

*Public Health Act 1997*

**DIRECTION UNDER SECTION 16**

I, SCOTT McKEOWN, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997*, in order to manage a threat to public health or a likely threat to public health posed by the disease known as COVID-19 ("the disease"), direct that –

- (a) subject to paragraph (b), a person must not enter, or remain on, the premises of a residential aged care facility in Tasmania between midday on 23 March 2020 and midnight on 15 April 2020 unless –
  - (i) the person is an employee or contractor of the residential aged care facility; or
  - (ii) the person's presence at the premises is for the purposes of providing goods or services that are necessary for the effective operation of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
  - (iii) the person's presence at the premises is for the purposes of providing health, medical or pharmaceutical goods or services to a resident of the residential aged care facility, whether the goods or services are provided for consideration or on a voluntary basis; or
  - (iv) the person's presence at the premises is for the purposes of a **care and support visit** to a resident of the residential aged care facility; or
  - (v) the person's presence at the premises is for the purposes of end of life support for a resident of the residential aged care facility; or
  - (vi) the person's presence at the premises is required for the purposes of emergency management or law enforcement; or
  - (vii) the person's presence at the premises is in the person's capacity as a prospective resident of the residential aged care facility; and

- (b) despite paragraph (a), a person referred to in paragraph (a)(i), (ii), (iii), (iv), (v), (vi) or (vi) must not enter, or remain on, the premises of a residential aged care facility in Tasmania between midday 23 March 2020 and midnight 15 April 2020 if –
  - (i) during the 14-day period immediately preceding the entry, the person arrived in Tasmania from a place outside Tasmania; or
  - (ii) during the 14-day period immediately preceding the entry, the person had known contact with a person who has been diagnosed with the disease; or
  - (iii) the person has –
    - (A) a temperature higher than 37.5 degrees; or
    - (B) one or more symptoms of acute respiratory infection; or
  - (iv) the person does not have an up-to-date vaccination against influenza, if such a vaccination is available and there is no medical recommendation against the administration of the vaccine to the person; or
  - (v) the person has not attained the age of 16 years unless his or her presence is required on the premises for end of life support; and
- (c) the operator of a residential aged care facility in Tasmania must take all reasonable steps to ensure that a person does not enter, or remain on, the premises of the residential aged care facility if the person is prohibited from doing so under paragraph (a) or (b); and
- (d) paragraphs (a), (b) or (c) do not prevent a person who is resident of a residential aged care facility from entering, or remaining on, the premises of the residential aged care facility; and
- (e) in this direction –
  - (i) **care and support visit**, in relation to a resident of a residential aged care facility, means a visit of no longer than 2 hours made to the resident –
    - (A) by a single person or no more than 2 persons together; and

- (B) in the resident's room, outdoors or in a specific non-communal area, as designated by the residential aged care facility; and
- (C) for the purposes of providing care and support to the resident; and
- (ii) **flexible care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and
- (iii) **operator**, of a residential aged care facility, means a person who owns, controls or operates the residential aged care facility; and
- (iv) **residential aged care facility** means a facility 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; and
- (v) **residential care subsidy** has the same meaning as in the *Aged Care Act 1997* of the Commonwealth; and
- (vi) **symptoms of acute respiratory infection** includes fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness.

Dated:.....

Signed:.....

Director of Public Health