

Directions from Acting Chief Health Officer in accordance with emergency powers arising from declared state of emergency

Victorian Border Crossing Permit Directions (No 39)

Public Health and Wellbeing Act 2008 (Vic)

Section 200

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 38)** and continue to provide a ‘traffic light’ border crossing scheme for persons seeking to enter Victoria from any other **State** or **Territory** in Australia and also provides a scheme for persons entering Australia as an **international passenger arrival** or **international aircrew service worker**, 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 39)**.

3 Commencement and revocation

- (1) The **Victorian Border Crossing Permit Directions (No 38)** are revoked at 11:59:00pm on 18 November 2021.
- (2) These directions commence at 11:59:00pm on 18 November 2021 and end at 11:59:00pm on 15 December 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: a person who has a permit under previous directions may continue to enter Victoria under that permit.

4 Restrictions on persons entering Victoria

- (1) A person must not enter Victoria from any other State or Territory in Australia, unless the person:
- (a) is a **green zone person** under clause 5; or
 - (b) is an **orange zone person** under clause 6; or
 - (c) is a **red zone person** under clause 7; or
 - (d) is a **cross border community member** who is permitted to enter Victoria under clause 8; or
 - (e) is an **aircrew services worker** under clause 9; or
 - (f) is a **specified worker (single entry)** under clause 10(1) to 10(6); or
 - (g) is a **specified worker (multiple entry)** under clause 10(7) to 10(12) and clause 11; or
 - (h) is an **excepted person** under clause 14; or
 - (i) has a valid **exemption** under clause 15.
- (2) A person may enter Victoria under these directions from another Country, if the person:
- (a) is an **international passenger arrival** under clause 12; or
 - (b) is an **international aircrew services worker** under subclauses 9(5) and 9(8).
- (3) These directions do not apply to a person who enters Victoria from another Country who is not an international passenger arrival under clause 12 or an international aircrew services worker under subclauses 9(5) and 9(8).

Note: a person who is not covered as an international passenger arrival under clause 12 or an international aircrew services worker under clause 9 is not excluded from entering Victoria but is not governed by these directions.

4A Definition of zones

- (1) For the purposes of these directions:
- (a) a **green zone** means an area in a State or Territory that is not a **red zone** or an **orange zone**; and
 - (b) an **orange zone** means an area in a State or Territory that is determined by the Chief Health Officer to be an 'orange zone' from the **zone commencement time** until the **zone end time** for that area; and
 - (c) a **red zone** means an area in a State or a Territory that is determined by the Chief Health Officer to be a 'red zone' from the zone commencement time until the zone end time for that area.
- (2) A **zone commencement time** in relation to an area, means the time from which the Chief Health Officer has determined that the area is an 'orange

zone' or a 'red zone' (as applicable) 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.

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 or red zone.

- (3) A **zone end time** in relation to an area, means the time from which the Chief Health Officer has determined that the area ceases to be a 'red zone' or an 'orange zone' (as applicable) 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.

5 Green zone person

Eligibility

- (1) Subject to the requirements in subclause (2), a person may enter Victoria from any other State or Territory in Australia as a green zone person if the person, at the time they enter Victoria:

- (a) meets the **general eligibility requirements**; and
(b) either:

- (i) has not been in an area that is a red zone or an orange zone in a State or Territory at any time after the relevant zone commencement time in the previous 14 days; or

Note 1: a person that is in a 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 a red zone or orange zone effective from a date 14 days prior to the announcement, the person cannot enter Victoria as a green zone person.

Note 3: if a person leaves an area before the zone commencement time for a red zone or an orange zone and travels to Victoria, that person is deemed to be a green zone person pursuant to subclause (1) (provided they have not been in any other area that is a red zone or orange zone 14 days prior to entry to Victoria).

- (ii) has been in an area that is a red zone or an orange zone in a State or Territory at any time after the relevant zone commencement time in the previous 14 days but only for the purpose of undertaking **hotel quarantine** or **direct and short term transit** through a red zone or orange zone in a State or

Territory to Victoria, and at all times complied with the **direct and short-term transit conditions**.

Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any red zone or orange zone, they will not be a green zone person and will instead need to enter Victoria as an orange zone person or red zone person, unless any other exception applies or an exemption has been granted.

Requirements for entry

(2) A green zone person may enter Victoria from any other State or Territory in Australia if the person:

(a) is either:

- (i) 12 years and 2 months of age or above; or
- (ii) younger than 12 years and 2 months of age and is travelling unaccompanied,

they must obtain a valid **green zone permit** which includes:

- (iii) the person's **personal details**; and
- (iv) an attestation by the person stating that (as at the date of attestation) the person and each dependant under 12 years and 2 months of age entering Victoria with that 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 not re-enter Victoria using a green zone permit if they have entered a red zone or an orange zone in a State or Territory at any time after the relevant zone commencement time in the 14 days prior to the attempted re-entry and acknowledges that any green zone permit they have will be revoked if they enter a red or orange zone after receiving the green zone permit and the person will not re-enter Victoria with a revoked green zone permit; and
 - (D) subject to subclause (E), will comply with the **green zone general conditions**; and
 - (E) acknowledges that any zone in a State or Territory 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
- (v) 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

Note: dependants under the age of 12 and 2 months do not need to obtain their own permit but must instead be listed on the permit obtained by their parent or guardian that they are travelling with.

- (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 any other State or Territory in the 14 days prior to entry to Victoria, provides:
 - (i) the name of the facility attended; and
 - (ii) the name of the State or Territory of the facility attended.

