting the result of that test, the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and
  - (iii) if the person receives a negative SARS-CoV-2 test result and:
    - (A) the period for which the person is required to self-quarantine under subclause (c) has not expired, the person must continue to self-quarantine under subclause (c) for the remainder of that period; or
    - (B) the period for which the person is required to self-quarantine under subclause (c) (as extended under either or both of subclauses (g) and (h)(ii)) has expired, the person may cease self-quarantining immediately; and
- (i) provide documentary evidence that the person has been tested in accordance with subclauses (e) and (f) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
- (j) minimise contact with other persons in Victoria (except in an emergency); and
- (k) practise physical distancing; and
- (l) wear a face covering in all public places unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
- (m) monitor for SARS-CoV-2 symptoms and, if experiencing SARS-CoV-2 symptoms:
  - (i) notify the Department; and
  - (ii) immediately get tested for SARS-CoV-2; and
- (n) comply with all Directions currently in force.

*Validity and revocation*

- (5) A red zone permit:
  - (a) is valid for 14 days from the date the person first enters Victoria (unless revoked earlier); and
  - (b) may only be used once by a person to enter Victoria during the validity period in subclause (a); and
  - (c) is revoked immediately if the person is outside Victoria and:
    - (i) has been at a very high risk exposure site in a State, Territory or Green Zone Country during the very high risk period:
      - (A) prior to delivery of the red zone permit; or
      - (B) after delivery of the red zone permit; or
    - (ii) enters an extreme risk zone in a State, Territory or Green Zone Country after the delivery of the red zone permit but prior to entry to Victoria; or

- (iii) a determination is made by the Chief Health Officer prior to the person's first entry to Victoria that results in the person having been in an extreme risk zone in a State, Territory or Green Zone Country after the relevant zone commencement time in the 14 days prior to delivery of the red zone permit; or
- (iv) is or becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) in any State, Territory or Green Zone Country and/or required to self-isolate or self-quarantine (or equivalent) in any State, Territory or Green Zone Country:
  - (A) prior to delivery of the red zone permit; or
  - (B) after delivery of the red zone permit.

*Note: a person who has entered Victoria with a valid red zone permit and remains in Victoria does not need to apply for nor produce a new red zone permit after the initial red zone permit's validity period has expired.*

#### *Change to obligations after entry under red zone permit*

- (6) If a person has entered Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, with a red zone permit and during the red zone permit validity period in subclause (5)(a), the Chief Health Officer determines that:
  - (a) all **relevant red zones** and all **relevant extreme risk zones** are orange zones (or a combination of orange zones and green zones) and the person was in only those, or other, orange zones or green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the lesser, orange zone obligations under clause 6(4)(b) – (g) will apply to the person from the time of notification by the Department for the remainder of the red zone permit validity period in subclause (5)(a); or
  - (b) all relevant red zones and all relevant extreme risk zones are green zones and the person was in only those, or other, green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the lesser, green zone obligations under clause 5(4)(b) – (c) will apply to the person from the time of notification by the Department for the remainder of the red zone permit validity period in subclause (5)(a).

*Example: a person arrives in Victoria with a red zone permit which is valid for 14 days from their arrival date. Two days after entering Victoria, all areas that the person was in are determined to be orange zones (or a combination of orange and green zones) and the person was in all of those orange zones or green zones at a time after the relevant zone commencement time. The Department notifies the person that the red zone permit obligations which applied after entering Victoria have changed to align with the lesser, orange zone permit obligations in clause 6(4) for the remaining 12 days of the red zone permit's validity period. This includes requirements for the person to continue self-quarantining until they are tested for SARS-CoV-2 and receive a negative SARS-CoV-2 test result. If the person has already been tested for SARS-CoV-2 in accordance with subclauses (4)(e) or (f) and has received a negative SARS-CoV-2 test result, the person may cease self-quarantining immediately.*

## 8 Cross border community members

### *Cross border community – non-extreme risk zone*

- (1) Despite clauses 5, 6 and 7, a restricted person or a prohibited person may enter Victoria from a **cross border community area** that is not an extreme risk zone without a permit if the person:
  - (a) is a cross border community member; and
  - (b) is not a diagnosed person or a close contact of a diagnosed person and/or required to self-isolate or self-quarantine in any State or Territory; and
  - (c) is not experiencing SARS-CoV-2 symptoms; and
  - (d) has not been at a very high risk exposure site in a State, Territory or Green Zone Country at any time during a very high risk period; and

- (e) at the time they enter Victoria, has been in an orange zone in a State, Territory or Green Zone Country outside of the cross border community area at any time after the relevant zone commencement time in the previous 14 days, the person has been tested for SARS-CoV-2 since they last left the orange zone in a State, Territory or Green Zone Country and has received a negative SARS-CoV-2 test result; and
  - (f) at the time the person enters Victoria, has not been in an extreme risk zone or red zone in a State, Territory or Green Zone Country outside of the cross border community area at any time after the relevant zone commencement time in the previous 14 days.
- (2) A person who enters Victoria under subclause (1) must:
- (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) proof that the person is a cross border community member (unless the person is under the age of 18); and
    - (ii) subject to subclause (iii), photographic personal identification and evidence of the current address where the person ordinarily resides (unless the person is under the age of 18); and
 

*Example: photographic personal identification includes a driver's licence issued by any State, Territory or Green Zone Country or a passport issued by Australia or a Green Zone Country. Evidence of the current address where the person ordinarily resides includes a driver's licence or any other document issued by any State, Territory or Green Zone Country or any municipal district, local government area, unincorporated local government area (not including Lord Howe Island) or local authority, including a rates notice.*
    - (iii) if the person is unable to provide proof that the person is a cross border community member or photographic personal identification and evidence of the current address where the person ordinarily resides in accordance with subclause (i) or (ii), other documentary evidence satisfactory to the authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) that the person is a cross border community member (unless the person is under the age of 18); and
 

*Example: a letter from an Indigenous community leader or community services provider from the cross border community area confirming that the person is a cross border community member; confirming the person's identity and confirming the person's address or other place of residence arrangements.*
  - (b) comply with all Directions currently in force; and
  - (c) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms.

*Cross border extreme risk zone permit – eligibility*

- (3) Subject to the requirements in subclause (5), a prohibited person may only enter Victoria from a cross border community area that is an extreme risk zone (**cross border extreme risk zone**) if the person:
- (a) is a cross border community member; and
  - (b) is not a diagnosed person or a close contact of a diagnosed person and/or required to self-isolate or self-quarantine in any State or Territory; and
  - (c) is not experiencing SARS-CoV-2 symptoms; and
  - (d) has not been at a very high risk exposure site in a State, Territory or Green Zone Country at any time during a very high risk period; and



- (e) at the time they enter Victoria, has been in an orange zone in a State, Territory or Green Zone Country outside of the cross border community area at any time after the relevant zone commencement time in the previous 14 days, the person has been tested for SARS-CoV-2 since they last left the orange zone in a State, Territory or Green Zone Country and has received a negative SARS-CoV-2 test result; and
- (f) at the time the person enters Victoria, either:
  - (i) has not been in an extreme risk zone or red zone in a State, Territory or Green Zone Country outside of the cross border community area at any time after the relevant zone commencement time in the previous 14 days; or
  - (ii) has been in an area that is an extreme risk zone or red zone in a State, Territory or Green Zone Country outside of the cross border community area at any time after the relevant zone commencement time in the previous 14 days only for the purpose of direct and short term transit through that extreme risk zone or red zone in that State, Territory or Green Zone Country to Victoria.

*Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any extreme risk zone or red zone, they will not be permitted to enter Victoria under this subclause.*

- (4) A person referred to in subclause (3)(f)(ii) is permitted to enter Victoria if in transiting to Victoria the person has complied with the direct and short-term transit conditions.

*Cross border extreme risk zone permit – requirements for entry*

- (5) A person referred to in subclause (3) may only enter Victoria from a cross border extreme risk zone if:
  - (a) the person is:
    - (i) entering Victoria for one of the **permitted reasons**; or
    - (ii) returning to Victoria after entering a cross border extreme risk zone for one of the permitted reasons; and
  - (b) if the person is a Victorian resident returning from a cross border extreme risk zone, the person did not travel further than reasonably necessary to undertake the purpose for which they have entered the cross border extreme risk zone; and
  - (c) in the case of a person aged 18 years or over, the person has a valid **cross border extreme risk zone permit** which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address where the person ordinarily resides; and
    - (v) the date of entry to Victoria; and
    - (vi) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (3); and
      - (B) meet the requirements under subclauses (5)(a) and (b); and
      - (C) have provided information in the permit that is true and correct;



- and
- (D) subject to sub-subclause (E), will comply with subclause (7); and
  - (E) acknowledges that any zone in a State, Territory or Green Zone Country may change from time to time and the person may be required to comply with different conditions in these directions (as amended from time to time); and
  - (F) they will not re-enter Victoria using a cross border extreme risk zone permit if they have entered an extreme risk zone or red zone outside the cross border community area; and
- (vii) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction).
- (6) For the purposes of subclauses (5) and (7), permitted reasons means any of the following purposes:
- (a) for the purpose of obtaining the following:
    - (i) necessary goods or services; or
    - (ii) medical care; or
    - (iii) a test for SARS-CoV-2; or
    - (iv) the first or second dose of a SARS-CoV-2 vaccination; or
  - (b) for care or other compassionate reasons; or
  - (c) to visit a person with whom they are in an intimate personal relationship; or
  - (d) for the purpose of attending work (whether paid or voluntary, including for charitable or religious purposes) or education (including childcare or early childhood services); or
  - (e) for the purpose of moving to a new premises at which the person will ordinarily reside; or

*Note: if the premises in which the person ordinarily resides is no longer available for the person to reside in or is no longer suitable for the person to reside in, the person can enter Victoria to move to a new premises.*

- (f) for the purpose of viewing a property before settlement or before moving into a rental property to conduct a condition report; or
- (g) to attend an auction or an inspection of real estate for the purposes of a prospective sale, purchase or rental; or
- (h) to drive a person who is entering Victoria for one of the reasons in subclauses (a) to (g) where it is not reasonably practicable for that person to drive themselves; or
- (i) for the purpose of travelling from one place in the cross border community area to another place in the same State for a purpose permitted in that State where it is easier to travel by crossing the border into another State in the cross border community area.

*Example: driving through an extreme risk zone in New South Wales to go from one place in Victoria to another place in Victoria to access medical care, where travelling to the destination without passing through New South Wales would require a longer drive.*

#### *Obligations after entry*

- (7) A person who enters Victoria under subclause (5) must, during the cross border extreme risk zone permit's validity period (or in the case of a cross border community member under the age of 18, during the 14 days following entry into Victoria):
- (a) if the person is not a Victorian resident, not travel further than is reasonably necessary for the permitted reason for which they have entered Victoria; and

- (b) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
- (i) a valid cross border extreme risk zone permit (unless the person is under the age of 18); and
  - (ii) subject to subclause (iii), photographic personal identification and evidence of the current address where the person ordinarily resides (unless the person is under the age of 18); and  
*Example: photographic personal identification includes a driver's licence issued by any State, Territory or Green Zone Country or a passport issued by Australia or a Green Zone Country. Evidence of the current address where the person ordinarily resides includes a driver's licence or any other document issued by any State, Territory or Green Zone Country or any municipal district, local government area, unincorporated local government area (not including Lord Howe Island) or local authority, including a rates notice.*
  - (iii) if the person is unable to provide proof that the person is a cross border community member or photographic personal identification and evidence of the current address where the person ordinarily resides in accordance with subclause (i) or (ii), other documentary evidence satisfactory to the authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) that the person is a cross border community member (unless the person is under the age of 18); and  
*Example: a letter from an Indigenous community leader or community services provider from the cross border community area confirming that the person is a cross border community member, confirming the person's identity and confirming the person's address or other place of residence arrangements.*
- (c) comply with all Directions currently in force; and
- (d) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms.

*Cross border extreme risk zone permit – validity and revocation*

- (8) A cross border extreme risk zone permit:
- (a) is valid for 14 days from the date the person first enters Victoria (unless revoked earlier); and
  - (b) may be used by a person to enter Victoria multiple times during the validity period in subclause (a); and
  - (c) is revoked immediately if the person is outside Victoria and:
    - (i) has been at a very high risk exposure site in a State, Territory or Green Zone Country during the very high risk period:
      - (A) prior to delivery of the cross border extreme risk zone permit; or
      - (B) after delivery of the cross border extreme risk zone permit; or
    - (ii) enters an extreme risk zone or red zone outside the cross border community area after the delivery of the cross border extreme risk zone permit but prior to entry to Victoria; or
    - (iii) a determination is made by the Chief Health Officer prior to the person's first entry to Victoria that results in the person having been in an extreme risk zone or red zone outside the cross border community area after the relevant zone commencement time in the 14 days prior to delivery of the cross border extreme risk zone permit; or

- (iv) is or becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) in any State, Territory or Green Zone Country and/or required to self-isolate or self-quarantine (or equivalent) in any State, Territory or Green Zone Country:
  - (A) prior to delivery of the cross border extreme risk zone permit; or
  - (B) after delivery of the cross border extreme risk zone permit.

*Note: a person who has entered Victoria with a valid cross border extreme risk zone permit and remains in Victoria does not need to apply for nor produce a new cross border extreme risk zone permit after the initial cross border extreme risk zone permit's validity period has expired.*

*Change to obligations after entry under cross border extreme risk zone permit*

- (9) If a person has entered Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, with a cross border extreme risk zone permit and during the cross border extreme risk zone permit validity period in subclause (8)(a), the Chief Health Officer determines that:
  - (a) any **relevant zone** is an extreme risk zone or red zone and the person was in the extreme risk zone or red zone after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, red zone obligations under clause 7(4)(b) – (n) will apply to the person from the time of notification by the Department for the remainder of the cross border extreme risk zone permit validity period in subclause (8)(a); or
  - (b) any relevant zone is an orange zone and the person was in only that, or other orange or green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, orange zone obligations under clause 6(4)(b) – (g) will apply to the person from the time of notification by the Department for the remainder of the cross border extreme risk zone permit validity period in subclause (8)(a).

*Example: a person arrives in Victoria with a cross border extreme risk zone permit which is valid for 14 days from their arrival date. The person had been in green zones outside the cross border community area in the 14 days before entering Victoria. Two days after entering Victoria, one of the green zones is determined to be an orange zone and the person was in that orange zone at a time after the relevant zone commencement time. The Department notifies the person that the cross border extreme risk zone permit obligations which applied after entering Victoria have changed to align with the higher, orange zone permit obligations in clause 6(4) for the remaining 12 days of the cross border extreme risk zone permit's validity period. This includes requirements for the person to continue self-quarantining until they are tested for SARS-CoV-2 and receive a negative SARS-CoV-2 test result.*

## 9 Aircrew

- (1) Despite clauses 5, 6 and 7, a prohibited person or a restricted person who is an aircrew services worker may enter Victoria from any other State or Territory in Australia or, after entering Australia from a Green Zone Country, if the person:
  - (a) subject to subclause (3), whose ordinary place of residence, at the time they enter Victoria, is outside of Victoria and within an extreme risk zone, red zone or orange zone, is required to enter and be physically present in Victoria for the purpose of providing aircrew services; or
  - (b) subject to subclause (4), whose ordinary place of residence, at the time they enter Victoria, is outside of Victoria and within a green zone, is required to enter and be physically present in Victoria for the purpose of providing aircrew services; or
  - (c) subject to subclause (5), is a Victorian resident who is required to enter and be physically present in any other State or Territory in Australia, or in a Green Zone Country, for the purpose of providing aircrew services and is entering Victoria for the purpose of returning to their ordinary place of residence in Victoria; and

- (d) is not a diagnosed person or a close contact of a diagnosed person and/or required to self-isolate or self-quarantine in a State or Territory in Australia or in a Green Zone Country; and
  - (e) is not experiencing SARS-CoV-2 symptoms.
- (2) An aircrew services worker who enters Victoria under subclause (1) must:
- (a) comply with all Directions currently in force; and
  - (b) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms.
- (3) An aircrew services worker who enters Victoria under subclause (1)(a) must:
- (a) travel directly by private transport between the designated crew hotel and any airport of arrival or departure; and
  - (b) not leave the designated crew hotel other than:
    - (i) to travel to the airport of departure; or
    - (ii) in an emergency; or
    - (iii) to undertake required simulator training or emergency procedures training; or
    - (iv) to obtain medical care or medical supplies; or
    - (v) to get tested for SARS-CoV-2; or
    - (vi) if required to do so by law; or
    - (vii) to leave or depart from Victoria; and
  - (c) wear a face covering during each flight to and from Victoria and when travelling between the designated crew hotel and the airport (unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person); and
  - (d) otherwise comply with relevant airline requirements and **COVIDSafe Plan** whilst in Victoria and in any other State or Territory in Australia or in a Green Zone Country.
- (4) An aircrew services worker who enters Victoria under subclause (1)(b) must comply with their respective airline's COVIDSafe Plan while travelling to and from an extreme risk zone, red zone or orange zone in the 14 days prior to entry to Victoria.
- (5) An aircrew services worker who enters Victoria under subclause (1)(c), who travels to or from an extreme risk zone, red zone or orange zone in the 14 days prior to entry to Victoria must:
- (a) travel directly by private transport between the designated crew hotel and any airport of arrival or departure whilst in the extreme risk zone, red zone or orange zone; and
  - (b) not leave the designated crew hotel whilst in the extreme risk zone, red zone or orange zone, other than:
    - (i) to travel to the airport of departure; or
    - (ii) in an emergency; or
    - (iii) to undertake required simulator training or emergency procedures training; or
    - (iv) to obtain medical care or medical supplies; or
    - (v) to get tested for SARS-CoV-2; or
    - (vi) if required to do so by law; or
    - (vii) to leave or depart from Victoria; and
  - (c) otherwise comply with relevant airline requirements and **COVIDSafe Plan** whilst in Victoria and in any other State or Territory in Australia or in a Green Zone country.

