

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 70 and 72A

RIG OR PLATFORM CREW DIRECTIONS (NO 2)

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 a.m. on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005* (WA) (**Act**) (**State of Emergency**). The State of Emergency applies to the State of Western Australia.

I, Colin John Blanch, Acting Commissioner of Police and State Emergency Coordinator, now give the following directions pursuant to my powers under sections 67, 70 and 72A of the Act.

PREAMBLE

1. These directions set out the requirements that apply to **crew members** immediately after they **enter** and are for the purpose of preventing the importation of COVID-19 into Western Australia and otherwise limiting the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **Rig or Platform Crew Directions (No 2)**.

COMMENCEMENT

3. These directions come into effect at 12.01 am on 6 January 2021.

DIRECTIONS

Note: these directions only address crew members entering Western Australia from a rig or platform. A person who flies into Western Australia for the purpose of travelling to a rig or platform to work on the rig or platform will be dealt with in accordance with the Controlled Border for Western Australia Directions.

REVOCATION

4. The Rig or Platform Crew Directions (**revoked directions**) are revoked.
5. Despite paragraph 4, a person must continue to comply with any obligations which still applied to the person under the revoked directions immediately before these directions came into effect, to the same extent that the person would have to comply with them if

the revoked directions had not been revoked, and for the avoidance of doubt, if a person fails to comply with an obligation that applied to them under the revoked directions, the person may commit an offence under the Act.

Requirement that applies to all crew members

6. Unless stated otherwise, crew members must comply with these directions and not the Controlled Border for Western Australia Directions, except for paragraphs 4, 5 and 5A of those directions.

Entry of crew members where an exposure event has not occurred

7. A crew member may enter Western Australia from a **rig or platform** provided that an **exposure event** has not occurred in respect of that crew member in the 14 days before the crew member proposes to enter.

Requirements where an exposure event has occurred

8. If an exposure event has occurred in respect of a crew member in the 14 days before the crew member proposes to enter:
 - (a) the owner, operator or person in charge of the rig or platform must:
 - (i) truthfully and accurately complete an **exposure event declaration** in respect of the crew member; and
 - (ii) provide the completed exposure event declaration to an **authorised officer** before the crew member enters Western Australia; and
 - (b) unless otherwise **directed**, the crew member must comply with:
 - (i) any of paragraphs 9, 10 or 11 that apply to the crew member; and
 - (ii) each of paragraphs 12 and 13 to the extent that they apply to the crew member.

A crew member leaving Western Australia on a flight within 24 hours

9. A crew member may disembark from a **helicopter** onto land in Western Australia provided that:
 - (a) the crew member has a ticket or other confirmed booking for a flight out of Western Australia, or for such a flight and one or more connecting flights to that flight, and the first of those flights (*first flight*) is scheduled to depart from a

Western Australian airport (*relevant airport*) within 24 hours of the crew member disembarking; and

- (b) the crew member travels to the relevant airport:
 - (i) in accordance with the travel requirements in Column 3 of Schedule 1 that are specified for a crew member travelling on a helicopter to the relevant airport; or
 - (ii) in accordance with the travel requirements in Column 3 of Schedule 1 that are specified for a crew member travelling on one or more helicopters via one or more helipads to the relevant airport; and
- (c) on arriving at the relevant airport, the crew member remains at the relevant airport until the crew member leaves on the first flight; and
- (d) the crew member complies with paragraph 12 in respect of the first flight and any subsequent flight until the crew member leaves on a flight out of Western Australia; and
- (e) the crew member complies with the **infection control measures**.

A crew member leaving Western Australia on a flight more than 24 hours later

10. A crew member may disembark from a helicopter onto land in Western Australia provided that:

- (a) the crew member has a ticket or other confirmed booking for a flight out of Western Australia, or for such a flight and one or more connecting flights to that flight, and the first of those flights (*first flight*) is scheduled to depart from a Western Australian airport (*relevant airport*) more than 24 hours after the crew member disembarks; and
- (b) the crew member travels to the **crew hotel**:
 - (i) in accordance with the travel requirements in Column 3 of Schedule 1 that are specified for a crew member travelling via a helicopter to the crew hotel; or
 - (ii) in accordance with the travel requirements in Column 3 of Schedule 1 that are specified for a crew member travelling via one or more helicopters via one or more helipads to the crew hotel; and

- (c) immediately after arriving at the crew hotel, the crew member remains in an allocated room at the crew hotel:
 - (i) until no earlier than 24 hours before the time the first flight is scheduled to depart from the relevant airport; and
 - (ii) for as long as is consistent with having enough time to leave on the first flight; and
- (d) whilst at the crew hotel, the crew member does not allow another person to access the crew member's allocated room at the crew hotel unless the person:
 - (i) is a **relevant officer** or a person assisting a relevant officer; or
 - (ii) accesses the allocated room for medical or emergency purposes; or
 - (iii) is required to access the allocated room for the purpose of performing critical and time-sensitive maintenance; or
 - (iv) is acting in compliance with a **direction** or **instruction** given by a relevant officer,

provided that no more than two persons access the allocated room at any one time if they access the allocated room in accordance with subparagraph (d)(i) to (iii); and
- (e) after the crew member leaves the crew hotel, the crew member travels as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel, to the relevant airport; and
- (f) the crew member complies with paragraph 12 in respect of the first flight and any subsequent flight until the crew member leaves on a flight out of Western Australia; and
- (g) the crew member complies with the infection control measures.