Green zone general conditions after entry

- (3) A green zone person who enters Victoria under subclause (1) must, for 14 days after entering Victoria (or, if clause 6(5)(b) or clause 7(5)(b) applies, for the relevant validity period in clause 6(4)(a) or clause 7(4)(a) respectively):
 - (a) comply with all **general post-entry conditions**; and
 - (b) carry and present on request to an authorised officer, Victoria Police Officer or a Protective Services officer (or other person under such person's direction):
 - (i) their valid green zone permit (or, if clause 6(5)(b) applies, a valid **orange zone permit** or if clause 7(5)(b) applies a valid **red zone permit**); and
 - (ii) an **acceptable form of identification**.

Permit validity and revocation

- (4) 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 a red zone or orange zone in a State or Territory 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 a red zone or orange zone in a State or Territory after the relevant zone commencement time in the 14 days prior to entry into Victoria; or
 - (iii) has been at a **very high risk exposure site** in a State or Territory during the **very high risk period**:
 - (A) prior to delivery of the green zone permit; or

- (B) after delivery of the green zone permit and during the period referred to in subclause (a); or
- (iv) becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine in any State or Territory within Australia.

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 by a green zone person

- (5) If a green zone person has entered Victoria from any other State or Territory in Australia and during the green zone permit validity period in subclause (4)(a), the Chief Health Officer determines that any **relevant green zone** is:
 - (a) a red zone and the person was in the 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 general conditions** other than the requirement to carry the result of a pre-arrival test under clause 7(3)(a)(ii)(C) and:
 - (i) if the person is either:
 - (A) 12 years and 2 months of age or above and is **fully vaccinated**; or
 - (B) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is unaccompanied,the **red zone (fully vaccinated) conditions** will apply; or
 - (ii) if the person is either:
 - (A) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (B) younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,the **red zone (not fully vaccinated) conditions** 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 (4)(a); or
 - (b) an orange zone and the person was in the orange zone after the relevant zone commencement time at any time within the 14 days prior to the person's entry to Victoria, then the higher **orange zone general conditions** and:
 - (i) if the person is either:

(A) 12 years and 2 months of age or above and is fully vaccinated; or

(B) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is unaccompanied,

the **orange zone (fully vaccinated) conditions** will apply; or

(ii) if the person is either:

(A) 12 years and 2 months of age or above and is not fully vaccinated; or

(B) the person is younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,

the **orange zone (not fully vaccinated) conditions** 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 (4)(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 general conditions 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 person

Eligibility

(1) Subject to the requirements in subclause (2), a person may enter Victoria from any other State or Territory as an orange zone person if the person, at the time they enter Victoria:

(a) meets all of the general eligibility requirements; and

(b) either:

(i) has not been in an area that is a red zone in a State or Territory at any time after the relevant zone commencement time in the previous 14 days; or

Note 1: a person that is in a 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 a red zone effective from a date 14 days prior

to the announcement, the person cannot enter Victoria as an orange zone person.

Note 3: if a person leaves an area before the zone commencement time for a red zone and travels to Victoria, that person is deemed to be an orange zone person pursuant to subclause (1) (provided they have not been in any other area that is a red zone 14 days prior to entry to Victoria).

- (ii) has been in an area that is a red zone in a State or Territory at any time after the relevant zone commencement time in the previous 14 days but only for the purpose of direct and short term transit through the red zone in that State or Territory and at all times complied with the direct and short-term transit conditions.

Note: short term transit means a transit time of less than 24 hours. If a person spends more than 24 hours in any red zone, they will be required to enter as a red zone person.

Requirements for entry

- (2) An orange zone person may enter Victoria from any other State or Territory in Australia if the person:

- (a) is either:

- (i) 12 years and 2 months of age or above; or
- (ii) younger than 12 years and 2 months of age and is travelling unaccompanied,

they must obtain a valid orange zone permit which includes:

- (iii) the person's personal details; and
- (iv) an attestation by the person stating that (as at the date of attestation) the person and each dependant under 12 years and 2 months of age 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 subclause (E), will comply with the orange zone general conditions and either the orange zone (fully vaccinated) conditions or orange zone (not fully vaccinated) conditions, as applicable; and
 - (D) acknowledges that any child or dependant that is travelling separately with another parent or guardian that is not fully vaccinated, will be subject to the orange zone (not fully vaccinated) conditions; and

- (E) acknowledges that any zone in a State or Territory 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
- (v) 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 or Territory in the 14 days prior to entry to Victoria, provides (at the time of applying for the orange zone permit):
 - (i) the name of the facility attended; and
 - (ii) the name of the State or Territory of the facility attended.

Note: dependants under the age of 12 years and 2 months do not need to obtain their own permit but must instead be listed on the permit obtained by the parent or guardian that they travelled with.

Orange zone conditions after entry

- (3) An orange zone person who enters Victoria must, for a period of 14 days after the date of their first entry into Victoria (or, if clause 5(5)(b) or clause 7(5)(a) applies, for the relevant validity period in clause 5(4)(a) or clause 7(4)(a) respectively):
 - (a) comply with the general post-entry conditions; and
 - (b) carry and present on request to an authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a person's direction):
 - (i) their valid orange zone permit (or, if clause 5(5)(b) applies, a valid green zone permit or if clause 7(5)(a) applies a valid red zone permit); and
 - (ii) an acceptable form of identification; and
 - (c) if the person is:
 - (i) 12 years and 2 months of age or above and is fully vaccinated; or
 - (ii) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is travelling unaccompanied:

carry and present on request to an authorised officer, Victoria Police Officer or Protective Services Officer (or other person under such a person's direction) **vaccination information** to show that they, or if

younger than 12 years and 2 months of age, their parents or guardians, are fully vaccinated; or