**10 Transit through Victoria**

(1) Despite clauses 6, 7 and 8, a restricted person or a prohibited person whose ordinary place of residence is not in Victoria may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if:

- (a) the person is required to enter and be physically present in Victoria for the purpose of direct and short term transit through Victoria by air, sea, rail or road; and

*Note: short term transit means a transit time of less than 24 hours. If a person transiting through Victoria under clause 10 spends more than 24 hours in Victoria, they will be a prohibited person or a restricted person and must either have a valid permit, an exception or an exemption (as applicable).*

- (b) the person has a valid transit permit which includes:
- (i) the person's full name; and
  - (ii) the person's contact phone number; and
  - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
  - (iv) the address from which the person is departing when entering Victoria; and
  - (v) where applicable, the current address where the person ordinarily resides; and
  - (vi) the address where the person will reside after entering Victoria; and
  - (vii) the date of entry to Victoria; and
  - (viii) if applicable, any planned date of departure from Victoria; and
  - (ix) an attestation by the person stating that (as at the date of attestation) the person (and any person under the age of 18 or other dependant entering Victoria with the person):
    - (A) is entering Victoria for the purpose of direct and short term transit through Victoria by air, sea, rail or road; and
    - (B) is not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in a State, Territory or Green Zone Country; and
    - (C) is not experiencing SARS-CoV-2 symptoms; and
    - (D) has provided information in the permit that is true and correct; and
    - (E) will comply with the conditions in subclause (2) and (3) (as applicable); and
  - (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction); and
- (c) the person has been in hotel quarantine (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in Victoria or in other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria, provides (at the time of applying for the transit permit):
- (i) the name of the facility attended; and
  - (ii) the name of the State, Territory or Green Zone Country of the facility attended.

- (2) A person who enters Victoria under subclause (1) must:
  - (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid transit permit; and
    - (ii) an acceptable form of identification; and
  - (b) comply with all Directions currently in force; and
  - (c) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms.
- (3) Without limiting subclause (2), if a person, at the time they enter Victoria, has been in an area that is an extreme risk zone, a red zone or an orange zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days, the person must comply with the direct and short-term transit conditions.
- (4) A transit permit:
  - (a) is valid for 24 hours from the time the person first enters Victoria (unless revoked earlier); and
  - (b) may only be used once by a person to enter Victoria during the validity period in subclause (a).

## 11 Specified workers

### *Specified worker (single entry) permit – eligibility*

- (1) Despite clause 7, a prohibited person may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if they:
  - (a) are either:
    - (i) required to enter and be physically present in Victoria for the purpose of providing **specified work** in an occupation included in the **Specified Worker List – Single Entry** where that specified work is urgent, essential to the operations of the person's employer or customer, and cannot practically be carried out in a timely manner by workers who ordinarily reside in Victoria or in an area that is a green zone; or
    - (ii) a Victorian resident who is:
      - (A) required to enter and be physically present in another State or Territory or a Green Zone Country for the purpose of providing specified work in an occupation included in the Specified Worker List – Single Entry; and
      - (B) is entering Victoria for the purpose of returning to their ordinary place of residence in Victoria,
  - (b) are not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in a State, Territory or Green Zone Country; and
  - (c) have not been at a very high risk exposure site during the very high risk period; and
  - (d) are not experiencing SARS-CoV-2 symptoms.

### *Specified worker (single entry) permit – requirements for entry*

- (2) A person who enters Victoria under subclause (1) must:
  - (a) have a valid specified worker (single entry) permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and

- (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
- (iv) the address from which the person is departing when entering Victoria; and
- (v) where applicable, the current address where the person ordinarily resides; and
- (vi) the address where the person will reside after entering Victoria; and
- (vii) the date of entry to Victoria; and
- (viii) if applicable, any planned date of departure from Victoria; and
- (ix) an attestation by the person stating that (as at the date of attestation) the person (and any person under the age of 18 or other dependant entering Victoria with the person):
  - (A) meets all the eligibility requirements in subclause (1); and
  - (B) has provided information in the permit that is true and correct; and
  - (C) will comply with the conditions in subclauses (3) and (4); and
- (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction); and
- (b) if the person has been in hotel quarantine (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in Victoria or in other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria, provide (at the time of applying for the specified worker (single entry) permit):
  - (i) the name of the facility attended; and
  - (ii) the name of the State, Territory or Green Zone Country of the facility attended; and
- (c) have evidence that the work they are performing meets the requirements in subclause (1)(a)(i) from their employer or customer.

*Note: a letter from an employer or customer on company letterhead that confirms that the work undertaken by the person meets the requirements in subclause (1)(a)(i) would be sufficient evidence.*

*Specified worker (single entry) permit – conditions after entry*

- (3) A person who enters Victoria under subclause (1) must:
  - (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid specified worker (single entry) permit; and
    - (ii) an acceptable form of identification; and
    - (iii) evidence that the work they are performing meets the requirements in subclause 1(a)(i) from their employer or customer; and
  - (b) unless the person is a Victorian resident, only remain in Victoria for the period reasonably necessary to provide the specified work; and
  - (c) comply with all Directions currently in force; and
  - (d) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms; and



- (e) otherwise comply with the relevant COVIDSafe Plan while in Victoria and in any other State, Territory or Green Zone Country (including while travelling to and from an extreme risk zone, red zone or orange zone in the other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria); and
- (f) without limiting subclause (e), if the person is specified worker permitted to enter Victoria for the purpose of a Tier 1 or Tier 2 event under the **Public Event Framework**, comply with the relevant COVIDSafe Plan for the Tier 1 or Tier 2 Event.

*Note: a specified worker (single entry) may be accompanied by a dependent child under the age of 18 years or other dependent person, such as an adult with a disability, if the dependant is to receive emergency or essential medical care or other urgent care, provided the dependant complies with the requirements under subclause (3) whilst in Victoria.*

- (4) If a prohibited person enters Victoria:
  - (a) under subclause (1), that person must, in addition to the obligations in subclause (3):
    - (i) subject to subclause (ii), get tested for SARS-CoV-2:
      - (A) within 72 hours of the time the person enters Victoria; and
      - (B) during the period that is 6 to 8 days from the day the person enters Victoria; and
      - (C) during the period that is 13 to 14 days from the day the person enters Victoria; and
    - (ii) if the person is a worker at an **offshore petroleum or gas storage facility** who cannot reasonably get tested for SARS-CoV-2 while working, get tested for SARS-CoV-2 within 72 hours of the time the person first enters Victoria during each specified worker (single entry) permit validity period in subclause (5); and
    - (iii) travel immediately and directly to, and self-quarantine at, the premises at which the person will reside for the period of the specified worker permit or another premises that is suitable for the person to reside in for the purposes of self-quarantine, for 14 days (subject to subclauses (v) and (vi)(A)); and
    - (iv) reside at the premises described in subclause (iii) and not leave the premises except:
      - (A) for the purpose of undertaking the relevant specified work, but only after the person receives a negative SARS-CoV-2 test result; or
      - (B) to obtain takeaway food and drink; or
      - (C) to access toilet and bathroom facilities; or
      - (D) to obtain medical care or medical supplies; or
      - (E) to get tested for SARS-CoV-2; or
      - (F) in an emergency situation; or
      - (G) if required to do so by law; or
      - (H) to leave Victoria,during the period of self-quarantine under subclause (iii); and
    - (v) if, during the period of self-quarantine, the person refuses or otherwise fails to take a test for SARS-CoV-2 in accordance with subclause (i) (C) (including as extended under subclause (vi)(A)), the period of self-quarantine in subclause (iii) is extended for an additional period being the earlier of:
      - (A) an additional 14 days; or

- (B) until the person gets tested for SARS-CoV-2 and receives a negative test result; and

*Note 1: any tests undertaken pursuant to subclauses (4)(a)(i)(A) or (B) do not satisfy the requirement in subclause (4)(a)(v)(B).*

*Note 2: prohibited persons entering Victoria pursuant to subclause 11(1) will be required to test for SARS-CoV-2 on or around day 13 of their self-quarantine (or the day before the end of self-quarantine), as testing at this time is likely to detect the presence of SARS-CoV-2, even if a person has not yet developed symptoms. As a person may be infectious for up to 14 days after the 14 day incubation period, if this test does not occur, an additional 14 days of quarantine is required to prevent a person who develops SARS-CoV-2 towards the end of the 14 day incubation period, even if not symptomatic, transmitting SARS-CoV-2 to the broader community.*

- (vi) if, during the period of self-quarantine:
- (A) the period for which the person is required to self-quarantine under subclause (iii) expires during the period in which the person is awaiting the result of a test required by subclause (i), the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and
- (B) if the person receives a negative SARS-CoV-2 test result and:
1. the period for which the person is required to self-quarantine under subclause (iii) has not expired, the person must continue to self-quarantine under subclause (iii) for the remainder of that period; and
  2. the period for which the person is required to self-quarantine under subclause (iii) (as extended under either or both of subclauses (v) and (vi)(A)) has expired, the person may cease self-quarantining immediately; and
- (vii) if the person leaves the premises described in subclause (iii) in accordance with subclause (iv) during the period of self-quarantine under subclause (iii), wear a face covering in all:
- (A) indoor public places; and
- (B) outdoor public places; and
- (C) vehicles, if the person is in a vehicle with any other person (unless the other person ordinarily resides with the person),
- unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person;

- (5) A specified worker (single entry) permit:
- (a) is valid for 14 days from the date the person first enters Victoria (unless revoked earlier); and
  - (b) may be used by a person to enter Victoria on a single occasion during the validity period in subclause (a).

*Specified worker (multiple entry) permit – eligibility*

- (6) Despite clauses 6 and 7 and subject to the requirements in subclause (7), a prohibited person or a restricted person may enter Victoria from any other State or Territory in Australia if they:
- (a) are either:
    - (i) required to enter and be physically present in Victoria for the purpose of providing specified work in an occupation included in the **Specified Worker List – Multiple Entry** where that specified work is urgent, essential to the operations of the person’s employer or customer, and cannot be carried out in a timely manner by workers who ordinarily reside in Victoria or in an area that is a green zone; or

- (ii) a Victorian resident who is:
    - (A) required to enter and be physically present in any other State or Territory in Australia for the purpose of providing specified work in an occupation included in the Specified Worker List – Multiple Entry; and
    - (B) entering Victoria from any other State or Territory in Australia for the purpose of returning to their ordinary place of residence in Victoria; and
  - (b) are not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine in a State, Territory or Green Zone Country; and
  - (c) have not been at a very high risk exposure site during the very high risk period; and
  - (d) are not experiencing SARS-CoV-2 symptoms.
- (7) A person referred to in subclause (6) is only permitted to enter Victoria if:
- (a) during all times the person was in an orange zone, red zone or extreme risk zone in which they do not ordinarily reside, in the 14 days prior to entry to Victoria, the person:
    - (i) only remained in that orange zone, red zone, or extreme risk zone for as long as necessary to provide the relevant specified work;
    - (ii) has not carried any person as a passenger in the driver’s cabin of a vehicle, other than for the purpose of providing specified work in an occupation listed in the Specified Worker List – Multiple Entry; and
    - (iii) kept detailed records of all travel and each place they stopped (including accommodation); and
    - (iv) wore a face covering at all times in all:
      - (A) indoor public places; and
      - (B) outdoor public places; and
      - (C) vehicles, if the person was in a vehicle with any other person (unless the other person ordinarily resides with the person); and
    - (v) minimised contact with other persons (except in cases of emergency); and
    - (vi) did not enter or stay in any indoor space or vehicle except when reasonably necessary for:
      - (A) providing specified work; or
      - (B) accessing toilet or bathroom facilities; or
      - (C) obtaining medical care or medical supplies; or
      - (D) paying for fuel; or
      - (E) purchasing takeaway food and drink; or
      - (F) accessing accommodation; or
      - (G) travelling to Victoria from an airport, seaport, railway station, bus station or other transport facility; or
      - (H) travelling to Victoria on an aircraft, train, sea vessel, bus or other transport vehicle; and
  - (b) has complied with the requirements applicable to specified worker (multiple entry) permit holders in clause 12.

*Specified worker (multiple entry) permit – requirements for entry*

- (8) A person who enters Victoria under subclause (6) must:
- (a) have a valid specified worker (multiple entry) permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address from which the person is departing when entering Victoria; and
    - (v) where applicable, the current address where the person ordinarily resides; and
    - (vi) the address where the person will reside after entry to Victoria; and
    - (vii) the date of entry to Victoria; and
    - (viii) if applicable, any planned date of departure from Victoria; and
    - (ix) an attestation by the person stating that (as at the date of attestation) the person (and any person under the age of 18 or other dependant entering Victoria with the person):
      - (A) meets all the eligibility requirements in subclause (6); and
      - (B) has provided information in the permit that is true and correct; and
      - (C) will comply with the conditions in subclause (9); and
    - (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction); and
  - (b) if the person has been in hotel quarantine (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in Victoria or in other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria, provide (at the time of applying for the specified worker (multiple entry) permit):
    - (i) the name of the facility attended; and
    - (ii) the name of the State, Territory or Green Zone Country of the facility attended; and
  - (c) have evidence that the work they are performing meets the requirements in subclause (6)(a)(i) from their employer or customer.

*Note: a letter from an employer or customer on company letterhead that confirms that the work undertaken by the person meets the requirements in subclause (6)(a)(i) would be sufficient evidence.*

*Specified worker (multiple entry) permit – conditions after entry*

- (9) A person who enters Victoria under subclause (6) and who is:
- (a) a restricted person who, at the time the person enters Victoria, has been in an area that is an orange zone in a State, Territory or Green Zone Country at any time after the relevant zone commencement time in the previous 14 days and has not received a negative SARS-CoV-2 test since arriving in Victoria; or
  - (b) a prohibited person,
- must:
- (c) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid specified worker (multiple entry) permit; and

- (ii) an acceptable form of identification; and
- (iii) evidence that they meet the requirement in subclause (6)(a)(i); and
- (d) not work while experiencing SARS-CoV-2 symptoms; and
- (e) unless the person is a **returning Victorian resident**, only remain in Victoria for the period reasonably necessary to provide the relevant specified work; and
- (f) get tested for SARS-CoV-2:
  - (i) at least once every 3 days during each specified worker (multiple entry) permit validity period in subclause (10) if the person has been in an area that is an extreme risk zone or red zone at any time after the relevant zone commencement time in the 14 days prior to entry to Victoria; or
  - (ii) within 72 hours of entering Victoria if the person has been in an area that is an orange zone at any time after the relevant zone commencement time in the 14 days prior to entry to Victoria; and

*Note: nothing in subclause (f) is intended to require a person to be tested for SARS-CoV-2 more than four times in any 14 day period, including where a person enters Victoria more than once in any 14 day period.*

- (g) carry and provide documentary evidence that the person has been tested in accordance with subclause (f) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
- (h) unless the person is a returning Victorian resident, minimise contact with other persons; and
- (i) unless the person is a returning Victorian resident, wear a face covering unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person, for 14 days commencing from when the person enters Victoria or, if the person is a person referred to in subclause (a), until the person receives a negative SARS-CoV-2 test result, when in:
  - (i) public places; and
  - (ii) a vehicle if the person is in the vehicle with any other person with whom the person does not ordinarily reside at a private premises; and
- (j) unless the person is a returning Victorian resident, not carry a person as a passenger in the driver's cabin of a vehicle other than for the purpose of providing specified work; and
- (k) unless the person is a returning Victorian resident, keep detailed records of each place they stop (including accommodation) in Victoria; and
- (l) comply with all Directions currently in force; and
- (m) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms; and
- (n) unless the person is a returning Victorian resident, not enter or stay in any other vehicle or indoor space except when reasonably necessary for the purposes of:
  - (i) providing the specified work in an occupation listed in the Specified Worker – Multiple Entry List, that they have entered Victoria to perform; or
  - (ii) accessing toilet or bathroom facilities; or
  - (iii) paying for fuel; or
  - (iv) purchasing essential items; or

- (v) purchasing takeaway food or drink; or

*Note: the person is permitted to purchase takeaway food or drink only and must eat or drink in that person's vehicle or the room at their accommodation and not in any other vehicle or indoor space while in transit through Victoria.*

- (vi) accessing accommodation; or
- (vii) departing Victoria from an airport, seaport, railway station, bus station or other transport facility; or
- (viii) travelling from Victoria on an aircraft, train, sea vessel, bus or other transport vehicle; or
- (ix) obtaining medical care or medical supplies.

*Note: a specified worker (multiple entry) may be accompanied by a dependent child under the age of 18 years or other dependent person, such as an adult with a disability, if the dependent is to receive emergency or essential medical care or other urgent care, provided the dependent complies with the requirements under subclause (9) whilst in Victoria.*

- (10) A specified worker (multiple entry) permit:
  - (a) is valid for 14 days from the date the person first enters Victoria from any other State or Territory in Australia (unless revoked earlier); and
  - (b) may be used by a person to enter Victoria from any other State or Territory in Australia multiple times during the validity period in subclause (a).
- (11) A person may only apply for a specified worker (multiple entry) permit once for each 14 day period referred to in subclause (10)(a) and may only apply for a new permit if their current permit is within the last 24 hours of the 14 day period, or has been revoked.