A crew member ordinarily resident in Australia

11. A crew member who ordinarily resides in Australia may disembark from a helicopter onto land in Western Australia provided that:

- (a) the crew member has access to **suitable premises**; and

- (b) the crew member travels from the airport or helipad to the nearest suitable premises to which the person has access as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel; and
- (c) as soon as possible after arriving at the suitable premises, the person remains inside them:
 - (i) for a period ending 14 days after the day the person entered Western Australia; or
 - (ii) for such period as is otherwise directed in a direction; and
- (d) during the period the person is required to remain at the suitable premises, the person does not allow another person to access the suitable premises unless the other person:
 - (i) is a relevant officer or a person assisting a relevant officer; or
 - (ii) accesses the suitable premises for medical or emergency purposes; or
 - (iii) is required to access the suitable premises for the purpose of performing critical and time-sensitive maintenance at the suitable premises; or
 - (iv) is acting in compliance with a direction or instruction given by a relevant officer; or
 - (v) usually resides at the suitable premises,provided that no more than two persons access the suitable premises at any one time if they access the suitable premises in accordance with subparagraph (d)(i) to (iii); and
- (e) during the period the person is required to remain at the suitable premises, the person immediately telephones 13 COVID (13 268 43) and asks for an instruction, and complies with any instruction given, if the person develops or has recently experienced any **symptoms**; and
- (f) the crew member complies with the infection control measures; and
- (g) the crew member complies with the requirements set out in paragraphs 12, 13, and 14 of the Presentation for Testing Directions (No 12) (or equivalent requirements in any future directions which replace those directions) as if they were a person to whom those paragraphs applied.

Requirements in relation to flights

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

- (a) when travelling in the circumstances described in this paragraph, the crew member must wear a face mask if available and practicable; and
- (b) if the first flight or any subsequent flight is a flight out of Western Australia, the person must leave Western Australia on the flight or, if the person is unable to leave Western Australia on the flight for any reason, the person must contact an authorised officer as soon as possible after the person becomes unable to leave on the flight, and ask for a direction and comply with any direction given; and
- (c) if the first flight or any subsequent flight is a connecting flight to a flight out of Western Australia or to another connecting flight:
 - (i) the person must leave on the connecting flight or, if the person is unable to leave on the connecting flight for any reason, the person must contact an authorised officer as soon as possible after the person becomes unable to leave on the flight, and ask for a direction and comply with any direction given; and
 - (ii) upon arriving at an airport at the end of the connecting flight, the person must proceed directly to the departure terminal for the person's next flight and remain there until the person boards their next flight unless otherwise directed by an authorised officer; and
 - (iii) the person must leave on the next flight or, if the person is unable to leave on the next flight, the person must contact an authorised officer as soon as possible after the person becomes unable to leave on the flight, and ask for a direction and comply with any direction given.

If a person cannot comply with a requirement of these directions

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

Infection control measures

14. If a person must comply with the infection control measures, the person must:

- (a) at all times take all reasonable steps to avoid coming within 1.5 metres of another person; and
- (b) at all times when coughing or sneezing, do so into the person's elbow or a tissue; and
- (c) wash their hands often with soap and water or using alcohol hand rub, particularly before and after eating and after attending a bathroom; and
- (d) when travelling (including whilst at an airport), wear a face mask if available and practicable.

Inconsistency

15. If there is any conflict between these directions and the Controlled Border for Western Australia Directions, these directions prevail to the extent of any inconsistency.

DEFINITIONS

16. **Affected aircraft** means an **aircraft** which originated from a place outside Western Australia.
17. **Affected vessel** means a **vessel**:
- (a) whose last port was outside of Western Australia; or
 - (b) which, after leaving its last port, embarked a person (other than from a port or other land in Western Australia) who had contact or had the opportunity to have contact with any other person on the vessel, irrespective of whether the person embarked as a crew member or a passenger or for any other reason; or
 - (c) includes a vessel which is in a Perth Port or a State Port when these directions come into effect and, if these directions had been in effect at the time the vessel came into that port, the vessel would have been an affected vessel under either subparagraphs (a) or (b) of this definition.
18. **Aircraft** includes any vehicle for travelling by air.
19. **Authorised officer** has the same meaning that it has in the Act.
20. **Coastal waters of the State** has the same meaning that it has in relation to Western Australia in the *Coastal Waters (State Powers) Act 1980* of the Commonwealth.