- (d) if the person is not fully vaccinated or, if under 12 years and 2 months of age is travelling with a parent or guardian who is not fully vaccinated:
 - (i) travel immediately and directly to the residence where they will self-quarantine; and
 - (ii) whilst in direct transit to their place of self-quarantine in Victoria, they may only leave their vehicle for the purposes of:
 - (A) obtaining medical care or medical supplies; or
 - (B) accessing toilet and bathroom facilities; or
 - (C) paying for fuel; or
 - (D) purchasing essential items; or
 - (E) purchasing takeaway food or drink; and
 - (iii) if leaving their vehicle for a permitted reason in subclause (ii), they must:
 - (A) wear a **face covering** at all times unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
 - (B) practise **physical distancing**; and
 - (C) keep detailed records of each place they stop; and
 - (iv) get tested for **SARS-CoV-2** within 72 hours of:
 - (A) the time the person enters Victoria; or
 - (B) if clause 5(5)(b)(ii) applies, the time of notification by the Department; or
 - (C) if clause 7(5)(a)(ii) applies and the person has not been tested in accordance with clause 7(3)(d)(iv) since entering Victoria, the time the person enter Victoria; and
 - (v) carry and present on request to an authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a person's direction) evidence to show that they have obtained a SARS-CoV-2 test in accordance with subclause (iv); and

Note: if a person has been tested in accordance with clause 7(3)(d)(iv) 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.

- (vi) remain in self-quarantine, unless while undertaking **essential activities**, until the person has been notified that they have received a negative COVID-19 test result from the test taken in accordance with subclause (iv); and
- (vii) wear a face covering if leaving self-quarantine when undertaking essential activities in:
 - (A) indoor public places; and
 - (B) outdoor public spaces; 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.

Permit validity and revocation

- (4) 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 a red zone in a State or Territory 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 a very high risk exposure site or a red zone in a State or Territory after the relevant zone commencement time in the 14 days prior to entry into Victoria; or
 - (iii) is or becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) and/or required to self-isolate or self-quarantine in any State or Territory within Australia.

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 as an orange zone person

- (5) If an orange zone person has entered Victoria from any other State or Territory in Australia, during the orange zone permit validity period in subclause (4)(a), the Chief Health Officer determines that:

- (a) any **relevant orange zone** is a red zone and the person was in the 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 general conditions (other than the requirement to carry the result of a pre-arrival test under clause 7(3)(a)(ii)(C)) and:
- (i) if the person is either:
 - (A) 12 years and 2 months of age or above and is fully vaccinated: or
 - (B) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated, or is travelling unaccompanied,the **red zone (fully vaccinated) conditions** will apply; or
 - (ii) if the person is either:
 - (A) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (B) younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,the **red zone (not fully vaccinated) conditions** will apply,
- to that person from the time of notification by the Department for the remainder of the 14 day period following their date of first entry into Victoria; 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 general conditions will apply to that person from the time of notification by the Department for the remainder of the orange zone permit validity period in subclause (4)(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(3) 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 and get tested at certain times, including just prior to the end of the self-quarantine period.

7 Red zone person

Eligibility

- (1) Subject to the requirements in subclause (2), a person who has been in an area that is a red zone in a State or Territory at any time after the relevant zone commencement time in the previous 14 days may enter Victoria from any other State or Territory as a red zone person if the person, at the time the person enters Victoria:
- (a) meets the general eligibility requirements; and
 - (b) has obtained a negative test result from a COVID-19 test that was undertaken less than 72 hours before entering Victoria.

Requirements for entry

- (2) A red zone person may enter Victoria from any other State or Territory in Australia if the person:
- (a) is either:
 - (i) 12 years and 2 months of age or above; or
 - (ii) younger than 12 years and 2 months of age and is travelling unaccompanied,they must obtain a valid red zone permit which includes:
 - (iii) the person's personal details; and
 - (iv) an attestation by the person stating that (as at the date of attestation) the person and each dependant under 12 years and 2 months of age entering Victoria with the person:
 - (A) meets all the eligibility requirements in subclause (1); and
 - (B) have provided information in the permit that is true and correct; and
 - (C) subject to subclause (E), will comply with the red zone general conditions and the red zone (fully vaccinated) conditions or red zone (not fully vaccinated) conditions, as applicable; and
 - (D) acknowledges that any child or dependant that is travelling separately with another parent or guardian that is not fully vaccinated, that child or dependant will be subject to the red zone (not fully vaccinated) conditions; and
 - (E) acknowledges that any zone in a State or Territory 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

- (v) 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 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; and
- (c) 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 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 of the facility attended.

Note: dependants under the age of 12 years and 2 months do not need to obtain their own permit but must instead be listed on the permit obtained by their parent or guardian.

Red zone conditions after entry

- (3) A red zone person who enters under subclause (1) for the 14 days after entry, (or, if clause 5(5)(a) or clause 6(5)(a) applies, for the relevant validity period in clause 5(4)(a) or clause 6(4)(a) respectively), must:
 - (a) for 14 days from the date of entry into Victoria:
 - (i) comply with the general post-entry conditions; and
 - (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):
 - (A) their valid red zone permit (or if clause 5(5)(a) applies, a valid green zone permit, or if clause 6(5)(a) applies, a valid red zone permit); and
 - (B) an acceptable form of identification; and
 - (C) evidence of their negative COVID-19 test result that was carried out less than 72 hours before entering Victoria; and
 - (b) for the period of time the person is required to self-quarantine under subclause (c) and (d):
 - (i) limit contact with any other person, except in an emergency; and
 - (ii) practise physical distancing; and
 - (iii) wear a face covering when undertaking essential activities 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 the person is either:
 - (i) 12 years and 2 months of age or above and is fully vaccinated; or
 - (ii) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is travelling unaccompanied,

they must:

- (iii) travel immediately and directly to the residence where they will self-quarantine; and
- (iv) whilst in direct transit to their place of self-quarantine in Victoria, they may leave their vehicle for the purposes of:
 - (A) obtaining medical care or medical supplies; or
 - (B) accessing toilet and bathroom facilities; or
 - (C) paying for fuel; or
 - (D) purchasing essential items; or
 - (E) purchasing takeaway food or drink; and
- (v) if leaving their vehicle for a permitted reason in subclause (iv), they must:
 - (A) wear a face covering at all times unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
 - (B) practise physical distancing; and
 - (C) keep detailed records of each place they stop; and
- (vi) get tested for SARS-CoV-2 within 72 hours of entering Victoria; and
- (vii) carry and present on request to an authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a person's direction):
 - (A) evidence to show that they have obtained a SARS-CoV-2 test in accordance with subclause (vi); and
 - (B) vaccination information to show that they are fully vaccinated or, if younger than 12 years and 2 months of age, their parents or guardians are fully vaccinated; and

- (viii) remain in self-quarantine unless undertaking essential activities, until the person has been notified that they have received a negative COVID-19 test result, and
- (d) if the person is either:
 - (i) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (ii) younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,they must:
 - (iii) travel immediately and directly to the residence where they will self-quarantine for 14 days;
 - (iv) whilst in direct transit to their place of self-quarantine in Victoria, they may leave their vehicle for the purposes of:
 - (A) obtaining medical care or medical supplies; or
 - (B) accessing toilet and bathroom facilities; or
 - (C) paying for fuel; or
 - (D) purchasing essential items; or
 - (E) purchasing takeaway food or drink; and
 - (v) if leaving their vehicle for a permitted reason in subclause (iv), they must:
 - (A) wear a face covering at all times unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person; and
 - (B) practise physical distancing; and
 - (C) keep detailed records of each place they stop; and
 - (vi) get tested for SARS-CoV-2 within 72 hours of the time:
 - (A) the person enters Victoria;
 - (B) if clause 5(5)(a) applies, the time of notification by the Department;
 - (C) if clause 6(5)(a) applies and the person has not been tested in accordance with clause 6(3)(d)(v) since entry to Victoria, the time the person enters Victoria; and
 - (vii) carry and present on request to an authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a person's direction) evidence that they have

- undertaken a COVID-19 test; in accordance with subclause (viii);
and
- (viii) get tested for SARS-CoV-2:
 - (A) on the thirteenth day after entering Victoria, or
 - (B) if notified by the Department that an area has been rezoned as a red zone in accordance with either clause 5(5)(a) or clause 6(5)(a), on or about the thirteenth day before their quarantine period under subclause (iii) ends; and
 - (ix) remain in self-quarantine;
 - (A) unless undertaking essential activities; and
 - (B) until the person has been notified that they have received a negative COVID-19 test result from the COVID-19 test they took in accordance with subclause (viii); and
 - (x) 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 (viii), the 14 day period of self-quarantine 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 test undertaken in accordance with subclause (vi) will not satisfy the requirement in subclause (viii).

Note 2: a red zone person who is not fully vaccinated entering Victoria 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.

- (xi) if, during the period of self-quarantine:
 - (A) the person is tested for SARS-CoV-2; and
 - (B) subject to subclause (C), 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 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. 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 (c) for the remainder of that period; or
 - 2. the period for which the person is required to self-quarantine under subclause (iii) (as extended under either or both of subclauses (ix) or (x)) has expired, the person may cease self-quarantining immediately.

Permit validity and revocation

- (4) 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; 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 or Territory during the very high risk period:
 - (A) prior to delivery of the red zone permit; or
 - (B) after delivery of the red zone permit in subclause (a); or
 - (ii) the person is or becomes a diagnosed person or a close contact of a diagnosed person (or equivalent) in any State or Territory and/or required to self-isolate or self-quarantine (or equivalent) in any State or Territory:
 - (A) prior to delivery of the red zone permit; or
 - (B) after delivery of the red zone permit.

Note: a red zone 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 as a red zone person

- (5) If a red zone person has entered Victoria and during the red zone permit validity period in subclause (4)(a), the Chief Health Officer determines that:
 - (a) all **relevant red 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:

- (i) if the person is fully vaccinated (or under the age of 12 years and 2 months), the orange zone (fully vaccinated) conditions will apply to the person; or
- (ii) if the person is not fully vaccinated and 12 years and 2 months of age or above, the orange zone (not fully vaccinated) conditions will apply,

in addition to the lesser, orange zone general conditions will apply to the person from the time of notification by the Department for the remainder of the 14 day period; or

- (b) all relevant red 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 general conditions will apply to the person from the time of notification by the Department for the remainder of the 14 day period.

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 general conditions which applied after entering Victoria have changed to align with the lesser, orange zone general conditions 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 is a red zone person who is not fully vaccinated and has already been tested for SARS-CoV-2 on day 13 of their self-quarantine period 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

- (1) Despite clauses 5, 6 and 7, a cross border community member may enter Victoria from a **cross border community area** without needing to obtain a **permit** if the person:
 - (a) meets the general eligibility requirements; and
 - (b) has not been in a red zone outside the cross border community area at any time after the relevant zone commencement time in the previous 14 days; and
 - (c) at the time they enter Victoria, has been in an orange zone 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 and has received a negative SARS-CoV-2 test result.