## 12 Mandatory vaccination requirement – specified worker (multiple entry) permit obligations

- (1) A person who enters Victoria under a specified worker (multiple entry) permit and who is a:
  - (a) **commercial freight worker**; or
  - (b) **health care worker**,
 must comply with the requirements in subclause (2).

*Note: specified worker (multiple entry) permit holders who are not listed in subclause (1) do not need to comply with subclause (2) and (3).*

- (2) A person referred to in subclause (1) must carry and provide documentary evidence that:
  - (a) they have received a **full COVID-19 vaccination**; or
  - (b) they have received a **partial COVID-19 vaccination**; or
  - (c) they have made a booking to receive a dose of a COVID-19 vaccine by 11.59 pm on 7 October 2021; or
  - (d) they have a **vaccination exception** that is provided by a **medical practitioner** certifying that a vaccination exception applies to the person.

*Note: all specified worker (multiple entry) permits applied for before 11:59:00 pm on 23 September 2021, for workers who are subject to the mandatory vaccination requirements, are revoked effective from 11:59:00 pm on 27 September 2021, and a new specified worker (multiple entry) permit will be required.*

## 13 Departing hotel quarantine permit

### *Departing hotel quarantine permit – Eligibility*

- (1) Subject to the requirements in subclause (2), a restricted person or a prohibited person may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country if the person, at the time they enter Victoria:
  - (a) has been in hotel quarantine (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in any other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria; and

- (b) has not been at a very high risk exposure site in a State, Territory or Green Zone Country at any time during a very high risk period; and
  - (c) either:
    - (i) travels directly from hotel quarantine to Victoria in accordance with the direct and short-term transit conditions; or
    - (ii) has only been in an area that is a green zone at any time after the relevant zone commencement time in the previous 14 days and if the person enters Victoria 4 or more days after departing hotel quarantine, has undertaken a test for SARS-CoV-2; or
- Note: the SARS-CoV-2 test result for entry under subclause (c)(ii) does not need to be received prior to entering Victoria.*
- (iii) has only been in an area that is an orange zone at any time after the relevant zone commencement time in the previous 14 days and either:
    - (A) has received a negative result for a SARS-CoV-2 test undertaken on day 3, 4 or 5 after departing hotel quarantine; or
    - (B) has not undertaken a SARS-CoV-2 test since departing hotel quarantine or has not received results for a SARS-CoV-2 test before entering Victoria; and
  - (d) is not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in a State, Territory or Green Zone Country; and
  - (e) is not experiencing SARS-CoV-2 symptoms.
- (2) A person referred to in subclause (1)(c)(i) is only permitted to enter Victoria if in transiting to Victoria the person has complied with the direct and short-term transit conditions.

*Requirements for entry*

- (3) A person who enters Victoria under subclause (1) must:
- (a) have a valid departing hotel quarantine permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) where applicable, the current address where the person ordinarily resides; and
    - (v) the address where the person will reside after entering Victoria; and
    - (vi) the name of the facility attended for hotel quarantine; and
    - (vii) the name of the State, Territory or Green Zone Country of the facility attended for hotel quarantine; and
    - (viii) the date of entry to Victoria; and
    - (ix) if applicable, any planned date of departure from Victoria; and
    - (x) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (1); and
      - (B) will undertake a test for SARS-CoV-2 in accordance with subclause (4)(a); and



- (C) have provided information in the permit that is true and correct; and
- (xi) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction).

*Obligations after entry*

- (4) A person who enters Victoria under subclause (1) must, during the 14 day period from the date of entry to Victoria:
  - (a) in relation to a person referred to in subclause (1)(c)(i), undertake a test for SARS-CoV-2 on day 3, 4 or 5 after they departed hotel quarantine; and
  - (b) in relation to a person referred to in subclause (1)(c)(ii) entering Victoria from a green zone:
    - (i) between 24 hours and day 3 after departing hotel quarantine, the person must undertake a test for SARS-CoV-2 on day 3, 4 or 5 after entering Victoria; or
  - (c) in relation to a person referred to in subclause (1)(c)(iii) entering Victoria from an orange zone:
    - (i) undertake a test for SARS-CoV-2:
      - (A) on day 3, 4 or 5 after departing hotel quarantine; or
      - (B) if day 3, 4 or 5 after departing hotel quarantine is prior to entering Victoria, within 72 hours after entering Victoria; and
    - (ii) travel immediately and directly to, and self-quarantine at, the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine (except for an alpine resort) until the person receives a negative SARS-CoV-2 test result; and
  - (d) reside at the premises described in subclause (c) and not leave the premises except:
    - (i) to obtain medical care or medical supplies; or
    - (ii) to get tested for SARS-CoV-2; or
    - (iii) in an emergency situation; or
    - (iv) if required to do so by law; or
    - (v) to leave Victoria,
 during the period of self-quarantine under subclause (c); and
  - (e) if the person leaves the premises described in subclause (c) in accordance with subclause (d) during the period of self-quarantine under subclause (c), wear a face covering in all:
    - (i) indoor public places; and
    - (ii) outdoor public places; and
    - (iii) vehicles, if the person is in a vehicle with any other person (unless the other person ordinarily resides with the person),
 unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
  - (f) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) the departing hotel quarantine permit under which they entered Victoria; and

- (ii) an acceptable form of identification; and
- (iii) evidence that they have undertaken a test for SARS-CoV-2 in accordance with subclause (1)(c)(ii) or subclause (4)(a) or (b) or (c); and
- (g) monitor for SARS-CoV-2 symptoms and get tested for SARS-CoV-2 if experiencing SARS-CoV-2 symptoms; and
- (h) comply with all Directions currently in force.

*Note: a person who enters Victoria under a departing hotel quarantine permit under subclause (1) must continue to comply with the Directions currently in force at all times when in Victoria.*

#### *Validity and revocation*

- (5) A departing hotel quarantine permit:
  - (a) is valid for 24 hours from the time the person is issued the permit (unless revoked earlier); and
  - (b) may only be used once by the person to enter Victoria during the validity period in subclause (a); and
  - (c) is revoked immediately if the person, other than for a purpose referred to in subclause (1)(c)(i) (direct and short term transit), is outside Victoria and:
    - (i) enters an extreme risk zone, red zone or orange zone in a State, Territory or Green Zone Country after the delivery of the departing hotel quarantine permit; or
    - (ii) a determination is made by the Chief Health Officer prior to the person's first entry to Victoria that results in the person having been in an extreme risk zone, red zone or orange zone in a State, Territory or Green Zone Country after the relevant zone commencement time in the 14 days prior to the delivery of the departing hotel quarantine permit.

*Note: a person who has entered Victoria with a valid departing hotel quarantine permit and remains in Victoria does not need to apply for nor produce a new departing hotel quarantine permit after the initial departing hotel quarantine permits validity period has expired.*

#### *Change to obligations after entry under departing hotel quarantine permit*

- (6) If a person referred to in subclause (1) enters Victoria with a departing hotel quarantine permit and during the during the 14 day period from the date of entry to Victoria, the Chief Health Officer determines that:
  - (a) any relevant orange zone or relevant green zone is an extreme risk zone or red zone and the person was in the extreme risk zone or red zone after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the higher, red zone obligations under clause 7(4)(b) – (n) will apply to the person from the time of notification by the Department for the remainder of the 14 day period.

*Example: a person departs hotel quarantine, spends time in an orange zone and two days after entering Victoria, the orange zone is determined to be a red zone and the person was in the red zone at a time after the relevant zone commencement time. The Department notifies the person that the departing hotel quarantine permit obligations which applied after entering Victoria have changed to align with the higher, red zone permit obligations in clause 7(4) for the remaining 12 day period. This includes requirements for the person to continue or recommence self-quarantining for the remaining 12 day period and get tested at certain times, including just prior to the end of the self-quarantine period.*

## 14 Extreme risk zone permit

### *Eligibility*

- (1) Subject to the requirements in subclause (2), a **Victorian resident** may enter Victoria from any other State or Territory or, after entering Australia, from a Green Zone Country if the Victorian resident, at the time the person enters Victoria:
  - (a) has not been at a very high risk exposure site in a State, Territory or Green Zone Country at any time during the very high risk period; and

- (b) is not a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine (or equivalent) in any State, Territory or Green Zone Country; and
- (c) is not experiencing SARS-CoV-2 symptoms; and
- (d) has:
  - (i) undertaken a SARS-CoV-2 test no more than 72 hours before entering Victoria; and
  - (ii) received a negative result for that SARS-CoV-2 test; and
- (e) if aged 18 years or over, has received a **full COVID-19 vaccination** or has a **vaccination exception** with evidence from a medical practitioner certifying that a vaccination exception applies to them.

*Requirements for entry*

- (2) A person referred to in subclause (1) may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, if the person:
  - (a) has a valid extreme risk zone permit which includes:
    - (i) the person's full name; and
    - (ii) the person's contact phone number; and
    - (iii) the full names of any person under the age of 18, or other dependants for whom the person is a parent, guardian or carer, entering Victoria with the person; and
    - (iv) the address from which the person is departing when entering Victoria; and
    - (v) the address where the person ordinarily resides in Victoria; and
    - (vi) the address where the person will reside after entering Victoria; and
    - (vii) the date of entry to Victoria; and
    - (viii) if applicable, any planned date of departure from Victoria; and
    - (ix) an attestation by the person stating that (as at the date of attestation) the person and each person under the age of 18 or other dependant entering Victoria with the person:
      - (A) meet all the eligibility requirements in subclause (1); and
      - (B) have provided information in the permit that is true and correct; and
      - (C) is a Victorian resident; and
      - (D) subject to sub-subclause (E), will comply with the conditions in subclause (3); and
      - (E) acknowledges that any zone in a State, Territory or Green Zone Country may change from time to time and the person may be required to comply with different conditions in these directions (as amended from time to time); and
  - (x) a QR code capable of being scanned by an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction); and
  - (b) if the person has been in hotel quarantine (including for the purpose of completing the required period of hotel quarantine or for any other purpose, including work) in Victoria or in other State, Territory or Green Zone Country in the 14 days prior to entry to Victoria, provides (at the time of applying for the red zone permit):
    - (i) the name of the facility attended; and
    - (ii) the name of the State, Territory or Green Zone Country of the facility attended.

*Obligations after entry*

- (3) A person who enters Victoria under subclause (2) must, during the extreme risk zone permit's validity period in subclause (4)(a):
- (a) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
    - (i) a valid extreme risk zone permit; and
    - (ii) an acceptable form of identification; and
    - (iii) if aged 18 years or over, evidence that the person has received a **full COVID-19 vaccination** or evidence from a medical practitioner certifying that a **vaccination exception** applies to them; and
  - (b) wear a face covering during each flight to Victoria unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
  - (c) travel immediately and directly to, and self-quarantine at, the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine for 14 days (subject to subclauses (g) and (h)(ii)); and
  - (d) reside at the premises described in subclause (c) and not leave the premises except:
    - (i) to obtain medical care or medical supplies; or
    - (ii) to get tested for SARS-CoV-2; or
    - (iii) in an emergency situation; or
    - (iv) if required to do so by law; or
    - (v) to leave Victoria,during the period of self-quarantine under subclause (c); and
  - (e) get tested for SARS-CoV-2 within 72 hours of the time the person enters Victoria; or
  - (f) get tested for SARS-CoV-2 on day 13 during the period of self-quarantine under subclause (c); or
  - (g) if, during the period of self-quarantine, the person refuses or otherwise fails to take a test for SARS-CoV-2 in accordance with subclause (f), the period of self-quarantine in subclause (c) (as extended under subclause (h)(ii)) is extended for an additional period being the earlier of:
    - (i) an additional 14 days; or
    - (ii) until the person gets tested for SARS-CoV-2 and receives a negative test result; and
- Note: persons entering Victoria with an extreme risk zone permit will be required to test for SARS-CoV-2 on or around day 13 of their self-quarantine (or the day before the end of self-quarantine), as testing at this time is likely to detect the presence of SARS-CoV-2, even if a person has not yet developed symptoms. As a person may be infectious for up to 14 days after the 14 day incubation period, if this test does not occur, an additional 14 days of quarantine is required to prevent a person who develops SARS-CoV-2 towards the end of the 14 day incubation period, even if not symptomatic, transmitting SARS-CoV-2 to the broader community.*
- (h) if, during the period of self-quarantine:
    - (i) the person is tested for SARS-CoV-2; and
    - (ii) subject to subclause (iii), the period for which the person is required to self-quarantine under subclause (c) expires during the period in which the person is awaiting the result of that test, the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and

- (iii) if the person receives a negative SARS-CoV-2 test result and:
  - (A) the period for which the person is required to self-quarantine under subclause (c) has not expired, the person must continue to self-quarantine under subclause (c) for the remainder of that period; or
  - (B) the period for which the person is required to self-quarantine under subclause (c) (as extended under either or both of subclauses (g) and (h)(ii)) has expired, the person may cease self-quarantining immediately; and
- (i) provide documentary evidence that the person has been tested in accordance with subclauses (e) and (f) and (14)(1)(d) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
- (j) minimise contact with other persons in Victoria (except in an emergency); and
- (k) practise physical distancing; and
- (l) wear a face covering in all public places unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
- (m) monitor for SARS-CoV-2 symptoms and, if experiencing SARS-CoV-2 symptoms:
  - (i) notify the Department; and
  - (ii) immediately get tested for SARS-CoV-2; and
- (n) comply with all Directions currently in force.

*Validity and revocation*

- (4) An extreme risk zone permit:
  - (a) is valid for 14 days from the date the person first enters Victoria (unless revoked earlier); and
  - (b) may only be used once by a person to enter Victoria during the validity period in subclause (a); and
  - (c) is revoked immediately if the person is outside Victoria and:
    - (i) has been at a very high risk exposure site in a State, Territory or Green Zone Country during the very high risk period:
      - (A) prior to delivery of the extreme risk zone permit; or
      - (B) after delivery of the extreme risk zone permit; or
    - (ii) is or becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) in any State, Territory or Green Zone Country and/or required to self-isolate or self-quarantine (or equivalent) in any State, Territory or Green Zone Country:
      - (A) prior to delivery of the extreme risk zone permit; or
      - (B) after delivery of the extreme risk zone permit.

*Note: a person who has entered Victoria with a valid extreme risk zone permit and remains in Victoria does not need to apply for nor produce a new extreme risk zone permit after the initial extreme risk zone permit's validity period has expired.*

*Change to obligations after entry under extreme risk zone permit*

- (5) If a person has entered Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, with an extreme risk zone permit and during the extreme risk zone permit validity period in subclause (4)(a), the Chief Health Officer determines that:
- (a) all **relevant extreme risk zones** are orange zones (or a combination of orange zones and green zones) and the person was in only those, or other, orange zones or green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the lesser, orange zone obligations under clause 6(4)(b) – (g) will apply to the person from the time of notification by the Department for the remainder of the extreme risk zone permit validity period in subclause (4)(a); or
  - (b) all relevant extreme risk zones are green zones and the person was in only those, or other, green zones after the relevant zone commencement time, at a time within the 14 days prior to the person's entry to Victoria, then the lesser, green zone obligations under clause 5(4)(b) – (c) will apply to the person from the time of notification by the Department for the remainder of the extreme risk zone permit validity period in subclause (4)(a).

*Example: a person arrives in Victoria with an extreme risk zone permit which is valid for 14 days from their arrival date. Two days after entering Victoria, all areas that the person was in are determined to be orange zones (or a combination of orange and green zones) and the person was in all of those orange zones or green zones at a time after the relevant zone commencement time. The Department notifies the person that the extreme risk zone permit obligations which applied after entering Victoria have changed to align with the lesser, orange zone permit obligations in clause 6(4) for the remaining 12 days of the extreme risk zone permit's validity period. This includes requirements for the person to continue self-quarantining until they are tested for SARS-CoV-2 and receive a negative SARS-CoV-2 test result. If the person has already been tested for SARS-CoV-2 in accordance with subclauses (3)(e) or (f) and has received a negative SARS-CoV-2 test result, the person may cease self-quarantining immediately.*

**15 Applications for a permit**

- (1) A person may apply for a permit using a digital system provided by the **Service Victoria CEO** and other parts of the Victorian Government.
- (2) An application for a permit must contain all information reasonably required by the Department from time to time, for the purpose of protecting public health.
- (3) The Service Victoria CEO:
  - (a) may deliver a permit to a person if clause:
    - (i) 5 (*green zone permit*); or
    - (ii) 6 (*orange zone permit*); or
    - (iii) 7 (*red zone permit*); or
    - (iv) 8(3) (cross border zone permit); or
    - (v) 10 (*transit permit*); or
    - (vi) 11(1) (specified worker (single entry) permit); or
    - (vii) 11(6) (specified worker (multiple entry) permit); or
    - (viii) 12 (*departing hotel quarantine permit*); or
    - (ix) 14 (*extreme risk zone permit*),
 applies, the person makes an application under subclause (1) and the application complies with the requirements under subclause (2); and
  - (b) may provide a copy of the permit to the Department; and
  - (c) will provide any information contained in an application to the Department on behalf of the person.
- (4) A person must not give information, or make a statement, in an application for a permit that is false or misleading in a material particular.