21. **Crew hotel** means a hotel which has been organised by the employer of a crew member, and if a crew hotel has not been organised, includes any other place which a crew member is given a direction to travel to and remain in instead of a crew hotel.
22. **Crew member** means a person who works on or was (for work purposes) on an oil rig or offshore platform.
23. **Direction** includes any direction given under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing, and **directed** includes directed by way of a direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
24. **Enter** means:
- (a) disembark from an **affected aircraft**, including a helicopter, onto land anywhere in Western Australia; or
 - (b) cross the border into Western Australia by any other means.
25. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).
26. **Exposed crew member** means a crew member who has experienced an exposure event, provided that the crew member will cease to be an exposed crew member if at least 14 days have passed since the conclusion of the relevant exposure event, and the crew member has not developed any symptoms at any time during that 14 day period.
27. **Exposed vessel** means an **affected vessel** or a **formerly affected vessel** that is not an **unexposed vessel**.
28. **Exposure event**, in respect of a crew member, means:
- (a) the crew member was on board an **exposed vessel**; or
 - (b) the crew member, whilst on, in the vicinity of, or travelling to or from the rig or platform, came into contact with:
 - (i) a **specialist**; or
 - (ii) an **exposed crew member**; or
 - (iii) a person who was required to undertake some form of quarantine in Western Australia related to COVID-19 and did not do so; or
 - (iv) a person who displayed symptoms whilst on the rig or platform (whether the contact was before or after the person developed symptoms); or

- (v) a person who at the time of the contact was on, or had in the 14 days prior to the contact been on, an exposed vessel; or
- (c) the crew member shared a helicopter to the Western Australian mainland with a specialist or an exposed crew member (other than in a capacity as pilot of the helicopter).

Note: the operator of a rig or platform should prepare a plan before a specialist or exposed crew member arrives on the rig or platform, and ensure the plan is both communicated to crew members and the specialist or exposed crew member and implemented. The plan should:

- (i) *ensure that contact between any specialist or exposed crew member and anyone else on the rig or platform (other than any other specialists or exposed crew members with whom the specialist or exposed crew member is working) will be minimised for as long as the specialist or exposed crew member is on the rig or platform; and*
 - (ii) *ensure that each of the areas used by a specialist or exposed crew member while the specialist or exposed crew member is on the rig or platform is decontaminated before anyone else on the rig or platform is permitted to access the area (other than any other specialists or exposed crew members with whom the specialist or exposed crew member is working);*
 - (iii) *ensure that any person with whom any specialist or exposed crew member has contact will be separated from anyone else on the rig or platform until that person has left the rig or platform; and*
 - (iv) *ensure that specialists or exposed crew members do not share helicopters with other crew members.*
29. **Exposure event declaration** means a declaration as to the exposure event that occurred in respect of a crew member.
30. **Formerly affected vessel** means a vessel:
- (a) that arrives in a Perth Port or a State Port as an affected vessel (***first port***); and
 - (b) after its first port, travels to one or more other Perth Ports or State Ports (***next port***); and

whenever the vessel is at a next port, it has aboard one or more crew members who were aboard the vessel when it was an affected vessel at the first port.

31. **Helicopter** means:

- (a) a helicopter which has picked up the crew member from a rig or platform for the purpose of transporting the crew member directly, or via one or more helipads, to an airport or a helipad in Western Australia; or
- (b) after the crew member has first disembarked from a helicopter described in paragraph 31(a) at a helipad, any other helicopter which takes over transporting the crew member to the airport or helipad.

32. **Infection control measures** means the requirements of paragraph 14.

33. **Instruction** means an instruction given for the purposes of these directions, which is not a direction, whether the instruction is given orally or in writing.

34. **Perth Port** means:

- (a) the **Port of Fremantle**; or
- (b) any other place within the Perth Metropolitan Region at which a crew member of an affected vessel or a formerly affected vessel can disembark onto land within the Perth Metropolitan Region.

35. **Port of Fremantle** means the Port of Fremantle that is, pursuant to section 4 of the *Port Authorities Act 1999* (WA), named at item 1 in column 3 of Schedule 1 to that Act.

36. **Positive test** means oral or written notification from:

- (a) a **responsible officer**; or
- (b) a person performing the same or similar function as a responsible officer in another place, whether in Australia or outside of Australia,

that the person has tested positive for COVID-19, irrespective of whether the person has in fact tested positive for COVID-19.