Obligations after entry

(2) A person who enters Victoria as a cross border community member under subclause (1) must:

- (a) comply with the general post-entry conditions; 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) 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 a passport issued by Australia. 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 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).

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.

9 Aircrew

Domestic aircrew

(1) Despite clauses 5, 6 and 7, a person who is an **aircrew services worker** may enter Victoria from any other State or Territory in Australia, if the person:

- (a) meets the general eligibility requirements; and
- (b) is not a Victorian resident and is required to enter and be physically present in Victoria for the purpose of providing aircrew services; or
- (c) is a Victorian resident and has been providing aircrew services in another State or Territory and is entering Victoria for the purpose of returning to their ordinary place of residence in Victoria.

Domestic aircrew - Obligations after entry

(2) A person who enters Victoria as an aircrew services worker under subclause (1)(b):

- (a) must comply with the general post-entry conditions; and
- (b) if entering Victoria to provide aircrew services and within the 14 days prior to entry to Victoria the person has been:
 - (i) in an orange zone and the aircrew services worker is not fully vaccinated; or
 - (ii) in a red zone irrespective of whether the aircrew services worker is fully vaccinated or not fully vaccinated,

must:

- (iii) travel directly by private transport between the designated crew hotel and any airport of arrival or departure; and
- (iv) not leave the designated crew hotel other than:
 - (A) to undertake essential activities;
 - (B) to travel to the airport of departure; or
 - (C) to undertake required simulator training or emergency procedures training; and
- (c) must 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) must otherwise comply with relevant airline requirements and **COVIDSafe Plan** whilst in Victoria and in any other State or Territory in Australia.

(3) A person who enters Victoria as an aircrew services worker under subclause (1)(c) must:

- (a) comply with the general post-entry conditions; and
- (b) when in an orange zone and the aircrew services worker is not fully vaccinated or in a red zone irrespective of whether the aircrew services worker is fully vaccinated or not fully vaccinated:

- (i) travel directly by private transport between the designated crew hotel and any airport of arrival or departure; and
 - (ii) not leave the designated crew hotel other than:
 - (A) to undertake essential activities;
 - (B) to travel to the airport of departure; or
 - (C) to undertake required simulator training or emergency procedures training; and
 - (c) otherwise comply with relevant airline requirements and COVIDSafe Plan whilst in Victoria and in any other State or Territory in Australia.
- (4) An aircrew services worker who enters Victoria under subclause (1) and whose ordinary place of residence, at the time they enter Victoria, is outside of Victoria and within a green zone, must comply with their respective airline's COVIDSafe Plan while travelling to and from a red zone or orange zone in the 14 days prior to entry to Victoria.

International aircrew

- (5) Despite clauses 5, 6 and 7 but subject to subclause (6), a person who is an international aircrew services worker may enter Victoria from another Country if the person:
- (a) is fully vaccinated; or
 - (b) is a **medically exempt person**.
- (6) A person who enters Victoria as an international aircrew services worker under subclause (5) and is completing a layover of 48 hours or longer in Victoria must have completed a pre-departure **SARS-CoV-2 rapid antigen test** within 24 hours of scheduled departure for Victoria and if the person received:
- (a) a negative test result from the SARS-CoV-2 rapid antigen test, the person is not required to undertake further testing; or
 - (b) a positive test result from the SARS-CoV-2 rapid antigen test, the person must complete a **SARS-CoV-2 PCR test** and isolate until receiving a negative test result.
- (7) A person who enters Victoria as an Australian based international aircrew services worker who is fully vaccinated under subclause (5)(a) is exempt from the requirements in subclause (6), provided that:
- (a) the person is operating turnaround flights to a country outside of Australia (including passenger flights, freight and maintenance); and
 - (b) all aircrew services workers from that flight remain airside while in a country outside of Australia; and
 - (c) all aircrew services workers adhere to post-arrival SARS-CoV-2 rapid antigen testing requirements in subclause (8); and

- (d) the person must otherwise comply with relevant airline requirements and **COVIDSafe Plan** whilst in Victoria and in any other State or Territory in Australia.

International aircrew - Obligations after entry

- (8) A person who enters Victoria as an international aircrew services worker under subclause (5):
 - (a) must comply with the general post-entry conditions; and
 - (b) if completing a layover of 48 hours or longer in Victoria:
 - (i) complete a SARS-CoV-2 rapid antigen test within 24 hours of arrival in Victoria; and
 - (ii) if the SARS-CoV-2 rapid antigen test is positive, complete a SARS-CoV-2 PCR test and isolate until the person receives a negative test result; and
 - (c) carry and present on request to an authorised officer, Victoria Police Officer or a Protective Services officer (or other person under such person's direction);
 - (i) an acceptable form of identification; and
 - (ii) **international acceptable evidence** to show that they are fully vaccinated or **international acceptable certification** to show they are a medically exempt person.
- (9) If an international aircrew services worker who is fully vaccinated enters Victoria under subclause (5)(a), that person must, in addition to complying with the obligations specified in subclause (8), not attend a **residential aged care facility**, a **disability residential service** or a **hospital** (unless the person is obtaining urgent medical care) for 7 days after entering Victoria, unless:
 - (a) the worker has completed a SARS-CoV-2 PCR test and returned a negative result within 24 hours prior to visiting the residential aged care facility, disability residential service or hospital; or
 - (b) the worker has completed a SARS-CoV-2 rapid antigen test and returned a negative test result on the day they are visiting the residential aged care facility, disability residential service or hospital.
- (10) If an international aircrew services worker who is a medically exempt person enters Victoria under subclause (5)(b), that person must, in addition to complying with the obligations specified in subclause (8), not attend an **educational facility, childcare or early childhood services**, a **residential aged care facility**, a **disability residential service** or a **hospital** (unless the person is obtaining urgent medical care) for 14 days after entering Victoria.