## 16 Excepted persons

- (1) A restricted person or prohibited person may enter Victoria from any other State or Territory in Australia or, after entering Australia, from a Green Zone Country, without a permit:
- (a) if the person is entering Victoria to provide emergency or time-critical essential medical care or other urgent care as a **worker**; or  
*Note: people that provide routine medical care or other routine care are not included in subclause (a).*
  - (b) to receive or accompany a dependant who is to receive, emergency or essential medical care or other urgent care; or  
*Note: for the purposes of subclauses (b) and (c), a dependant includes a person who is dependent on another to facilitate attendances to receive essential medical care, or is dependent on others for the provision of essential medical care.*  
*Example 1: a person is a dependant of their intimate partner where they require essential medical care in Victoria and rely on their intimate partner to transport and support them to receive that essential medical care.*  
*Example 2: essential medical care includes medical care requiring continuity of treatment, such as chemotherapy or dialysis treatment.*  
*Example 3: other urgent care may include essential care for a person with a disability or a dependant of a person, if there are no alternate care arrangements available, but does not include ordinary child-minding services.*
  - (c) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria to:
    - (i) provide emergency or time-critical essential medical care or other urgent care as a worker; or
    - (ii) receive or accompany a dependant who received, emergency or essential medical care or other urgent care; or
  - (d) if the person is an **emergency worker** and they are providing emergency services to prevent or respond to an emergency; or
  - (e) to provide essential public services to prevent or respond to an emergency; or
  - (f) to ensure the provision of telecommunications, critical infrastructure, or essential services where the worker is acting to prevent or respond to an emergency; or
  - (g) to receive emergency services or essential public services (including services provided by emergency workers and child protection workers); or
  - (h) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria to receive emergency services or essential public services (including services provided by emergency workers and child protection workers); or
  - (i) to escape harm or the risk of harm, including harm relating to family violence or violence of another person; or
  - (j) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria to escape harm or the risk of harm, including harm relating to family violence or violence of another person; or
  - (k) if the person is a **school** student travelling on a bus undertaking a usual or regular route to or from the school that the student is enrolled at; or
  - (l) if the person remains on the same premises where that premises is both in the State of Victoria and either:
    - (i) the State of New South Wales; or
    - (ii) the State of South Australia; or



- (m) for purposes related to the administration of justice in Victoria, any other State or Territory in Australia or the Commonwealth of Australia; or  
*Example: State, Territory or Commonwealth judicial officers and essential court or tribunal staff entering Victoria for the purpose of necessary, in-person court or tribunal hearings in Victoria, and prison transfers.*
  - (n) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria for purposes related to the administration of justice in Victoria, any other State or Territory in Australia or the Commonwealth of Australia; or  
*Example: State, Territory or Commonwealth judicial officers and essential court or tribunal staff returning to Victoria after necessary in-person court or tribunal hearing in any other State or Territory in Australia, and prison transfers.*
  - (o) for purposes related to shared custody arrangements (court ordered or non-court ordered); or
  - (p) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria for purposes related to shared custody arrangements (court ordered or non-court ordered); or
  - (q) as required or authorised by law; or
  - (r) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria as required or authorised by law; or
  - (s) for the purposes of **national security**; or
  - (t) if the person leaves Victoria to travel along the Murray River but only if the person:
    - (i) does not set foot on the banks of the Murray River on the New South Wales side or South Australian side of the Murray River (unless the person is a restricted person from a cross border community area); and
    - (ii) prohibits or prevents any prohibited person from travelling on the Murray River with them or entering Victoria with them;
  - (u) if the person is a passenger or **public transport** worker travelling on a public transport service which leaves and re-enters Victoria without stopping at a place outside of Victoria during the course of its usual and regular route and operations.  
*Note: a person who boards a public transport service in Victoria where the route goes through New South Wales or South Australia and back into Victoria without stopping before disembarking in is not required to apply for a permit.*
- (2) A restricted person who enters Victoria as an excepted person under subclause (1) (except where the restricted person enters Victoria as an excepted person in accordance with subclause (1)(k) or (l)) must:
- (a) where the person is entering Victoria from a green zone in a State, Territory or Green Zone Country:
    - (i) subject to subclause (ii), carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) an acceptable form of identification; and
    - (ii) comply with all Directions currently in force; and
    - (iii) monitor for SARS-CoV-2 symptoms; and
    - (iv) unless the person is a Victorian resident, only remain in Victoria for the period reasonably necessary for the purpose they entered Victoria; and
    - (v) if they are a diagnosed person or someone who has been in close contact with a diagnosed person, comply with the requirements of the **Diagnosed Persons and Close Contacts Directions**; and

- (b) subject to subclause (d), where the person is a Victorian resident entering Victoria from an orange zone in any other State, Territory or a Green Zone Country who, at the time the person enters Victoria, has not been in an orange zone in a State, Territory or a Green Zone Country outside the cross border community area at any time after the relevant zone commencement time in the previous 14 days:
- (i) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) an acceptable form of identification; and
  - (ii) comply with all Directions currently in force; and
  - (iii) monitor for SARS-CoV-2 symptoms; and
  - (iv) if they are a diagnosed person or someone who has been in close contact with a diagnosed person, comply with the requirements of the **Diagnosed Persons and Close Contacts Directions**; and
- (c) subject to subclause (d), where the person is entering Victoria from an orange zone in any other State, Territory or a Green Zone Country is not a Victorian resident or at the time the person enters Victoria, has been in an orange zone in a State, Territory or a Green Zone Country outside the cross border community area at any time after the relevant zone commencement time in the previous 14 days:
- (i) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) an acceptable form of identification; and
  - (ii) be tested for SARS-CoV-2 within 72 hours of entering Victoria; and
  - (iii) self-quarantine at the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine for 14 days or until the person receives a negative SARS-CoV-2 test result (whichever is earlier) and not leave the premises except:
    - (A) if subclause (1)(a), (b), (d), (e), (f), (g), (i), (m), (o), (q) or (s) applies, to perform the activity for which they were permitted to enter Victoria; or
    - (B) if the person is a transplant surgeon, to provide medical care including care that is not urgent or time-critical; or
    - (C) to obtain medical care or medical supplies; or
    - (D) to get tested for SARS-CoV-2; or
    - (E) in an emergency situation; or
    - (F) if required to do so by law; or
    - (G) to leave Victoria; or
    - (H) if the restricted person has entered Victoria to escape harm, only self-quarantine to the extent it is reasonably practicable to do so in all the circumstances,
 during the period of self-quarantine under this subclause; and
  - (iv) provide documentary evidence that the person has been tested in accordance with subclause (ii) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
  - (v) comply with all Directions currently in force; and
  - (vi) monitor for SARS-CoV-2 symptoms; and

- (vii) wear a face covering when in public for a period of 14 days from entry to Victoria or until the person receives a negative SARS-CoV-2 test result (whichever is earlier) (over and above the Directions currently in force unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person); and
  - (viii) if they are a diagnosed person or someone who has been in close contact with a diagnosed person, comply with the requirements of the **Diagnosed Persons and Close Contacts Directions**.
- (3) A prohibited person who enters Victoria as an excepted person under subclause (1) must:
- (a) where the person is a Victorian resident entering Victoria from an extreme risk zone or red zone who, at the time the person enters Victoria, has not been in an extreme risk zone or red zone outside the cross border community area at any time after the relevant zone commencement time in the previous 14 days:
    - (i) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) an acceptable form of identification; and
    - (ii) comply with all Directions currently in force; and
    - (iii) monitor for SARS-CoV-2 symptoms; and
    - (iv) if they are a diagnosed person or someone who has been in close contact with a diagnosed person, comply with the requirements of the **Diagnosed Persons and Close Contacts Directions**; and
  - (b) where the person is entering Victoria from an extreme risk zone or red zone and is not a Victorian resident or, at the time the person enters Victoria, has been in an extreme risk zone or red zone outside the cross border community area at any time after the relevant zone commencement time in the previous 14 days:
    - (i) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) an acceptable form of identification; and
    - (ii) self-quarantine at the premises at which the person ordinarily resides or another premises that is suitable for the person to reside in for the purpose of self-quarantine for 14 days (subject to subclauses (iv) and (v)(B)) and not leave the premises except:
      - (A) if subclause (1)(a), (b), (d), (e), (f), (g), (i), (m), (o), (q) or (s) applies to perform the activity for which they were permitted to enter Victoria; or
      - (B) if the person is a transplant surgeon, to provide medical care including care that is not urgent or time-critical; or
      - (C) to obtain medical care or medical supplies; or
      - (D) to get tested for SARS-CoV-2; or
      - (E) in an emergency situation; or
      - (F) if required to do so by law; or
      - (G) to leave Victoria; or

- (H) if the prohibited person has entered Victoria to escape harm, only self-quarantine to the extent it is reasonably practicable to do so in all the circumstances,
- during the period of self-quarantine under this subclause; and
- (iii) get tested for SARS-CoV-2:
- (A) within 72 hours of the time the person enters Victoria; and
- (B) on or about day 13 during the period of self-quarantine under subclause (ii); and
- (iv) if, during the period of self-quarantine, the person refuses or otherwise fails to take a test for SARS-CoV-2 on or about day 13 of the period of self-quarantine, the period of self-quarantine in subclause (ii) (as extended under sub-subclause (v)(B)) is extended for an additional period being the earlier of:
- (A) an additional 14 days; or
- (B) until the person gets tested for SARS-CoV-2 and receives a negative test result; and
- Note: a test undertaken pursuant to subclause (3)(b)(iii)(A) does not satisfy the requirement in subclause (3)(b)(iv)(B).*
- Note: persons entering Victoria from an extreme risk zone or red zone will be required to test for SARS-CoV-2 on or around day 13 of their self-quarantine (or the day before the end of self-quarantine), as testing at this time is likely to detect the presence of SARS-CoV-2, even if a person has not yet developed symptoms. As a person may be infectious for up to 14 days after the 14 day incubation period, if this test does not occur, an additional 14 days of quarantine is required to prevent a person who develops SARS-CoV-2 towards the end of the 14 day incubation period, even if not symptomatic, transmitting SARS-CoV-2 to the broader community.*
- (v) if, during the period of self-quarantine:
- (A) the person is tested for SARS-CoV-2; and
- (B) subject to sub-subclause (C) the period for which the person is required to self-quarantine under subclause (ii) expires during the period in which the person is awaiting the result of that test, the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and
- (C) if the person receives a negative SARS-CoV-2 test result and:
1. if the period for which the person is required to self-quarantine under subclause (ii) has not expired, the person must continue to self-quarantine under subclause (ii) for the remainder of that period; or
  2. if the period for which the person is required to self-quarantine under subclause (ii) (as extended under either or both subclauses (iv) and (v)(B)) has expired, the person may cease self-quarantining immediately; and
- (vi) provide documentary evidence that the person has been tested in accordance with subclause (iii) and (iv) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
- (vii) comply with all Directions currently in force; and
- (viii) monitor for SARS-CoV-2 symptoms; and

- (ix) unless the person is a Victorian resident, only remain in Victoria for the period reasonably necessary for the purpose they entered Victoria (except in case of emergency); and
- (x) minimise contact with other persons in Victoria; and
- (xi) practise physical distancing; and
- (xii) keep detailed records of each place they stop (including accommodation) in Victoria; and
- (xiii) wear a face covering (unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person):
  - (A) during each flight to and from Victoria; and
  - (B) when in public for a period of 14 days from entry to Victoria (over and above the Directions currently in force); and
- (xiv) if they are a diagnosed person or someone who has been in close contact with a diagnosed person, comply with the requirements of the **Diagnosed Persons and Close Contacts Directions**.

## 17 Exemption power

### *Request for exemption*

- (1) A restricted person or a prohibited person is not required to comply with a requirement of these directions if the person is granted an exemption from that requirement under:
  - (a) subclause (6) (specific circumstances); or
  - (b) subclause (11).
- (2) A person may request an exemption by:
  - (a) using a digital system provided by the Service Victoria CEO and other parts of the Victorian Government; or
  - (b) contacting the Department by phone (or other method determined by the Department from time to time).
- (3) A request for exemption must contain all information reasonably required by the Department from time to time, for the purpose of protecting public health.
- (4) The Service Victoria CEO will provide any information contained in a request for exemption under subclause (a) to the Department.

### *Exemptions for specific circumstances*

- (5) A person may request an exemption from any or all requirements contained in these directions:
  - (a) to attend a funeral or end of life event; or
  - (b) if a person owns or has responsibilities in relation to an animal, to meet obligations to sustain the life and wellbeing of that animal; or
  - (c) to return to the person's ordinary place of residence for health, wellbeing, care or compassionate reasons; or
  - (d) to return to the person's ordinary place of residence in Victoria from a cross border community area; or
  - (e) to effect an emergency relocation; or
  - (f) to receive or accompany a dependant who is attending boarding school.
- (6) The Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) may exempt a person from any or all requirements contained in these directions, if satisfied that an exemption is appropriate, having regard to the:
  - (a) need to protect public health; and
  - (b) principles in sections 5 to 10 of the PHW Act, as appropriate.

- (7) Before granting any exemption under subclause (6) the Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) must consider:
- (a) if the person is:
    - (i) a diagnosed person or close contact of a diagnosed person (or equivalent), lawfully permitted to leave a State, Territory or Green Zone Country in accordance with the laws in force in that jurisdiction; and
    - (ii) seeking to enter Victoria:
      - (A) to attend a funeral or end of life event; or
      - (B) as a person who owns or has responsibilities in relation to an animal, to meet obligations to sustain the life and wellbeing of that animal; or
      - (C) to return to the person's ordinary place of residence for health, wellbeing, care or compassionate reasons; or
      - (D) as a person who is a Victorian resident in a cross border community area; or
      - (E) to effect an emergency relocation; or
      - (F) to receive or accompany a dependant who is attending boarding school; and
  - (b) documentary evidence provided by the person of:
    - (i) the circumstances described in subclause (a); or
    - (ii) test results or other medical information in relation to the person, including any negative SARS-CoV-2 test result received by the person within 72 hours prior to the person's proposed or actual entry to Victoria; or
 

*Note: a Victorian resident may not need to be tested for SARS-CoV-2 in any other State, Territory or Green Zone Country before entering Victoria but if not tested within 72 hours prior to the person's proposed or actual entry to Victoria, must be tested for SARS-CoV-2 within 72 hours of returning to Victoria (unless the exemption specifically provides otherwise).*
    - (iii) directions or permissions given to that person from a State, Territory or Green Zone Country not to self-isolate or self-quarantine (or equivalent); and
  - (c) any further documentary evidence requested by the Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) and provided by the person.
- (8) An exemption granted under subclause (6):
- (a) must:
    - (i) be given by the Department, in writing, to the person who is the subject of the exemption; and
    - (ii) specify the requirement or requirements that the person need not comply with; and
  - (b) may be subject to additional or different conditions approved by the Chief Health Officer or Deputy Chief Health Officer.
- (9) An exemption granted under subclause (6) does not prevent an authorised officer from exercising an emergency power to give the person a different direction or impose a different requirement or condition of exemption on the person.

*Exemptions, generally*

- (10) A person may request an exemption from any or all requirements contained in these directions.
- (11) The Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) may exempt a person or group of persons from any or all requirements contained in these directions, if satisfied that an exemption is appropriate, having regard to the:
- (a) need to protect public health; and
  - (b) principles in sections 5 to 10 of the PHW Act, as appropriate.
- (12) Before granting any exemption under subclause (11) the Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) must consider:
- (a) the circumstances set out in any request; and
  - (b) any documentary evidence provided by the person, including test results or other medical information in relation to the person; and
  - (c) any further documentary evidence requested by the Chief Health Officer or Deputy Chief Health Officer (or the Secretary or a Deputy Secretary to the Department or an Executive Director or Director in the COVID-19 Response Division of the Department) and provided by the person.
- (13) An exemption under subclause (11):
- (a) must:
    - (i) be given by the Department, in writing, to the person who is the subject of the exemption; or
    - (ii) be published by the Department, in writing, for the purpose of any group of persons who are the subject of the exemption; and
    - (iii) specify the requirement or requirements that the person or group of persons need not comply with; and
  - (b) may be subject to additional or different conditions approved by the Chief Health Officer or Deputy Chief Health Officer.
- (14) An exemption granted under subclause (11) does not prevent an authorised officer from exercising an emergency power to give the person or group of persons a different direction or impose a different requirement on the person or group of persons.

