



Queensland Health

[Home](#) > [Health system and governance](#) > [Legislation](#) > [Chief Health Officer public health directions](#) > Restricting Cruise Ships from Entering Queensland Waters Direction (No. 2)

Restricting Cruise Ships from Entering Queensland Waters Direction (No. 2)

Summary

Effective from: 11 June 2020

Posted: 11 June 2020

Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency

Public Health Act 2005 (Qld)

Section 362B

On 29 January 2020, under the *Public Health Act 2005*, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 29 June 2021 and may be further extended.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following directions pursuant to the powers under s 362B of the *Public Health Act 2005* to assist in containing, or to respond to, the spread of COVID-19 within the community.

Citation

1. This Public Health Direction may be referred to as the Restricting Cruise Ships from Entering Queensland Waters Direction (No. 2).

PART 1 — DIRECTION – RESTRICTIONS ON CRUISE SHIPS

2. This direction applies from the time of publication until the end of the declared public health emergency, unless it is revoked or replaced.
3. The operator of a foreign flagged cruise ship must not allow the ship to enter Queensland waters unless permitted under the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Cruise Ships) Determination 2020* (Cwlth).

Definitions

For the purposes of this Public Health Direction:

4. *Cruise ship* means a vessel that:
 - a. has sleeping facilities for 100 or more passengers; and
 - b. is usually used to provide a service of sea transportation, being a service that:
 - i. is provided in return for a fee payable by persons using the service; and
 - ii. is available to the general public.
5. *Queensland waters* means all waters that are:

- a. within the limits of the State; or
 - b. coastal waters of the State.
6. *Coastal waters of the State* means:
- a. the parts of the territorial sea of Australia that are within the adjacent area in respect of the State, other than any part mentioned in the *Coastal Waters (State Powers) Act 1980* (Cwlth), section 4(2); or
 - b. any sea that is on the landward side of any part of the territorial sea of Australia and within the adjacent area in respect of the State, but is not within the limits of the State.

PART 2 - PENALTIES

A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—100 penalty units or 6 months imprisonment.

Dr Jeannette Young
Chief Health Officer

11 June 2020

Published on the Queensland Health website 11 June 2020 at 1:35 pm

Last updated: 30 December 2020

Understanding this Direction

Information to help you understand what this Direction means for restricting cruise ships from entering Queensland waters.

[Find out more](#)¹

Links

1. <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/public-health-directions/restricting-cruise-ships-from-entering-queensland-waters-direction>

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