10 Specified workers

Specified worker (single entry) permit – eligibility

- (1) Despite clause 7, a person who has been in a red zone in the 14 days prior to entry may enter Victoria from any other State or Territory in Australia as a **specified worker (single entry)** rather than as a red zone person if they:

Note: a person on the Specified Worker List – Single Entry who has been in an orange zone but no red zones in the last 14 days may obtain an orange zone permit and enter Victoria as an orange zone person in accordance with clause 6.

- (a) meet the general eligibility requirements;
- (b) have obtained a negative test result from a COVID-19 test that was undertaken less than 72 hours before entering Victoria; and
- (c) 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 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.

Specified worker (single entry) permit – requirements for entry

- (2) A person who is a specified worker (single entry) and who enters Victoria under subclause (1) must:
- (a) have a valid specified worker (single entry) permit which includes:
 - (i) the person's personal details; and
 - (ii) an attestation by the person stating that (as at the date of attestation) the person (and each dependent under 12 years and 2 months of age 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 **specified worker (single entry) conditions**; and

- (iii) 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 another State or Territory 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 or Territory of the facility attended.

Note: dependants under the age of 12 years and 2 months do not need to obtain their own permit but must instead be listed on the permit obtained by their parent or guardian.

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

- (3) A specified worker (single entry) who enters Victoria under subclause (1) must:
 - (a) comply with the general post-entry requirements;
 - (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 specified worker (single entry) permit; and
 - (ii) an acceptable form of identification; and
 - (iii) evidence of the SARS-CoV-2 test that they have undertaken in accordance with subclause (1)(b); and
 - (iv) evidence from their employer that the specified work that they are required to enter and be physically present in Victoria to perform is in an occupation included in the **Specified Worker List – Single Entry** and 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; and

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 (ii) would be sufficient evidence.

- (c) unless the person is a Victorian resident, only remain in Victoria for the period reasonably necessary to provide the specified work; and
- (d) otherwise comply with the relevant COVIDSafe Plan while in Victoria and in any other State or Territory (including while travelling to and from

a red zone or orange zone in the other State or Territory in the 14 days prior to entry to Victoria); and

- (e) if the person is providing specified work 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 dependent is to receive emergency or essential medical care or other urgent care, provided the dependent complies with the requirements under subclause (3) whilst in Victoria.

Specified worker (single entry – fully vaccinated) conditions

- (4) If a person enters Victoria who is a specified worker (single entry) and is also fully vaccinated:
 - (a) that person must, in addition to the obligations specified in subclause (3):
 - (i) get tested for SARS-CoV-2 within 72 hours of entering Victoria; and
 - (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):
 - (A) evidence of the SARS-CoV-2 test that they have undertaken in accordance with subclause (i); and
 - (B) vaccination information that they are fully vaccinated;
 - (iii) travel immediately and directly to the residence where they will self-quarantine; and
 - (iv) remain in self-quarantine, unless:
 - (A) undertaking their specified work; or
 - (B) undertaking essential activities; or
 - (C) obtaining takeaway food and drink; or
 - (D) accessing toilet and bathroom facilities,and until the person has been notified that they have received a negative COVID-19 test result from the test they took within 72 hours after entering Victoria under subclause (i), and
 - (v) wear a face covering whenever leaving the premises for the purposes permitted in subclause (iv) in:
 - (A) indoor public spaces; and
 - (B) outdoor public spaces; 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.

Specified worker (single entry – not fully vaccinated) conditions

- (5) If a person enters Victoria who is a specified worker (single entry) and is not fully vaccinated:
 - (a) that person must, in addition to the obligations specified in subclause (3):
 - (i) subject to subclause (b), get tested for SARS-CoV-2:
 - (A) within 72 hours of entering Victoria; and
 - (B) on the thirteenth day after the person enters Victoria; and
 - (ii) travel immediately and directly to, and self-quarantine at, the premises at which the person will reside for the purposes of self-quarantine for a period of 14 days; and
 - (iii) remain in self-quarantine unless:
 - (A) undertaking essential activities; or
 - (B) obtaining takeaway food and drink; or
 - (C) accessing toilet and bathroom facilities; or
 - (D) undertaking relevant specified work, subject to having received their first negative COVID-19 test result from the test taken in accordance with subclause (i)(A),
for 14 days and until the person has been notified that they have received a negative COVID-19 test result from the test undertaken on their thirteenth day of quarantine; and
 - (iv) wear a face covering whenever leaving the premises for the purposes permitted in subclause (iii) (unless, in accordance with the Directions currently in force, an exception applies), and:
 - (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) 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) evidence of each COVID-19 test that they have undertaken in accordance with subclause (i); and
- (vi) 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)(B), remain in self-quarantine 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 (i)(A) do not satisfy the requirement in subclause (B).

Note 2: persons entering Victoria pursuant to subclause (5) 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.