*Conditions of exemption*

- (15) A restricted person who enters Victoria under an exemption granted under subclauses (6) or (11) must:
- (a) enter Victoria within 72 hours of the time set out in the exemption; and
    - Note 1: an exemption will expire if the restricted person does not enter Victoria within 72 hours of the time set out in the exemption and the prohibited person will need to re-apply for a new exemption.*
    - Note 2: an exemption may be subject to a condition to enter at a particular point of entry into Victoria under subclause (13)(b).*
  - (b) comply with any conditions imposed on the exemption.
- (16) A prohibited person who enters Victoria under an exemption granted under subclauses (6) or (11) must:
- (a) enter Victoria within 72 hours of the time set out in the exemption; and
    - Note 1: an exemption will expire if the prohibited person does not enter Victoria within 72 hours of the time set out in the exemption and the prohibited person will need to re-apply for a new exemption.*
    - Note 2: an exemption may be subject to a condition to enter at a particular point of entry into Victoria under subclause (13)(b).*



- (b) carry, and present on request to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction):
  - (i) the exemption; and
  - (ii) documentary evidence supporting the grounds for the exemption, if applicable; and
  - (iii) an acceptable form of identification; and
- (c) unless the specific conditions of the exemption granted to the prohibited person provide that the person is not required to be tested for SARS-CoV-2, get tested for SARS-CoV-2:
  - (i) unless the person has received a negative SARS-CoV-2 test result within 72 hours prior to entry to Victoria, within 72 hours of the time the person enters Victoria; and
  - (ii) on or about day 13 during the period of self-quarantine under subclause (g); and
- (d) travel directly from their place of departure to Victoria; and
- (e) whilst in direct and short term transit to Victoria, minimise contact with other persons; and
- (f) travel directly to the premises at which the prohibited person ordinarily resides or such other premises suitable for the prohibited person to reside in for the purpose of self-quarantine in accordance with subclause (g); and
- (g) self-quarantine at the premises at which the prohibited person ordinarily resides or another premises that is suitable for the prohibited person to reside in for the purpose of self-quarantine for 14 days (subject to subclauses (h) and (i)(ii)), and only leave that premises:
  - (i) to attend a specified event or place, subject to additional requirements set out in the exemption in relation to:
    - (A) the period the prohibited person may spend at the specified event or place; and
    - (B) whether other persons with whom the prohibited person does not ordinarily reside are permitted to be present at the specified event or place; and
    - (C) if the prohibited person is permitted to attend a worksite, record keeping requirements of any worksite the prohibited person attends; or
  - (ii) to obtain medical care or medical supplies; or
  - (iii) to get tested for SARS-CoV-2; or
  - (iv) in an emergency situation; or
  - (v) if required to do so by law; or
  - (vi) to leave Victoria; and
- (h) unless the specific conditions of the exemption granted to the prohibited person provide that the person is not required to be tested for SARS-CoV-2, if, during the period of self-quarantine, the person refuses or otherwise fails to take a test for SARS-CoV-2 on or about day 13 of the period of self-quarantine, the period of self-quarantine in subclause (g) (as extended under subclause (i)(ii)) is extended for an additional period being the earlier of:
  - (i) an additional 14 days; or
  - (ii) until the person gets tested for SARS-CoV-2 and receives a negative test result; and

*Note: any tests undertaken pursuant to subclause (16)(c)(i) do not satisfy the requirement in subclause (16)(h)(ii).*

- (i) unless the specific conditions of the exemption granted to the prohibited person provide that the person is not required to be tested for SARS-CoV-2, if, during the period of self-quarantine:
    - (i) the person is tested for SARS-CoV-2; and
    - (ii) subject to subclause (iii), the period for which the person is required to self-quarantine under subclause (g) expires during the period in which the person is awaiting the result of that test, the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and
    - (iii) if the person receives a negative SARS-CoV-2 test result and:
      - (A) the period for which the person is required to self-quarantine under subclause (g) has not expired, the person must continue to self-quarantine under subclause (g) for the remainder of that period; or
      - (B) the period for which the person is required to self-quarantine under subclause (g) (as extended under either or both of subclauses (h) and (i)(ii)) has expired, the person may cease self-quarantining immediately; and
  - (j) unless the specific conditions of the exemption granted to the prohibited person provide that the person is not required to be tested for SARS-CoV-2, provide documentary evidence:
    - (i) of any negative SARS-CoV-2 test result received by the person within 72 hours prior to the person's proposed or actual entry to Victoria; and
    - (ii) that the person has been tested in accordance with subclause (c) (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so; and
  - (k) wear a face covering when in public (over and above the Directions currently in force), unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
  - (l) practise physical distancing; and
  - (m) advise the Department immediately if the prohibited person experiences any SARS-CoV-2 symptoms; and
  - (n) comply with any conditions imposed on the exemption.
- (17) Nothing in subclauses (15) and (16) prevents an authorised officer from exercising an emergency power to give a person a different direction or impose a different requirement or condition of exemption on the person.

## 18 Definitions

In these directions:

- (1) **acceptable form of identification** means:
- (a) subject to subclauses (b) and (c), photographic personal identification and evidence of the current address where the person ordinarily resides (unless the person is under the age of 18); and
- Example: photographic personal identification includes a driver's licence issued by any State, Territory or Green Zone Country or a passport issued by Australia or a Green Zone Country. Evidence of the current address where the person ordinarily resides includes a driver's licence or any other document issued by any State, Territory or Green Zone Country or any **municipal district**, local government area, unincorporated local government area (not including Lord Howe Island) or local authority, including a rates notice.*

- (b) if the person is unable to provide photographic personal identification in accordance with subclause (a), two forms of documentary evidence satisfactory to the authorised officer, Victoria Police member or Protective Services Officer (or other person under such person's direction) to prove the person's identity (unless the person is under the age of 18); and  
*Example: documentary evidence includes Medicare card, Australian, State, Territory or Green Zone Country government correspondence, credit card or utility bill.*
- (c) if the person is unable to provide evidence of the current address where the person ordinarily resides in accordance with subclause (a), other documentary evidence satisfactory to the authorised officer, Victoria Police member or Protective Services Officer (or other person under such person's direction) of the person's address (unless the person is under the age of 18);  
*Example: a letter from an Indigenous community leader or community services provider confirming the person's identity and confirming the person's address or other place of residence arrangements.*
- (2) **aircrew services worker** means a pilot or a member of cabin crew who:
- (a) is undertaking operational flying duties or proficiency training on an aircraft that is not an aircraft of any part of the Australian Defence Force (including any aircraft that is commanded by a member of that Force in the course of duties as such a member); or
- (b) is required by their employer to attend facilities in Victoria for the purpose of undertaking simulator training or emergency procedures training;
- (3) **alpine resort** means any of the following as defined in the **Alpine Resorts (Management) Act 1997**:
- (a) Falls Creek Alpine Resort;
- (b) Lake Mountain Alpine Resort;
- (c) Mount Baw Baw Alpine Resort;
- (d) Mount Buller Alpine Resort;
- (e) Mount Hotham Alpine Resort;
- (f) Mount Stirling Alpine Resort; and
- the Dinner Plain Village as defined under the Dinner Plain Planning Provisions in the Alpine Planning Scheme;
- (4) **authorised officer** has the same meaning as in the PHW Act;
- (5) **childcare or early childhood services** means onsite early childhood education and care services or children's services provided under the:
- (a) **Children's Services Act 1996** including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs; or
- (b) **Education and Care Services National Law Act 2010** and the **Education and Care Services National Regulations 2011** including long day care services, kindergarten/preschool and family day care services, but does not include outside school hours care services;
- (6) **commercial freight worker** means a freight worker who crosses State or Territory borders for their work including:
- (a) drivers of any heavy vehicles over 4.5 GVM;
- (b) rail crew; and
- (c) support workers essential to the supply chain but not travelling in a heavy vehicle or train, including workers carrying out repairs or repositioning empty trailers and prime movers to carry freight and rail track workers;

- (7) **COVID-19 Mandatory Vaccination Directions** means the **COVID-19 Mandatory Vaccination Directions (No. 4)** as amended or replaced from time to time;
- (8) **COVID-19 vaccine** means a vaccine to protect a person against SARS-CoV-2 that:
  - (a) has been registered or provisionally registered by the Therapeutic Goods Administration; or
  - (b) has been approved by a comparable overseas regulator, as determined by the Therapeutic Goods Administration under regulation 16DA(3) of the **Therapeutic Goods Regulation 1990** of the Commonwealth;
- (9) **COVIDSafe Plan** has the same meaning as in the **Workplace Directions**;
- (10) **cross border community area** means a **municipal district**, local government area or unincorporated local government area adjacent to or in close proximity to the border between the **State** of New South Wales and Victoria, or the border between the **State** of South Australia and Victoria, as detailed on the **Department's** website available at: [www.coronavirus.vic.gov.au/information-cross-border-communities](http://www.coronavirus.vic.gov.au/information-cross-border-communities) as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (11) **cross border community member** means a person whose ordinary place of residence is in the **cross border community area**;
- (12) **cross border extreme risk zone** has the meaning in clause 8(3);
- (13) **cross border extreme risk zone permit** has the meaning in clause 8(5);
- (14) **departing hotel quarantine permit** has the meaning in clause 12;
- (15) **Department** means the Victorian Department of Health;
- (16) **diagnosed person** has the same meaning as in the **Diagnosed Persons and Close Contacts Directions**;
- (17) **Diagnosed Persons and Close Contacts Directions** means the **Diagnosed Persons and Close Contacts Directions (No. 28)** as amended or replaced from time to time;
- (18) **direct and short-term transit conditions** has the meaning in clause 5(3);
- (19) **Directions currently in force** has the same meaning as in the **Workplace Directions**;
- (20) **emergency** means a situation related to an **excepted person** where the delay caused by using the permit or exemption systems would create an unacceptable risk to human or animal life, including injury, or create an unacceptable risk of severe damage to essential infrastructure or significant disruption to an essential service;
- (21) **emergency worker** has the same meaning as in the **Sentencing Act 1991**, but does not include a person employed or engaged to provide, or support the provision of, emergency treatment to patients in a hospital;
- (22) **excepted person** has the meaning in clause 14(1);
- (23) **extreme risk zone** has the meaning in clause 4A(1)(d);
- (24) **face covering** means a fitted face mask that covers the nose and mouth to provide the wearer protection against infection (but does not include a face shield);
- (25) **full COVID-19 vaccination** means the provision of the prescribed number of doses of a **COVID-19 vaccine** as recommended by the Australian Technical Advisory Group on Immunisation (ATAGI) for full COVID-19 vaccination;
- (26) **green zone** has the meaning in clause 4A(1)(a);
- (27) **Green Zone Country** means a country with a current, valid (and not temporarily or permanently suspended) safe travel zone agreement with the Commonwealth of Australia;

*Note: information regarding countries with current, valid (and not temporarily or permanently suspended) safe travel zone agreements with the Commonwealth of Australia is available at [www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-restrictions/coronavirus-covid-19-advice-for-international-travellers#travel-zones](http://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-restrictions/coronavirus-covid-19-advice-for-international-travellers#travel-zones) as amended from time to time.*

- (28) **green zone permit** has the meaning in clause 5;
- (29) **healthcare worker** means:
- (a) healthcare workers, including patient or clinical facing ancillary staff, who reside on the Victorian side of a **cross border community area** and work in:
    - (i) City of Broken Hill;
    - (ii) City of Wagga Wagga;
    - (iii) Hay Shire;
    - (iv) Lockhart Shire; or
    - (v) Murrumbidgee Council; and
  - (b) healthcare workers, including patient or clinical facing ancillary staff, who reside in Victoria outside of a **cross border community area** and work on the New South Wales side of a **cross border community area** and in:
    - (i) City of Broken Hill;
    - (ii) City of Wagga Wagga;
    - (iii) Hay Shire;
    - (iv) Lockhart Shire; or
    - (v) Murrumbidgee Council; and
  - (c) healthcare workers, including patient or clinical facing ancillary staff, who reside on the New South Wales side of a **cross border community area**, if they work in Victoria and have been in an extreme risk zone or red zone outside of the cross border community area in the 14 days prior to entering Victoria; and
  - (d) a healthcare worker, including patient or clinical facing ancillary staff, who resides in:
    - (i) City of Broken Hill;
    - (ii) City of Wagga Wagga;
    - (iii) Hay Shire;
    - (iv) Lockhart Shire; or
    - (v) Murrumbidgee Council,if they work in a healthcare service located on the Victorian side of a cross border community area or a healthcare services located in:
    - (vi) City of Greater Bendigo;
    - (vii) City of Greater Shepparton;
    - (viii) Rural City of Benalla;
    - (ix) Shire of Buloke;
    - (x) Shire of Loddon; or
    - (xi) Shire of Yarriambiack;
- (30) **hotel quarantine** means a program requiring a person to quarantine at a hotel in accordance with a public health order, public health directions, regulations or any other law of any **State, Territory**, the Commonwealth of Australia or **Green Zone Country** made in order to limit the spread **SARS-CoV-2**;
- (31) **medical practitioner** has the meaning in the **COVID-19 Mandatory Vaccination Directions**;
- (32) **medical contraindication** has the meaning in the **COVID-19 Mandatory Vaccination Directions**;
- (33) **municipal district** has the same meaning as in the **Local Government Act 1989**;

- (34) **national security** has the meaning that security has in the **Australian Security Intelligence Organisation Act 1979** of the Commonwealth;
- (35) **offshore petroleum or gas storage facility** has the meaning that facility has in Schedule 3 to the **Offshore Petroleum and Greenhouse Gas Storage Act 2010**;
- (36) **orange zone** has the meaning in clause 4A(1)(b);
- (37) **orange zone permit** has the meaning in clause 6;
- (38) **permit** means the written notice (digital or otherwise) provided under clause 14 and includes:
- (a) **green zone permit**; and
  - (b) **orange zone permit**; and
  - (c) **red zone permit**; and
  - (d) **extreme risk zone permit**; and
  - (e) **specified worker (single entry) permit**; and
  - (f) **specified worker (multiple entry) permit**; and
  - (g) **departing hotel quarantine permit**; and
  - (h) **transit permit**;
- (39) **permitted reasons** has the meaning in clause 8(6);
- (40) **physical distancing** means the practice of physically maintaining a distance, where it is reasonably practicable to do so, of at least 1.5 metres from any other person except those persons with whom a person ordinarily resides;
- (41) **prohibited person** means a person who, at the time they enter Victoria, has been in an **extreme risk zone** or **red zone** in a **State, Territory** or **Green Zone Country** at any time after the relevant zone commencement time in the previous 14 days but does not include:
- (a) a person described in clause 5(1)(b);
  - (b) a person described in clause 6(1);
  - (c) a **Victorian resident** described in clause 7(1); or
  - (d) a **Victorian resident** described in clause 14(1);
- (42) **Public Event Framework** means the Public Event Framework available at [www.coronavirus.vic.gov.au/public-events](http://www.coronavirus.vic.gov.au/public-events) as amended from time to time by the Victorian Government with the approval of the Chief Health Officer or Deputy Chief Health Officer;
- (43) **public transport** means a **vehicle** operated by a **passenger transport company** or by a **bus company** in the provision of a **public transport service**;
- (44) **red zone** has the meaning in clause 4A(1)(c);
- (45) **red zone permit** has the meaning in clause 7;
- (46) **relevant extreme risk zone** means, in relation to a person who entered Victoria, any **extreme risk zone** in a **State, Territory** or **Green Zone Country** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (47) **relevant green zone** means, in relation to a person who entered Victoria, any **green zone** in a **State, Territory** or **Green Zone Country** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (48) **relevant orange zone** means, in relation to a person who entered Victoria, any **orange zone** in a **State, Territory** or **Green Zone Country** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;



- (49) **relevant red zone** means, in relation to a person who entered Victoria, any **red zone** in a **State, Territory or Green Zone Country** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (50) **relevant zone** means, in relation to a person who entered Victoria from a **cross border community area**, any **relevant green zone, relevant orange zone or relevant red zone** that is outside the **cross border community area**;
- (51) **restricted person** means any person who is not a **prohibited person**;
- (52) **returning Victorian resident** means a person who:
- (e) ordinarily resides in Victoria;
  - (f) enters Victoria from any other **State or Territory** in Australia where they performed **specified work** to return to their ordinary place of residence in Victoria; and
  - (g) is not performing any work or travelling to work in Victoria;
- (53) **revoked Border Crossing Permit Scheme Directions** means any of the **New South Wales Border Crossing Permit Scheme Directions, New South Wales and Queensland Border Crossing Scheme Directions** or the **Victorian Border Crossing Permit Directions**;
- (54) **SARS-CoV-2 symptoms** means symptoms consistent with **SARS-CoV-2**, including but not limited to the following:
- (a) a fever ( $\geq 37.5^{\circ}\text{C}$ ) or consistent fever of less than  $37.5^{\circ}\text{C}$  (such as night sweats, chills);
  - (b) acute respiratory infection (such as cough, shortness of breath, sore throat);
  - (c) loss of smell;
  - (d) loss of taste;
- (55) **school** means a registered school as defined in the **Education and Training Reform Act 2006**;
- (56) **Service Victoria CEO** has the same meaning as in the **Service Victoria Act 2018**;
- (57) **short term transit** means a transit period of less than 24 hours, except in an emergency;
- (58) **specified work** has the same meaning as in the Department's document titled 'Travellers eligible to apply for a permit under specified workers categories' ([www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit](http://www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit)), as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (59) **Specified Worker List – Multiple Entry** means the list on the Department's website at [www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit](http://www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit) as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (60) **Specified Worker List – Single Entry** means the list on the Department's website at [www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit](http://www.coronavirus.vic.gov.au/travellers-eligible-to-apply-for-specified-worker-permit) as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (61) **specified worker (multiple entry)** means a person employed or engaged to provide **specified work** in an occupation included in the **Specified Worker List – Multiple Entry**;
- (62) **specified worker (multiple entry) permit** has the meaning in clause 11(6);
- (63) **specified worker (single entry)** means a person employed or engaged to provide **specified work** in an occupation included in the **Specified Worker List – Single Entry**;



- (64) **specified worker (single entry) permit** has the meaning in clause 11(1);
- (65) **State** means a State in Australia (and otherwise has the meaning in the Australian Constitution);
- (66) **Territory** means a territory in Australia (and otherwise has the meaning in the Australian Constitution);
- (67) **transit permit** has the meaning in clause 10;
- (68) **vaccination exception** means a person that has a medical contraindication;
- (69) **vehicle** has the same meaning as in the **PHW Act**;
- (70) **very high risk exposure site** means a site in a **State**, a **Territory** or **Green Zone Country**:
- (a) assessed as very high risk for **SARS-CoV-2** transmission described:
    - (i) by a State, Territory, the Commonwealth of Australia or a Green Zone Country on the relevant government website, as amended from time to time; or
    - (ii) on the **Department's** website available at [www.coronavirus.vic.gov.au/victorian-border-crossing-permit](http://www.coronavirus.vic.gov.au/victorian-border-crossing-permit) as amended from time to time with the approval of the Chief Health Officer; and
  - (b) which is subject to:
    - (i) any public health order, public health directions, regulations or any other law made in order to limit the spread **SARS-CoV-2** currently in force in a State, Territory, the Commonwealth of Australia or a Green Zone Country; or
    - (ii) any **Directions currently in force**, requiring any persons who have been at the site at any time during the **very high risk period** to self-isolate or to self-quarantine (or equivalent) until a period of 14 days (or such longer period as may be directed) has elapsed from the time the persons had been at the site during the very high risk period;
- (71) **very high risk period** means the period of time in which a **very high risk exposure site** in a **State**, a **Territory** or **Green Zone Country** is assessed as very high risk for **SARS-CoV-2** transmission, as specified:
- (a) by a State, Territory, the Commonwealth of Australia or a Green Zone Country on the relevant government website, as amended from time to time; or
  - (b) on the **Department's** website available at [www.coronavirus.vic.gov.au/victorian-border-crossing-permit](http://www.coronavirus.vic.gov.au/victorian-border-crossing-permit) as amended from time to time with the approval of the Chief Health Officer;
- (72) **Victorian resident** means a person who ordinarily resides in Victoria;
- (73) **worker** has the meaning in the **Workplace Directions**;
- (74) **Workplace Directions** means the **Workplace Directions (No. 50)** as amended from time to time;
- (75) the following expressions have the same meaning as in the **Transport (Compliance and Miscellaneous) Act 1983**:
- (a) **bus company**;
  - (b) **passenger transport company**;
  - (c) **public transport service**;
- (76) **zone commencement time** has the meaning in clause 4A(2).