37. **Relevant officer** means:

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

38. **Responsible officer** means:
- (a) an officer, employee or contractor of the Department of Health; or
 - (b) an officer, employee or contractor of a health service provider, as that term is defined by section 6 of the *Health Services Act 2016* (WA); or
 - (c) any other person authorised by the Chief Health Officer orally or in writing to perform a function for the purposes of these directions.
39. **Restricted location** has the same meaning that it has in the Controlled Border for Western Australia Directions.
40. **Rig or platform** means a natural gas or oil rig or an offshore platform which is located beyond the limit of the **coastal waters of the State** but within Australia's exclusive economic zone.
41. **Specialist** means a person who provides time-critical services or is responsible for critical maintenance or repair of infrastructure on the rig or platform but does not include a person who:
- (a) completed a 14-day period of quarantine in Western Australia immediately before travelling to the rig or platform; or
 - (b) has only been in Western Australia or in other Australian States or Territories that are not a **restricted location** in the 14-day period prior to travelling to the rig or platform; or
 - (c) completed a 14-day period of **supervised quarantine** in another State or Territory immediately before entering Western Australia and was not required to quarantine in Western Australia after entering Western Australia.
42. **State Port** means:
- (a) a port within the meaning of the *Port Authorities Act 1999* (WA); or
 - (b) a port within the meaning of the *Shipping and Pilotage Act 1967* (WA).

Note: for the avoidance of doubt, a Perth Port within the meaning of paragraph 34(b) is not a State Port for the purposes of this paragraph.

43. **Suitable premises** has the same meaning that it has in the Controlled Border for Western Australia Directions.

44. **Supervised quarantine** means quarantine undertaken under the supervision of medical or other staff of, or engaged by, the Australian State or territory in which the period of quarantine in relation to COVID-19 was completed.
45. **Symptoms** means any one or more of:
- (a) a fever of 37.5 degrees or above; or
 - (b) a recent history of fever; or
 - (c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); or
 - (d) loss of smell or loss of taste.
46. **Unexposed vessel** means an affected vessel or a formerly affected vessel, which, in the previous 60 days:
- (a) has not been in or at any ports:
 - (i) outside of Australia; or
 - (ii) in a restricted location; and
 - (b) has not embarked a person who, in the 14 days prior to their embarkation, had been:
 - (i) in a place outside of Australia; or
 - (ii) in a restricted location; or
 - (iii) on board an exposed vessel; and
 - (c) has not had any person on board the vessel who received a **positive test** at any point in the 30 days prior to that person embarking the relevant vessel.

PENALTIES

It may be an offence to fail to comply with these directions, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.


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Colin John Blanch

Acting Commissioner of Police and State Emergency Coordinator

5 January 2021 1727 hours

SCHEDULE 1 – TRAVEL REQUIREMENTS FOR CERTAIN CREW MEMBERS

Item	Column 2 – Category of travel	Column 3 – Travel Requirements
1.	Crew member travelling on a helicopter to the relevant airport	1. The crew member must travel in the helicopter that will permit the crew member to disembark at the relevant airport at a time as close to the time when the first flight is scheduled to leave the relevant airport as is consistent with having enough time to leave on the first flight.
2.	Crew member travelling on one or more helicopters via one or more helipads to the relevant airport	<p>1. The crew member must not leave the immediate vicinity of where the helicopter lands whenever the helicopter lands en route during the crew member's journey to the relevant airport (whether the helicopter lands on a helipad or somewhere else).</p> <p>2. The crew member must re-embark the helicopter or another helicopter as soon as that helicopter is ready to resume the crew member's journey to the relevant airport.</p> <p>3. If the crew member's journey requires the crew member to travel from the last of those helipads to the relevant airport by other means, the crew member must travel as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel from the last of those helipads to the relevant airport.</p> <p>4. The crew member must travel to the relevant airport in the way which will permit the crew member to arrive at the relevant airport at a time as close to the time when the first flight is scheduled to leave the relevant airport as is consistent with having enough time to leave on the first flight.</p>
3.	Crew member travelling via a	1. The crew member must travel in the helicopter that will permit the crew member to disembark at the relevant airport

	helicopter to the crew hotel	<p>at a time as close to the time when the first flight is scheduled to leave the relevant airport as possible.</p> <p>2. Immediately after disembarking from the helicopter at the relevant airport, the crew member must travel as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel, to the crew hotel.</p>
4.	Crew member travelling via one or more helicopters via one or more helipads to the crew hotel	<p>1. The crew member must not leave the immediate vicinity of where the helicopter lands whenever the helicopter lands en route during the crew member's journey to the crew hotel (whether the helicopter lands on a helipad or somewhere else).</p> <p>2. The crew member must re-embark the helicopter or another helicopter as soon as that helicopter is ready to resume the crew member's journey to the crew hotel.</p> <p>3. On arriving at the relevant airport or the last of the helipads on the crew member's journey, the crew member must travel as soon as possible, by the most direct route and without stopping except as required by law or necessary for fuel to the crew hotel.</p>