- (b) if, during the period of self-quarantine:
 - (i) the period for which the person is required to self-quarantine under subclause (a)(ii) expires during the period in which the person is awaiting the result of a test required by subclause (a)(i)(B), the period of self-quarantine is extended until the person receives a negative SARS-CoV-2 test result; and
 - (ii) if the person receives a negative SARS-CoV-2 test result and the period for which the person is required to self-quarantine under subclause (a)(ii):
 - (A) has not expired, the person must continue to self-quarantine under subclause (a)(ii) for the remainder of that period; and
 - (B) as extended under either or both of subclauses (a)(vi) and (i) has expired, the person may cease self-quarantining immediately; and

- (c) 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.
- (6) 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

- (7) Despite clauses 6 and 7 and subject to the requirements in subclause (8), a person who has been in a red zone or an orange zone within the last 14 days may enter Victoria from any other State or Territory in Australia as a **specified worker (multiple entry)** if:
- (a) they meet the general eligibility requirements; and
 - (b) they have not obtained a **specified worker (multiple entry) permit** within the last 14 days, unless it has been revoked; and
 - (c) they 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.
 - (d) during all times the person was in a red zone in which they do not ordinarily reside, in the 14 days prior to entry to Victoria, the person:
 - (i) only remained in that red 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;
- (iii) kept detailed records of all travel and each place they stopped (including accommodation);
 - (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
 - (vii) has complied with the relevant COVIDSafe Plan while in Victoria and in any other State or Territory (including while travelling to and from a red zone or an orange zone in the other State or Territory) and any other requirements applicable to specified worker (multiple entry) permit holders in clause 11.

Specified worker (multiple entry) – requirements for entry

- (8) A person who is a specified worker (multiple entry) and who enters Victoria must:
 - (a) have a valid specified worker (multiple entry) permit which includes:
 - (i) the person's personal details; and
 - (ii) 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 (7) and the pre-entry obligations specified in subclause (7)(c); and
- (B) has provided information in the permit that is true and correct; and
- (C) will comply with the specified worker (multiple entry) conditions; and
- (iii) 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 or Territory 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 or Territory of the facility attended.

Specified worker (multiple entry) permit – general conditions

- (9) A specified worker (multiple entry) must for a period of 14 days after entering Victoria for the purpose of providing specified work:
 - (a) comply with the general post-entry conditions;
 - (b) not work if experiencing any SARS-CoV-2 symptoms;
 - (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 from their employer that the specified work that they are required to enter and be physically present in Victoria to perform is in an occupation included in the **Specified Worker List – Multiple Entry** and 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; and

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 (iii) would be sufficient evidence.
 - (d) if the person is not a returning Victorian resident and has been in a red zone during the 14 days prior to entering Victoria:

- (i) only remain in Victoria for the minimum period necessary to provide the specified work;
- (ii) keep detailed records of each place they stop (including accommodation) in Victoria;
- (iii) wear a face covering in indoor public places, outdoor public places and vehicles if the person is in the vehicle with any other person which who the person does not ordinarily reside;
- (iv) not carry a passenger in the driver's cabin other than for specified work;
- (v) not enter or stay in any vehicle or indoor space except when reasonably necessary for the purposes of:
 - (A) providing the specified work in an occupation listed in the Specified Worker – Multiple Entry List, that they have entered Victoria to perform;
 - (B) accessing toilet or bathroom facilities;
 - (C) purchasing fuel;
 - (D) undertaking essential activities;
 - (E) purchasing takeaway food or drink;

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.
 - (F) entering and residing in accommodation;
 - (G) travelling from Victoria on an aircraft, train, sea vessel, bus or other transport vehicle; or
 - (H) obtaining medical care or medical supplies.
- (e) has taken, kept and maintained detailed records of travel and stops for a period of 14 days;

Specified worker (multiple entry – fully vaccinated) conditions

- (10) A specified worker (multiple entry) who is fully vaccinated must, in addition to the conditions specified in subclause (9):
 - (a) if the person has been in a red zone at any time during the 14 days prior to entering Victoria, get tested for SARS-CoV-2:
 - (i) within 72 hours after the person enters Victoria; and
 - (ii) every seven days after the first test undertaken after entering Victoria;
 - (b) carry and present on request to authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a

person's direction) evidence of each COVID-19 test that they have undertaken in accordance with subclause (a) and vaccination information showing that they are fully vaccinated.

Specified worker (multiple entry – not fully vaccinated) conditions

(11) If a person enters Victoria who is a specified worker (multiple entry) and is not fully vaccinated, that person must, in addition to the obligations specified in subclause (9):

- (a) get tested for SARS-CoV-2:
 - (i) within 72 hours of entering Victoria; and
 - (ii) if that person has been in an orange zone within 14 days prior to entering Victoria, every seven days after the first test undertaken after entering Victoria; or
 - (iii) if that person has been in a red zone within 14 days prior to entering Victoria, every three days after the first test undertaken after entering Victoria;
- (b) carry and present on request to an authorised officer, a Victoria Police member or Protective Services Officer (or other person under such a person's direction), evidence of each COVID-19 test that they have undertaken in accordance with subclause (a).

Note 1: 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.

Note 2: 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.

(12) 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); and
- (c) can only be obtained once in any 14 day period, unless their current permit has been revoked or an application is made within the last 24 hours of a current permit's validity period.

11 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).

(2) A person referred to in subclause (1) must carry and provide documentary evidence that:

- (a) they are fully vaccinated; or
- (b) they have received a **partial COVID-19 vaccination**; or
- (c) they hold **acceptable certification** that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to:
 - (i) a **medical contraindication**; or
 - (ii) an acute medical illness (including where the person has been diagnosed with SARS-CoV-2).

12 International passenger arrivals

Eligibility

(1) Subject to the requirements in subclause 5(2), a person may enter Victoria from another Country as an international passenger arrival if the person, at the time they enter Victoria, is:

- (a) 12 years and 2 months of age or above and is fully vaccinated or a medically exempt person; or
- (b) younger than 12 years and 2 months of age and is either:
 - (i) travelling with at least one parent or guardian who is fully vaccinated or is a medically exempt person; or
 - (ii) travelling unaccompanied; or
- (c) at least 12 years and 2 months of age and less than 18 years of age and is not fully vaccinated or a medically exempt person and is either:
 - (i) travelling with at least one parent or guardian who is fully vaccinated or is a medically exempt person; or
 - (ii) travelling unaccompanied.