**19 Penalties**

- (1) Section 210 of the PHW Act provides:

**False or misleading information**

- (1) A person must not –
- 
- (a) give information that is false or misleading in a material particular; or
- 
- (b) make a statement that is false or misleading in a material particular; or
- 
- (c) produce a document that is false or misleading in a material particular –
- 
- to the Secretary, a Council, the Chief Health Officer or an authorised officer under this Act or the regulations without indicating the respect in which it is false or misleading and, if practicable, providing correct information.

Penalty: In the case of a natural person, 60 penalty units;  
 In the case of a body corporate, 300 penalty units.

- (2) A person must not make an entry in a document required to be kept by this Act or the regulations that is false or misleading.

Penalty: In the case of a natural person, 60 penalty units;  
 In the case of a body corporate, 300 penalty units.

- (3) In a proceeding for an offence against subsection (1) or (2) it is a defence to the charge for the accused to prove that at the time at which the offence is alleged to have been committed, the accused believed on reasonable grounds that the information, statement or document was true or was not misleading.

- (2) Section 203 of the PHW Act provides:

**Compliance with direction or other requirement**

- (1) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.

Penalty: In the case of a natural person, 120 penalty units;  
 In the case of a body corporate, 600 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

- (3) A person who fails to comply with these directions is liable for an on-the-spot fine of:

- (a) in the case of a natural person:
- 
- (i) aged 18 years or older – 10 penalty units
- 
- (ii) aged 15 years or older but under the age of 18 years – 4 penalty units;
- 
- (iii) aged under 15 years – 1 penalty unit; or
- 
- (b) in the case of a body corporate – 60 penalty units; or

*Note: it is intended that subclauses (a) and (b) are a reference to Item 74 of Table 2 of Schedule 8 of the **Public Health and Wellbeing Regulations 2019**. Item 74 establishes the infringement offence constituted by refusing or failing to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199 of the PHW Act. This includes a direction or requirement in relation to travelling from a green zone or orange zone and seeking to enter Victoria.*

- (c) if the contravention of these directions is constituted by refusing or failing to comply with a requirement to self-isolate or self-quarantine:

- (i) in the case of a person aged 18 years or older – 30 penalty units;
- 
- (ii) in the case of a child aged 15 years or older but under the age of 18 years – 5 penalty units;

(iii) in the case of a child under the age of 15 years – 1 penalty unit; or

*Note: it is intended that subclause (c) is a reference to Item 76 of Table 2 of Schedule 8 of the **Public Health and Wellbeing Regulations 2019**. Item 76 establishes the infringement offence constituted by a contravention of directions given under section 200(1) of the PHW Act by refusing or failing to comply with a requirement to self-isolate or self-quarantine.*

(d) if the contravention of these directions is constituted by refusing or failing to comply with a requirement in relation to a person travelling from a restricted area and seeking to enter Victoria without a reasonable excuse or other valid reason or excuse, in the case of a natural person:

(i) aged 15 years or older but under the age of 18 years – 5 penalty units;

(ii) under the age of 15 years – 1 penalty unit;

(iii) in any other case – 30 penalty units.

*Note: it is intended that subclause (d) is a reference to Item 79 of Table 2 of Schedule 8 of the **Public Health and Wellbeing Regulations 2019**. Item 79 establishes the infringement offence constituted by a contravention of directions given under section 200(1) of the PHW Act by refusing or failing to comply with a requirement in relation to a person travelling from a restricted area (however described) and seeking to enter Victoria without a reasonable excuse or other valid reason or excuse. For the purposes of Item 79, a red zone and an extreme risk zone are each a restricted area.*

(4) Additionally, a person who fails to comply with these directions may in certain circumstances be liable to prosecution under the PHW Act for the maximum penalties outlined in subclause (2).

Dated 29 September 2021

PROFESSOR BENJAMIN COWIE  
Acting Chief Health Officer,  
as authorised to exercise emergency powers  
under section 199(2)(a) of the PHW Act

**Public Health and Wellbeing Act 2008**

## Section 200

**DIRECTIONS FROM ACTING CHIEF HEALTH OFFICER IN ACCORDANCE WITH EMERGENCY POWERS ARISING FROM DECLARED STATE OF EMERGENCY****Diagnosed Persons and Close Contacts Directions (No. 28)**

I, Professor Benjamin Cowie, Acting Chief Health Officer, consider it reasonably necessary to eliminate or reduce the risk to public health –and reasonably necessary to protect public health –to give the following directions pursuant to section 200(1)(d) of the **Public Health and Wellbeing Act 2008** (Vic.) (**PHW Act**):

**1 Preamble**

- (1) The purpose of these directions is to require persons:
  - (a) diagnosed with severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**) to self-isolate;
  - (b) who are living with a **diagnosed person**, or who have been in close contact with a diagnosed person, to self-quarantine, in order to limit the spread of SARS-CoV-2.
- (2) These directions replace the **Diagnosed Persons and Close Contacts Directions (No. 27)**.

**2 Citation**

These directions may be referred to as the **Diagnosed Persons and Close Contacts Directions (No. 28)**.

**3 Commencement and revocation**

- (1) These directions commence at 11:59:00 pm on 29 September 2021 and end at 11:59:00 pm on 21 October 2021.
- (2) The **Diagnosed Persons and Close Contacts Directions (No. 27)** are revoked at 11:59:00 pm on 29 September 2021.

**4 Self-isolation for diagnosed persons**

*Who is a diagnosed person?*

- (1) A person is a **diagnosed person** if the person:
  - (a) at any time between midnight on 25 March 2020 and 11:59:00 pm on 21 October 2021 has been informed that they have been diagnosed with SARS-CoV-2; and
  - (b) has not been given, or is not taken to have been given, **clearance from self-isolation** under clause 5.

*Requirement to self-isolate*

- (2) A diagnosed person must self-isolate under these directions:
  - (a) if the diagnosis is communicated to the person on or after the commencement of these directions; or
  - (b) if the diagnosis was communicated to the person before the commencement of these directions.

*Note: the requirements of self-isolation are specified in clause 8. A diagnosed person can still leave the premises at which they are self-isolating to obtain medical care.*

*Location of self-isolation*

- (3) A diagnosed person must self-isolate:
  - (a) if subclause (2)(a) applies, at the premises chosen by the person under subclause (4); or
  - (b) if subclause (2)(b) applies, at the premises at which the person was required to reside under a **Revoked Isolation Direction**.

- (4) For the purposes of subclause (3)(a), the diagnosed person may choose to self-isolate at:
- (a) a premises at which they ordinarily reside; or
  - (b) another premises that is suitable for the person to reside in for the purpose of self-isolation.

*Note 1: a person can decide to self-isolate at a hotel or other suitable location, instead of self-isolating at their ordinary place of residence.*

*Note 2: once a person has chosen the premises at which to self-isolate, the person must reside at that premises for the entirety of the period of self-isolation: see clause 8(2)(a).*

- (5) If a diagnosed person who has chosen a premises under subclause (4) is not at the premises at the time when the choice is made, the person must immediately and directly travel to that premises, unless the person is admitted to a **hospital** or other facility for the purposes of receiving medical care.

#### *Self-isolation period*

- (6) For the purposes of subclause (2), the period of self-isolation begins:
- (a) if subclause (2)(a) applies, when the diagnosis is communicated to the person; or
  - (b) if subclause (2)(b) applies, upon the commencement of these directions.
- (7) For the purposes of subclause (2), the period of self-isolation ends when the person is given clearance from self-isolation under clause 5.

#### *Notifications by the diagnosed person*

- (8) Immediately after choosing a premises under subclause (4), the diagnosed person must:
- (a) if any other person is residing at the premises chosen by the diagnosed person, notify the other person that:
    - (i) the diagnosed person has been diagnosed with SARS-CoV-2; and
    - (ii) the diagnosed person has chosen to self-isolate at the premises; and
  - (b) notify the **Department** of:
    - (i) the address of the premises chosen by the diagnosed person; and
    - (ii) the name of any other person who is residing at the premises chosen by the diagnosed person.
- (9) If, during the period that a diagnosed person is self-isolating at a premises for the purposes of clause 4, another person informs the diagnosed person that they intend to commence residing at the premises chosen by the diagnosed person:
- (a) the diagnosed person must inform the other person of their diagnosis; and
  - (b) if the other person commences residing at the premises, the diagnosed person must notify the Department that a person has commenced residing with the diagnosed person and of the name of that person.

## **5 Clearance from self-isolation**

- (1) A diagnosed person is given clearance from self-isolation if:
- (a) an officer or nominated representative of the Department makes a determination under subclause (2) in relation to the person; and
  - (b) the person is given notice of the determination in accordance with subclause (3).
- (2) For the purposes of subclause (1)(a), an officer or nominated representative of the Department may make a determination in relation to a person if the officer or nominated representative is satisfied that the person meets the criteria for discharge from self-isolation under existing **Departmental Requirements**.
- (3) For the purposes of subclause (1)(b), the notice must be in writing but is not required to be in a particular form.
- (4) A person who has been given clearance from self-isolation, however expressed, under a Revoked Isolation Direction is taken to have been given clearance from self-isolation under this clause.

## 6 Self-quarantine for close contacts

*Who is a close contact?*

- (1) For the purposes of this clause, a person is a **close contact** if:
  - (a) an officer or nominated representative of the Department has made a determination under subclause (2) in relation to the person; and
  - (b) between midnight on 11 May 2020 and 11:59:00 pm on 21 October 2021, the person has been given notice of the determination in accordance with subclause (3).
- (2) For the purposes of subclause (1)(a), an officer or nominated representative of the Department may make a determination in relation to a person if the officer or nominated representative is satisfied, having regard to, and in accordance with, Departmental Requirements, that the person is a close contact for the purposes of the Departmental Requirements.

*Note: the Departmental Requirements set out different categories of close contacts and different requirements for each category of close contact, including self-quarantine requirements.*

*Example: a close contact may include a person who has had close contact with a diagnosed person, or a person who has had close contact with that close contact.*

- (3) For the purposes of subclause (1)(b), the notice:
  - (a) must specify the time (including by reference to an event) at which the person will no longer be required to self-quarantine, having regard to Departmental Requirements; and
 

*Example: the notice could specify that a person is no longer required to self-quarantine from 14 days after the last diagnosed person in their household has received clearance from self-isolation.*
  - (b) may be given orally or in writing, and, if given orally, must be confirmed in writing as soon as reasonably practicable; and
  - (c) is not required to be in a particular form.

*Requirement to self-quarantine*

- (4) Subject to subclause (8), a close contact must self-quarantine under these directions.
 

*Note: the requirements of self-quarantine are specified in clause 8.*

*Location of self-quarantine*

- (5) A close contact may choose to self-quarantine at:
  - (a) a premises at which they ordinarily reside; or
  - (b) another premises that is suitable for the person to reside in for the purpose of self-quarantine.

*Note 1: a person can decide to self-quarantine at a hotel or other suitable location, instead of self-quarantining at their ordinary place of residence.*

*Note 2: once a person has chosen the premises at which to self-quarantine, the person must reside at that premises for the entirety of the period of self-quarantine: see clause 8(2)(a).*

- (6) If, at the time a person is given a notice under subclause (1)(b), the person is not at the premises chosen by the person under subclause (5), the person must immediately and directly travel to that premises.

*End of self-quarantine period*

- (7) For the purposes of this clause, the period of self-quarantine ends:
  - (a) subject to subclauses (b) and (c), at the time specified in the notice given under subclause (1)(b) as given or as varied under subclause (10); or
  - (b) if the notice given to the person under subclause (1)(b) is revoked under subclause (10), at the time that revocation takes effect; or

- (c) if the person becomes a diagnosed person following a test for SARS-CoV-2, when the diagnosis is communicated to the person.

*Note 1: a close contact who becomes a diagnosed person will then be required to self-isolate under clause 4, for a period ending when the person is given clearance from self-isolation under clause 5.*

*Note 2: a close contact's period of self-quarantine may also be extended in certain circumstances under clause 7.*

*Exception – previous clearance*

- (8) A person is not required to self-quarantine under this clause if the person has been given clearance from self-quarantine by the **Expert Review Panel** in accordance with subclause (9).
- (9) For the purposes of subclause (8):
- (a) the Expert Review Panel may make a determination in relation to a person if the Expert Review Panel is satisfied that the person is at negligible risk of infection of SARS-CoV-2, on the basis that the person has previously been a diagnosed person and has since been given clearance from self-isolation in accordance with clause 5(1); and
- (b) for the purposes of subclause (9)(a), the notice must be in writing but is not required to be in a particular form.

*Review of determination and notice*

- (10) An **authorised officer**, who is authorised to exercise **emergency powers** by the Chief Health Officer under section 199(2)(a) of the PHW Act, may review a determination made under subclause (2) and, if satisfied that it is appropriate, having regard to Departmental Requirements, may vary or revoke the notice given to the person under subclause (1)(b), and must give the person notice of the authorised officer's decision.

*Transitional provision – close contacts under Revoked Isolation Directions*

- (11) If a person was a close contact under a Revoked Isolation Direction:
- (a) a determination made, or taken to have been made, under the Revoked Isolation Direction in relation to the person's status as a close contact is taken to be a determination made under subclause (2); and
- (b) a notice given, or taken to have been given, to the person under the Revoked Isolation Direction in relation to the determination referred to in subclause (a) is taken to be a notice given under subclause (1)(b); and
- (c) for the purposes of subclause (5), the person is taken to have chosen to self-quarantine at the premises at which the person was required to self-quarantine under the Revoked Isolation Direction.

*Notifications by the close contact*

- (12) Immediately after choosing a premises under subclause (5), a close contact must notify the Department of:
- (a) the address of the premises chosen by the close contact; and
- (b) the name of any other person who is residing at the premises chosen by the close contact.
- (13) If, during the period that a close contact is self-quarantining at a premises for the purposes of clause 6, another person informs the close contact that they intend to commence residing at the premises chosen by the close contact:
- (a) the close contact must inform the other person of their self-quarantine; and
- (b) if the other person commences residing at the premises, the close contact must notify the Department that a person has commenced residing with the close contact and of the name of that person.



## 7 Testing of persons in self-quarantine

- (1) If a person is required to self-quarantine under clause 6 and, during the period of self-quarantine, the person:
- (a) is tested for SARS-CoV-2; and
  - (b) the period for which the person is required to self-quarantine under clause 6 expires during the period in which the person is awaiting the result of that test, the period of self-quarantine is extended until the person receives the result of the test.

*Note 1: persons who are in self-quarantine and experience a temperature higher than 37.5 degrees or symptoms of acute respiratory infection are encouraged to get tested. In certain circumstances, a person may be required to comply with an order that they undergo a medical test: PHW Act, section 113(3).*

*Note 2: in some circumstances, the Chief Health Officer or Deputy Chief Health Officer may consider it appropriate to exempt a person from the extension of their self-quarantine period under clause 9, having regard to the need to protect public health and relevant principles in the PHW Act as they apply in the person's individual circumstances.*

*Note 3: a person is not required to continue to self-quarantine under subclause (1) if the person is exempted in accordance with clause 9, either before or after the period of self-quarantine is extended pursuant to subclause (1).*

- (2) If a person is required to self-quarantine under clause 6 and, during the period of self-quarantine, the person receives a test result stating that they have been diagnosed with SARS-CoV-2, the person becomes a diagnosed person and must self-isolate under clause 4.
- (3) If a person is required to self-quarantine under clause 6 and, during the period of self-quarantine, the person receives a test result stating that they have not been diagnosed with SARS-CoV-2, the person:
- (a) if the period for which the person is required to self-quarantine under clause 6 has not expired – must continue to self-quarantine under that clause for the remainder of that period; or
  - (b) if the period of self-quarantine was extended under subclause (1) – may cease self-quarantining; or
  - (c) if the period of self-quarantine was extended under subclause (4) – may cease self-quarantining at the time referred to in clause 6(7)(a) and, if that time has already passed, may cease self-quarantining immediately.
- (4) If a person is required to self-quarantine under clause 6 because they are a close contact of a diagnosed person and:
- (a) the person refuses or otherwise fails to take a test for SARS-CoV-2 when offered on the thirteenth day of their period of self-quarantine; and
  - (b) an authorised officer notifies the person to continue to self-quarantine for a further 14 days or until such other time (including by reference to an event) specified in the notice as given under this subclause,

then the period of self-quarantine is extended by the period set out in the notice in subclause (b) after the time specified in the notice given under clause 6(1)(b) or as varied under clause 6(10).

*Note 1: close contacts of diagnosed persons will be offered a test for SARS-CoV-2 on day 13 of their initial self-quarantine period, as testing at this time is likely to detect the presence of SARS-CoV-2 even if the person has not yet developed symptoms. As a person may be infectious for up to 14 days after the 14 day incubation period, if this test does not occur an authorised officer may give a further direction under section 200(1)(d) to extend the initial period of self-quarantine for an extended period of self-quarantine, being a period of up to 14 days. Such extended period of quarantine is required to prevent a person who develops SARS-CoV-2 towards the end of the 14 day incubation period, even if not symptomatic, transmitting SARS-CoV-2 to the broader community.*

*Note 2: in some circumstances, the Chief Health Officer or Deputy Chief Health Officer may consider it appropriate to exempt a person from the extension of their self-quarantine period under clause 9, having regard to the need to protect public health and relevant principles in the PHW Act as they apply in the person's individual circumstances.*

*Note 3: a person is not required to continue to self-quarantine under subclause (4) if the person is exempted in accordance with clause 9, either before or after the period of self-quarantine is extended pursuant to subclause (4).*

## 8 Requirements of self-isolation and self-quarantine

- (1) This clause applies to a person who is required to:
  - (a) self-isolate at a premises under clause 4; or
  - (b) self-quarantine at a premises under clause 6.
- (2) The person identified in subclause (1):
  - (a) must reside at that premises for the entirety of the period of self-isolation or self-quarantine, as the case requires, except for any period that the person is admitted to a hospital or other facility for the purposes of receiving medical care; and
  - (b) must not leave the premises, except:
    - (i) for the purposes of obtaining medical care or medical supplies; or
    - (ii) for the purposes of getting tested for SARS-CoV-2; or
    - (iii) in any emergency situation; or
    - (iv) if required to do so by law; or
    - (v) for the purposes of visiting a patient in hospital if permitted to do so under the **Hospital Visitor Directions**; or
    - (vi) for the purposes of working in a **care facility** if permitted to do so under the **Care Facilities Directions**; and
  - (c) must not permit any other person to enter the premises unless:
    - (i) that other person:
      - (A) ordinarily resides at the premises; or
      - (B) is required to self-isolate or self-quarantine at the premises under these directions; or
    - (ii) it is necessary for the other person to enter for medical or emergency purposes; or
    - (iii) the other person is a **disability worker**, and it is necessary for the disability worker to enter for the purpose of providing a **disability service** to a person with a **disability**; or
    - (iv) it is necessary for the other person to enter for the purpose of providing personal care or household assistance to the person as a result of that person's age, disability or chronic health condition; or  
*Examples: personal care includes assistance with showering, toileting, eating; household assistance includes help with cooking, house cleaning, laundry and gardening.*
    - (v) the entry is otherwise required or authorised by law.
- (3) Subclause (2)(c) does not apply to a person who is a **resident** of a care facility.  
*Note: the **Care Facilities Directions** govern who can enter a care facility.*
- (4) Despite subclause (2)(a):
  - (a) a diagnosed person who is required to self-isolate; or
  - (b) a close contact who is required to self-quarantine,  
may apply under clause 9(6) to a **Director or Medical Lead of a designated Local Public Health Unit** for an exemption from the requirement to remain at the premises designated for the purposes of subclause (2)(a) and to move to an alternate premises for the remainder of their self-quarantine or self-isolation period.
- (5) Despite subclause (2)(a), a **healthcare worker** who is a close contact and required to self-quarantine, may apply to a Director or Medical Lead of a designated Local Public Health Unit for an exemption from the requirement to remain at the premises designated for the purposes of subclause (2)(a) and to return to work.

## 9 Exemption power

### *General exemption power*

- (1) A person is not required to comply with a requirement of these directions if the person is granted an exemption from that requirement under subclause (2).
- (2) The Chief Health Officer or Deputy Chief Health Officer may exempt a person or a group of persons, from any or all requirements contained in these directions, if satisfied that an exemption is appropriate, having regard to the:
  - (a) need to protect public health; and
  - (b) principles in sections 5 to 10 of the PHW Act, as appropriate.
- (3) An exemption under subclause (2) must:
  - (a) be given, in writing, to the person the subject of the exemption; and
  - (b) specify the requirement or requirements that the person need not comply with.
- (4) An exemption granted to a person under this clause does not prevent an authorised officer from exercising an emergency power to give the person a different direction or impose a different requirement on the person.

### *Exemption power – alternate self-quarantine and self-isolation location*

- (5) A person is not required to comply with a requirement of these directions to remain at their designated:
  - (a) self-isolation location pursuant to clauses 4(3) or 4(4); or
  - (b) self-quarantine location pursuant to clause 6(5),if the person is granted an exemption from that requirement under subclause (6).
- (6) A Director or Medical Lead of a Local Public Health Unit may exempt a person or group of persons from the requirements of clauses 4(3), 4(4) (location of self-isolation) or 6(5) (location of self-quarantine), if satisfied that an exemption from that requirement is appropriate having regard to the:
  - (a) need to protect public health; and
  - (b) principles in sections 5 to 10 of the PHW Act, as appropriate.
- (7) An exemption under subclause (6) must:
  - (a) be given, in writing, to the person the subject of the exemption; and
  - (b) specify the appropriate alternate self-isolation or self-quarantine location, that the person or group of persons must stay for the remainder of the self-isolation or self-quarantine period.
- (8) An exemption granted to a person under this clause does not prevent an authorised officer from exercising an emergency power to give the person a different direction or impose a different requirement on the person.

### *Exemption power – healthcare workers return to work*

- (9) A healthcare worker is not required to comply with a requirement of these directions to remain at their designated self-quarantine location pursuant to clause 6(5), if the person is granted an exemption from that requirement under subclause (10).
- (10) A Director or Medical Lead of a Local Public Health Unit may exempt a healthcare worker from the requirements of clause 6(5) (location of self-quarantine), if satisfied that an exemption from that requirement is appropriate having regard to the:
  - (a) need to protect public health; and
  - (b) principles in sections 5 to 10 of the PHW Act, as appropriate.
- (11) An exemption under subclause (10) must:
  - (a) be given, in writing, to the healthcare worker the subject of the exemption; and
  - (b) specify that the healthcare worker is no longer required to self-quarantine under clause 6(5) and may return to work.

- (12) An exemption granted to a healthcare worker under this clause does not prevent an authorised officer from exercising an emergency power to give the person a different direction or impose a different requirement on the person.

*Transitional provision – exemption*

- (13) Any exemption granted under any Revoked Isolation Direction continues to have effect.
- (14) Any application for exemption under any Revoked Isolation Direction continues to have effect.

## 10 Definitions

In these directions:

- (1) **authorised officer** has the same meaning as in the **PHW Act**;
- (2) **Care Facilities Directions** means the **Care Facilities Directions (No. 46)** as amended or replaced from time to time;
- (3) **care facility** has the same meaning as in the **Care Facilities Directions**;
- (4) **clearance from self-isolation** has the meaning in clause 5(1);
- (5) **close contact** has the meaning in clause 6(1);
- (6) **Department** means the Victorian Department of Health;
- (7) **Departmental Requirements** means the document titled ‘Case and contact management guidelines for health services and general practitioners’ available at [www.dhhs.vic.gov.au/health-services-and-professionals-coronavirus-covid-19](http://www.dhhs.vic.gov.au/health-services-and-professionals-coronavirus-covid-19) as amended or reissued from time to time by the Victorian Government with the approval of the Chief Health Officer or a Deputy Chief Health Officer;
- (8) **designated Local Public Health Units** means:
- (a) Western Public Health Unit;
  - (b) South Eastern Public Health Unit;
  - (c) North Eastern Public Health Unit;
  - (d) Barwon South West Public Health Unit;
  - (e) Grampians Wimmera Southern Mallee Public Health Unit;
  - (f) Loddon-Mallee Public Health Unit;
  - (g) (Hume) Goulburn Valley Public Health Unit;
  - (h) (Hume) Albury-Wodonga Public Health Unit;
  - (i) Gippsland Public Health Unit;
- (9) **diagnosed person** has the meaning in clause 4(1);
- (10) **Director or Medical Lead of a designated Local Public Health Unit** means a person with the title of Director or Medical Lead in a **designated Local Public Health Unit** who is authorised to exercise public health risk powers under section 199(2)(a) of the **PHW Act**;
- (11) **emergency powers** has the same meaning as in the **PHW Act**;
- (12) **employee** includes a person who is self-employed;
- (13) **employer** means a person who owns, operates or controls **Work Premises** (or a Work Premises) and includes a person who is self-employed;
- (14) **exemption** means an exemption granted by the Chief Health Officer or the Deputy Chief Health Officer, or a **Director or Medical Lead of a designated Local Public Health Unit** under clause 9(2), 9(6), 6(10) of these directions or the equivalent provision in any Revoked Isolation Direction;

- (15) **Expert Review Panel** means the group of public health specialists convened on an as-required basis to review the available medical, epidemiological and laboratory information for the purposes of clinical assessments, case review, close contact designations and to provide evidence-based advice to the Chief Health Officer and Deputy Chief Health Officer. The panel is comprised of experts from public health medicine, infectious disease, microbiology, epidemiology and Department of Health representatives from Intelligence, Case and Contact Outbreak Management and Pathology;
- (16) **healthcare worker** means a **worker** of a health service managed by a **designated Local Public Health Unit**;
- (17) **hospital** has the same meaning as in the **Hospital Visitor Directions**;
- (18) **Hospital Visitor Directions** means the **Hospital Visitor Directions (No. 37)** as amended or replaced from time to time;
- (19) **premises** means:
- (a) a building, or part of a building; and
  - (b) any land on which the building is located, other than land that is available for communal use;
- (20) **resident** of a **care facility** has the same meaning as in the **Care Facilities Directions**;
- (21) **Revoked Isolation Direction** means the following directions:
- (a) **Isolation (Diagnosis) Direction**, given on 25 March 2020;
  - (b) **Isolation (Diagnosis) Direction (No. 2)**, given on 13 April 2020;
  - (c) **Diagnosed Persons and Close Contacts Directions**, given on 11 May 2020;
  - (d) **Diagnosed Persons and Close Contacts Directions (No. 2)**, given on 31 May 2020;
  - (e) **Diagnosed Persons and Close Contacts Directions (No. 3)**, given on 21 June 2020;
  - (f) **Diagnosed Persons and Close Contacts Directions (No. 4)**, given on 1 July 2020;
  - (g) **Diagnosed Persons and Close Contacts Directions (No. 5)**, given on 15 July 2020;
  - (h) **Diagnosed Persons and Close Contacts Directions (No. 6)**, given on 19 July 2020;
  - (i) **Diagnosed Persons and Close Contacts Directions (No. 7)**, given on 22 July 2020;
  - (j) **Diagnosed Persons and Close Contacts Directions (No. 8)**, given on 3 August 2020;
  - (k) **Diagnosed Persons and Close Contacts Directions (No. 9)**, given on 13 August 2020;
  - (l) **Diagnosed Persons and Close Contacts Directions (No. 10)**, given on 16 August 2020;
  - (m) **Diagnosed Persons and Close Contacts Directions (No. 11)**, given on 13 September 2020;
  - (n) **Diagnosed Persons and Close Contacts Directions (No. 12)**, given on 11 October 2020;
  - (o) **Diagnosed Persons and Close Contacts Directions (No. 13)**, given on 8 November 2020;
  - (p) **Diagnosed Persons and Close Contacts Directions (No. 14)**, given on 6 December 2020;
  - (q) **Diagnosed Persons and Close Contacts Directions (No. 15)**, given on 3 January 2021;
  - (r) **Diagnosed Persons and Close Contacts Directions (No. 16)**, given on 29 January 2021;

- (s) **Diagnosed Persons and Close Contacts Directions (No. 17)**, given on 26 February 2021;
  - (t) **Diagnosed Persons and Close Contacts Directions (No. 18)**, given on 15 March 2021;
  - (u) **Diagnosed Persons and Close Contacts Directions (No. 19)**, given on 26 March 2021;
  - (v) **Diagnosed Persons and Close Contacts Directions (No. 20)**, given on 27 March 2021;
  - (w) **Diagnosed Persons and Close Contacts Directions (No. 21)**, given on 9 April 2021;
  - (x) **Diagnosed Persons and Close Contacts Directions (No. 22)**, given on 7 May 2021;
  - (y) **Diagnosed Persons and Close Contacts Directions (No. 23)**, given on 3 June 2021;
  - (z) **Diagnosed Persons and Close Contacts Directions (No. 24)**, given on 1 July 2021;
  - (aa) **Diagnosed Persons and Close Contacts Directions (No. 25)**, given on 29 July 2021;
  - (bb) **Diagnosed Persons and Close Contacts Directions (No. 26)**, given on 26 August 2021;
  - (cc) **Diagnosed Persons and Close Contacts Directions (No. 27)**, given on 23 September 2021;
- (22) **Work Premises** means the **premises** of an **employer** in which work is undertaken, including any vehicle whilst being used for work purposes, but excluding a **worker's** ordinary place of residence;
- (23) **worker** includes **employees**, subcontractors (and their employees), volunteers and any other person engaged or permitted by an **employer** to perform work;
- (24) the following expressions have the same meaning that they have in the **Disability Service Safeguards Act 2018**:
- (a) **disability**;
  - (b) **disability service**;
  - (c) **disability worker**.

## 11 Penalties

Section 203 of the PHW Act provides:

### Compliance with direction or other requirement

- (1) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.
- Penalty: In the case of a natural person, 120 penalty units;  
In the case of a body corporate, 600 penalty units.
- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

*Note: section 209 of the PHW Act provides for infringement notices to be served on any person who has refused or failed to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal and the age of the person.*

Dated 29 September 2021

PROFESSOR BENJAMIN COWIE  
Acting Chief Health Officer,  
as authorised to exercise emergency powers  
under section 199(2)(a) of the PHW Act



**Public Health and Wellbeing Act 2008**

## Section 200

**DIRECTIONS FROM ACTING CHIEF HEALTH OFFICER IN ACCORDANCE WITH EMERGENCY POWERS ARISING FROM DECLARED STATE OF EMERGENCY****COVID-19 Mandatory Vaccination Directions (No. 4)**

I, Professor Benjamin Cowie, Acting Chief Health Officer, consider it reasonably necessary to protect public health to give the following directions pursuant to section 200(1)(d) of the **Public Health and Wellbeing Act 2008** (Vic.) (**PHW Act**):

**PART 1 – PRELIMINARY****1 Preamble**

- (1) The purpose of these directions is to impose obligations upon operators of **specified facilities** in relation to the vaccination of **workers**, in order to limit the spread of severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**) within the population in these settings.
- (2) Previous versions of these directions imposed obligations on operators of:
  - (a) **residential aged care facilities**; and
  - (b) **construction sites**.
- (3) These directions continue to impose those obligations, and extend them to **operators** of:
  - (a) **healthcare facilities**; and
  - (b) **education facilities**.
- (4) Key definitions are contained in clause 0.
- (5) Facility-specific definitions are contained in clause 9.
- (6) Other definitions are contained in clause 10.
- (7) These directions must be read together with the **Directions currently in force**.

**2 Citation**

These directions may be referred to as the **COVID-19 Mandatory Vaccination Directions (No. 4)**.

**3 Commencement and revocation**

- (1) These directions commence at 11:59:00 pm on 29 September 2021 and end at 11:59:00 pm on 21 October 2021.
- (2) The **COVID-19 Mandatory Vaccination Directions (No. 3)** are revoked at 11:59:00 pm on 29 September 2021.

**PART 2 – OPERATOR OBLIGATIONS****4 Operator must collect, record and hold vaccination information***Vaccination information*

- (1) If a worker is, or may be, scheduled to work at a specified facility on or after the **relevant date**, the operator must collect, record and hold **vaccination information** about the worker.

*Booking information – partially vaccinated and unvaccinated workers*

- (2) If the operator collects information that a worker is **partially vaccinated**, the operator must also collect, record and hold information about whether that worker has a booking to receive, by the **second dose deadline**, a dose of a **COVID-19 vaccine** that will cause the worker to become **fully vaccinated**.
- (3) If the operator collects information that a worker is **unvaccinated**, the operator must also must collect, record and hold information about whether that worker has a booking to receive, by the **first dose deadline**, a dose of a **COVID-19 vaccine** that will cause the worker to become **partially vaccinated**.



*Timing*

- (4) An operator must comply with the obligations in sub-clauses (1) to (3):
- (a) as soon as reasonably practicable after the commencement of these directions; and
  - (b) in any event, before the relevant date.

*Exceptions*

- (5) Subclauses (1) to (4) do not apply if the operator already holds vaccination information about a worker who is, or may be, scheduled to work at the specified facility on or after the relevant date.
- (6) Subclause (2) does not apply if there is no second dose deadline for the specified facility in Schedule 1.

**5 Operator must take reasonable steps to prevent entry of unvaccinated workers***Prevention of entry to premises*

- (1) An operator of a specified facility must take all reasonable steps to ensure that, on or after the relevant date, a worker who is unvaccinated does not enter, or remain on, the premises of a specified facility for the purposes of working at the facility.
- (2) For the purposes of subclause (1), if an operator does not hold vaccination information about a worker, the operator must treat the worker as if the worker is unvaccinated.

*Exception – booking by first dose deadline*

- (3) Despite subclause (1), an operator of a specified facility may, between the relevant date and the first dose deadline, permit a worker who:
- (a) is unvaccinated; and
  - (b) has a booking to receive, by the first dose deadline, a dose of COVID-19 vaccine that will cause the worker to become partially vaccinated;

to enter, and remain on, the premises of the facility for the purposes of working at the facility.

- (4) If an operator of a healthcare facility permits a worker to enter, and remain on, the premises of the facility under sub-clause (3), the operator must take reasonable steps to ensure that the worker wears, at all times while on the premises of the facility, **PPE** that includes at a minimum, a surgical mask and face shield;
- (5) If an operator of an education facility permits a worker who is carrying out assessments of an oral or performance examination as part of the 2021 Victorian Certificate of Education, International Baccalaureate or the Victorian Certificate of Applied Learning, the operator must take reasonable steps to ensure that the worker wears, at all times while on the premises of the education facility, PPE that includes a surgical mask.

*Authorisation to use vaccination information*

- (6) For the purposes of complying with this clause, an operator is authorised to use any information about a worker that it holds under clause 4.

*Disclosure to employer or contractor*

- (7) If the operator is obliged to comply with subclause (1) in relation to a worker and the operator is not:
- (a) the employer of the worker; or
  - (b) the person who engaged the worker to work at the facility;
- the operator is authorised to disclose to the employer or person who engaged the worker that the operator is obliged to comply with subclause (1) in relation to the worker.

*Notification to current and potential workers*

- (8) An operator of specified facility must, as soon as reasonably practicable after the commencement of these directions, inform each worker who is, or may be, scheduled to work at the facility on or after the relevant date, including each worker that an operator will or may hire after the relevant date, that:
- (a) clause 4 obliges the operator to collect, record and hold vaccination information about the worker before the relevant date;
  - (b) subclause (1) obliges the operator to take all reasonable steps to ensure that, on or after the relevant date, a worker who is unvaccinated does not enter, or remain on, the premises of a specified facility for the purposes of working at the facility.

**6 Exception – exceptional circumstances**

- (1) An operator of a specified facility is not required to comply with clauses 4 and 5 if one or more of the exceptional circumstances specified in subclause (2) applies.
- (2) The exceptional circumstances are:
  - (a) a worker is required to perform work or duties at the facility that is or are necessary to provide for urgent specialist clinical or medical care due to an **emergency situation** or a **critical unforeseen circumstance**; or
  - (b) a worker is required to fill a vacancy to provide urgent care, to maintain quality of care and/or continue essential operations at the facility due to an emergency situation or a critical unforeseen circumstance; or

*Example 1: a work premises has a large number of workers furloughed due to exposure at a Tier 1 site.*

*Example 2: a medical practitioner is required to attend the premises on short notice due to an emergency situation.*

- (c) a worker is required to attend the facility to respond to an emergency at the facility; or
- (d) a worker is required to perform urgent and essential work at the facility to protect the health and safety of workers or members of the public, or to protect assets and infrastructure.

*Example 1: securing a crane due to impending high winds.*

*Example 2: works required at a construction site in order to make the construction site safe for continued operation.*

- (3) If a circumstance specified in subclause (2)(b), (c) or (d) applies, the operator must take all reasonable steps to ensure that the worker remains upon the premises of the facility only for the period of time necessary to respond to the exceptional circumstance.

*Additional obligation*

- (4) If the circumstances specified:
  - (a) in subclause (2) apply in relation to a residential aged care facility or a healthcare facility; or
  - (b) in subclause (2)(b) apply in relation to an education facility; or
  - (c) in subclause (2)(c) and (d) apply in relation to a construction site,
 the relevant operator must take all reasonable steps to ensure that the worker wears, at all times while on the premises of the facility, PPE that includes, at a minimum, a surgical mask and face shield.

**7 Disclosure to Authorised Officers**

- (1) An Authorised Officer may request an operator to produce to the Authorised Officer any vaccination information held by the operator under clause 4.
- (2) If an Authorised Officer makes a request to a person under subclause (1), the person must comply with the request.

*Note: Authorised officers may also be authorised to exercise the public health risk power in section 190(1)(d) of the PHW Act to require the provision of any information needed to investigate, eliminate or reduce the risk to public health.*

**PART 3 – DEFINITIONS****8 Key definitions***Vaccination status*

- (1) A person's **vaccination status** is one of the following:
  - (a) **fully vaccinated**; or
  - (b) **partially vaccinated**; or
  - (c) **unvaccinated**; or
  - (d) **excepted person**.
- (2) A person is **fully vaccinated** if the person has received two doses of a COVID-19 vaccine.
- (3) A person is **partially vaccinated** if the person has received one dose of a COVID-19 vaccine and is not an **excepted person**.
- (4) A person is **unvaccinated** if the person has not received a dose of a COVID-19 vaccine and is not an **excepted person**.
- (5) A person is an **excepted person** if the person has obtained certification from a **medical practitioner** that the person is unable, due to a **medical contraindication** to receive a dose, or a further dose, of a COVID-19 vaccine.

*Vaccination information*

- (6) For the purposes of these directions, **vaccination information** is information about a person's vaccination status and includes information that is derived from a record of information that was made under, or in accordance with, the **Australian Immunisation Register Act 2015** of the Commonwealth.

*Note: Vaccination information may be recorded in a variety of documents, such as a letter from a medical practitioner, a certificate of immunisation or an immunisation history statement obtained from the Australian Immunisation Register.*

*Schedule 1 definitions*

- (7) For the purposes of these directions:
  - (a) **first dose deadline** in relation to a **specified facility** means the date identified in Column 4 of Schedule 1 for that facility;
  - (b) **operator** in relation to a **specified facility** means a person identified in Column 2 of Schedule 1 for that facility;
  - (c) **relevant date** in relation to a **specified facility** means the date specified in Column 6 of Schedule 1 for that facility;
  - (d) **second dose deadline** in relation to a **specified facility** means the date identified in Column 5 of Schedule 1 for that facility;
  - (e) **specified facility** means a facility identified in Column 1 of Schedule 1;
  - (f) **worker** in relation to a **specified facility** means a person identified in Column 3 of Schedule 1 for that facility.

**9 Facility-specific definitions***Residential aged care facilities*

- (1) For the purposes of these directions:
  - (a) **approved provider** has the same meaning as in the **Aged Care Quality and Safety Commission Act 2018** of the Commonwealth;
  - (b) **residential aged care facility** means the premises at which accommodation and personal care or nursing care or both are provided to a person in respect of whom a **residential care subsidy** or a **flexible care subsidy** is payable under the **Aged Care Act 1997** of the Commonwealth;

- (c) **residential aged care facility worker** means a person (including a volunteer) that is:
- (i) employed, or engaged as a contractor, by an **operator** that operates a **residential aged care facility** to perform work at the residential aged care facility including:
    - (A) direct care workforce including nurses, personal care workers, allied health professionals, and allied health assistants;
    - (B) administration staff including reception and management staff;
    - (C) ancillary staff including food preparation, cleaning, laundry, gardening and general maintenance staff;
    - (D) dental practitioners;
    - (E) phlebotomists (pathology nurses);
    - (F) lifestyle and social staff, such as those delivering music or art therapy;
    - (G) transport drivers who are responsible for collecting and transporting residents to and from the residential aged care facility for outings;
    - (H) volunteers engaged by the residential aged care facility to undertake duties at the facility;
    - (I) students on placement;
    - (J) **medical practitioners** and allied health professions who attend the residential aged care facility to provide care to residents of the facility; and
  - (ii) a medical practitioner, dental practitioner or allied health professional who is employed or engaged by a resident of a residential aged care facility to provide care to the resident
- (d) **residential care subsidy** has the same meaning as in the **Aged Care Act 1997** of the Commonwealth; **vehicle** has the same meaning as in the **PHW Act**.

*Construction sites*

- (2) For the purposes of these directions:
- (a) **construction site** means a premises at which civil works, building or construction activities are taking place (the primary premises) and includes:
    - (i) premises that are nearby to the primary premises at which work relating to the operation of the primary premises is undertaken (secondary premises);
    - (ii) any vehicle used to carry out work at the primary premises or secondary premises.

*Example: a site office for a construction site that is located in an office building close to the construction site.*
  - (b) **principal contractor** means the owner of a **construction site** unless the owner:
    - (i) appoints a principal contractor for the construction work performed for or on behalf of the owner; and
    - (ii) authorises the principal contractor to manage or control the **construction site** to the extent necessary to discharge the duties imposed on a principal contractor under the **Occupational Health and Safety Regulations 2017**.

*Healthcare facilities*

- (3) For the purposes of these directions:
- (a) **healthcare facility** means each of the following facilities:
- (i) hospitals, including outpatient settings and in reach services;
  - (ii) ambulance and patient transport services,
  - (iii) community health centres and services including mental health, child and maternity, and drug and alcohol counselling services;
  - (iv) general practices;
  - (v) COVID-19 related healthcare sites, including testing sites, vaccination centres and hotel quarantine premises;
  - (vi) dental surgeries and practices;
  - (vii) day procedure centres;
  - (viii) health clinics, including medical specialist and allied health professional operated clinics;
  - (ix) pharmacies;
  - (x) diagnostic and medical imaging centres;
  - (xi) mobile health services;
  - (xii) blood donation services;
  - (xiii) educational settings where healthcare students undertake placement, registration or internships;
  - (xiv) health services within government agencies, including the Victorian Department of Justice and Community Services – Victorian Institute of Forensic Medicine and the Coroners Court of Victoria; and
  - (xv) any retail and other business operating within a healthcare setting, including cafes, newsagents and florists.
- (b) **healthcare operator** means a person who owns, controls or operates a **healthcare facility** whether public, private or denominational; and
- (c) **healthcare worker** means a person who is employed or engaged as a contractor by a **healthcare operator** to perform at a **healthcare facility** any of the following:
- (i) healthcare services including:
    - (A) **medical practitioners**, dental professionals, nurses and midwives;
    - (B) allied health professionals (including those that work within a discipline classified by the Victorian Department of Health as allied health, or are registered with the *Australian Health Practitioner Regulation Agency*,
    - (C) personal care attendants;
    - (D) phlebotomists and pathology workers;
    - (E) lifestyle and social therapists;
    - (F) formal language and interpretation services;
    - (G) students; and
    - (H) volunteers; and
  - (ii) administrative or ancillary roles, including
    - (A) an administrative, clerical and managerial worker, and each of their assistants delegates;

- (B) food preparation, cleaning and laundry services;
- (C) patient service assistants and porters;
- (D) operating theatre technicians;
- (E) security, maintenance and repair and information technology, gardening and landscaping;
- (iii) ambulance and patient transport services; and
- (iv) work at a retail business operating within a healthcare facility, including cafes, restaurants, newsagents and florists.

*Note: where the healthcare worker is self-employed, the person is considered to be their own employer and a healthcare operator for the purpose of complying with these Directions. For example, if care is being provided by a healthcare worker in someone's home, the operator is the healthcare worker who attends the home.*

#### *Education facilities*

- (4) For the purposes of these directions:
- (a) **childcare or early childhood service** means onsite early childhood education and care services or children's services provided under the:
    - (i) **Education and Care Services National Law** and the **Education and Care Services National Regulations**, including long day care services, kindergartens and/or preschool and family daycare services, but not including outside school hours care services; and
    - (ii) **Children's Services Act 1996**, including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs;
  - (b) **education facility** means:
    - (i) a **childcare or early childhood service**, and includes outside school hours care services;
    - (ii) a **school** means a registered school as defined in the **Education and Training Reform Act 2006**; and
    - (iii) **school boarding premises**;
  - (c) **education operator** means a person who owns, controls or operates an **education facility**, whether public, private or denominational;
  - (d) **education worker** means:
    - (i) any person who is employed by an **education operator** to work in an **education facility** (including teachers, early childhood educators and educational support staff);
    - (ii) a person contracted to work at an **education facility** and who will or may be in close proximity to children, students or staff, whether or not engaged by the **education operator** including casual relief teachers, Breakfast Club suppliers, IT personnel, NDIS providers and auditors, but does not include delivery personnel or contractors);
    - (iii) staff of the Department of Education and Training who attend an **education facility** (such as allied health personnel or Authorised Officers);
    - (iv) staff of any other entity who attends an **education facility**;
    - (v) volunteers that attend an **education facility** and that work in close proximity to children, students or staff (including parent helpers); and
    - (vi) students on placements at an **education facility**;
  - (e) **school** means a registered school as defined in the **Education and Training Reform Act 2006**; and
  - (f) **school boarding premises** means a registered school boarding premises, as defined in the **Education and Training Reform Act 2006**.

**10 Other definitions**

For the purposes of these directions:

- (1) **Authorised Officer** has the same meaning as in the **PHW Act**;
- (2) **COVID-19 vaccine** means a vaccine to protect a person against SARS-CoV-2 that:
  - (a) has been registered or provisionally registered by the Therapeutic Goods Administration; or
  - (b) has been approved by a comparable overseas regulator, as determined by the Therapeutic Goods Administration under regulation 16DA(3) of the **Therapeutic Goods Regulation 1990** of the Commonwealth;
- (3) **critical unforeseen circumstance** means a circumstance that the operator of a work premises could not reasonably have foreseen nor planned for which results in a critical need for staff;
- (4) **Directions currently in force** has the same meaning as in the **Workplace Directions**;
- (5) **emergency situation** means a situation where it is reasonably apparent to the operator of a specified facility that medical treatment is necessary, as a matter of urgency to:
  - (a) save a person's life; or
  - (b) prevent serious damage to a person's health; or
  - (c) prevent a person from suffering or continuing to suffer significant pain or distress;
- (6) **medical contraindication** means one of the following contraindications to the administration of a **COVID-19 vaccine**:
  - (a) anaphylaxis after a previous dose;
  - (b) anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;
  - (c) in relation to AstraZeneca:
    - (i) history of capillary leak syndrome; or
    - (ii) thrombosis with thrombocytopenia occurring after a previous dose;
  - (d) in relation to Comirnaty or Spikevax:
    - (i) myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax; or
  - (e) the occurrence of any other serious adverse event that has
    - (i) been attributed to a previous dose of a **COVID-19 vaccine** by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
    - (ii) been reported to State adverse event programs and/or the Therapeutic Goods Administration;
- (7) **medical practitioner** means:
  - (a) a general practice registrar on an approved 3GA training placement; or
  - (b) a public health physician; or
  - (c) a general physician; or
  - (d) an infectious disease physician; or
  - (e) a clinical immunologist; or
  - (f) a gynaecologist; or
  - (g) an obstetrician; or
  - (h) a general practitioner who is vocationally registered; or



- (i) a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or
- (j) a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM);
- (8) **PHW Act** means the **Public Health and Wellbeing Act 2008**;
- (9) **PPE** means personal protective equipment;
- (10) **premises** has the same meaning as in the **PHW Act** but does not include a worker's ordinary place of residence;

## 11 Penalties

- (1) Section 203 of the PHW Act provides:

### **Compliance with direction or other requirement**

- (1) A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199.

Penalty: In the case of a natural person, 120 penalty units;

In the case of a body corporate, 600 penalty units.

- (2) A person is not guilty of an offence against subsection (1) if the person had a reasonable excuse for refusing or failing to comply with the direction or requirement.

*Note: section 209 of the PHW Act provides for infringement notices to be served on any person who has refused or failed to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199. The amount payable pursuant to the infringement notice varies depending on the nature of the failure or refusal.*

- (2) Section 210 of the PHW Act provides:

### **False or misleading information**

- (1) A person must not –

- (a) give information that is false or misleading in a material particular; or
- (b) make a statement that is false or misleading in a material particular; or
- (c) produce a document that is false or misleading in a material particular – to the Secretary, a Council, the Chief Health Officer or an authorised officer under this Act or the regulations without indicating the respect in which it is false or misleading and, if practicable, providing correct information.

Penalty: In the case of a natural person, 60 penalty units;

In the case of a body corporate, 300 penalty units.

- (2) A person must not make an entry in a document required to be kept by this Act or the regulations that is false or misleading.

Penalty: In the case of a natural person, 60 penalty units;

In the case of a body corporate, 300 penalty units.

- (3) In a proceeding for an offence against subsection (1) or (2) it is a defence to the charge for the accused to prove that at the time at which the offence is alleged to have been committed, the accused believed on reasonable grounds that the information, statement or document was true or was not misleading.

Dated 29 September 2021

PROFESSOR BENJAMIN COWIE  
Acting Chief Health Officer,  
as authorised to exercise emergency powers  
under section 199(2)(a) of the PHW Act

## SCHEDULE 1 – SPECIFIED FACILITIES

Specified facility (Column 1)	Operator (Column 2)	Worker (Column 3)	First dose deadline (Column 4)	Second dose deadline (Column 5)	Relevant date (Column 6)	Facility-specific definitions
residential aged care facility	an approved provider with responsibility for that residential aged care facility	a residential aged care facility worker	1 October 2021	15 November 2021	30 September 2021	Clause 9(1)
construction site	the principal contractor for that construction site	any person (including a volunteer) performing work at a construction site, including: (a) an employee of the operator; and (b) any contractor engaged by the operator or by a third-party.	2 October 2021	None	30 September 2021	Clause 9(2)
healthcare facility	a healthcare operator	a healthcare worker	29 October 2021	15 December 2021	15 October 2021	Clause 9(3)
education facility	education operator	education worker	25 October 2021	15 December 2021	18 October 2021	Clause 9(4)

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