Requirements for entry

- (2) An international passenger arrival may enter Victoria if the person:
- (a) is either:
 - (i) 12 years and 2 months of age or above; or
 - (ii) younger than 12 years and 2 months of age and travelling unaccompanied; and
 - (b) obtains a valid **international passenger arrival permit** which includes:
 - (i) the person's **personal details**; and
 - (ii) an attestation by the person stating that (as at the date of attestation) the person and each dependant under 12 years and 2 months of age entering Victoria with that person:
 - (A) meets all the eligibility requirements in subclause 5(1); and
 - (B) has provided information in the permit that is true and correct; and
 - (C) will comply with the **international passenger arrival conditions**; and
 - (iii) 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).

Note: dependants under the age of 12 years and 2 months do not need to obtain their own permit but must instead be listed on the permit obtained by their parent or guardian that they are travelling with.

International passenger arrival conditions after entry

- (3) An international passenger arrival who enters Victoria under subclause (1) must, for 14 days after entering Victoria:
- (a) comply with all **general post-entry conditions**; and
 - (b) complete a SARS-CoV-2 PCR test within 24 hours of arrival in Victoria and again between the fifth and seventh day of arrival in Victoria; and
 - (c) carry and present on request to an authorised officer, Victoria Police Officer or a Protective Services officer (or other person under such person's direction);
 - (i) their valid vaccinated international passenger arrival permit (unless they are a child under 12 years and 2 months of age and travelling with a person who holds a valid permit); and
 - (ii) an acceptable form of identification; and

- (iii) evidence of their SARS-CoV-2 PCR test results that were carried out less than 24 hours and between the fifth and seventh day after arriving in Victoria in accordance with subclause (b); and
 - (iv) international acceptable evidence or international acceptable certification to show that:
 - (A) they are fully vaccinated or a medically exempt person; or
 - (B) if younger than 12 years and 2 months of age, at least one of their parents or guardians is fully vaccinated or is a medically exempt person; or
 - (C) if at least 12 years and 2 months of age and less than 18 years of age and not:
 - 1. fully vaccinated or a medically exempt person; or
 - 2. travelling unaccompanied,
 - at least one of their parents or guardians is fully vaccinated or is a medically exempt person.
- (4) If a fully vaccinated person aged 12 years and 2 months of age or above enters Victoria under subclause (1)(a), that person must, in addition to complying with the obligations specified in subclause (3) not attend an educational facility, childcare or early childhood services, a residential aged care facility, a disability residential service or a hospital (unless the person is obtaining urgent medical care):
- (a) for 7 days after entering Victoria; and
 - (b) until they have received a negative result from their SARS-CoV-2 PCR test carried out between the fifth and seventh day after arrival, in accordance with subclause (3)(b).
- (5) If a person who is neither fully vaccinated nor a medically exempt person enters Victoria under subclause (1)(c), that person must, in addition to the obligations specified in subclause (3):
- (a) travel immediately and directly to, and self-quarantine at, the premises at which the person will reside for the purposes of self-quarantine for a period of 7 days; and
 - (b) remain in self-quarantine unless undertaking essential activities for the period specified in subclause (a); and
 - (c) wear a face covering whenever leaving the premises for the purposes permitted in subclause (b) (unless, in accordance with the Directions currently in force, an exception applies); and
 - (d) not attend an educational facility:
 - (i) for 7 days after entering Victoria; and

- (ii) until they have received a negative result from their SARS-CoV-2 PCR test carried out between the fifth and seventh day after arrival, in accordance with subclause (3)(b); and
- (e) not attend childcare or early childhood services, a residential aged care facility, a disability residential service or a hospital, unless obtaining urgent medical care, for 14 days after entering Victoria.

Note: the period specified in (e) is an additional 7 days from the end of the self-quarantine period specified in (a).

- (6) If a medically exempt person aged 18 years or older enters Victoria under subclause (1)(a), that person must, in addition to the obligations specified in subclause (3), not attend an educational facility, childcare or early childhood services, a residential aged care facility, a disability residential service or a hospital (unless obtaining urgent medical care) for 14 days after entering Victoria.
- (7) If a medically exempt person aged at least 12 years and 2 months and less than 18 years enters Victoria under subclause (1)(a), that person must, in addition to the obligations specified in subclause (3):
 - (a) not attend an educational facility:
 - (i) for 7 days after entering Victoria; and
 - (ii) until they have received a negative result from their SARS-CoV-2 PCR test carried out between the fifth and seventh day after arrival in accordance with subclause (3)(b); and
 - (b) not attend a childcare or early childhood services, a residential aged care facility, a disability residential service or a hospital (unless obtaining urgent medical care) for 14 days after entering Victoria.
- (8) A person younger than 12 years and 2 months of age who enters Victoria under subclause (1)(b) must, in addition to the obligations specified in subclause (3):
 - (a) not attend an educational facility:
 - (i) for 7 days after entering Victoria; and
 - (ii) until they have received a negative result from their SARS-CoV-2 PCR test carried out between the fifth and seventh day after arrival, in accordance with subclause (3)(b); and
 - (b) not attend childcare or early childhood services, a residential aged care facility, a disability residential service or a hospital, unless obtaining urgent medical care, for 14 days after entering Victoria.

Permit validity and revocation

- (9) An international passenger arrival 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).

13 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 person**); or
 - (ii) 6 (**orange zone person**); or
 - (iii) 7 (**red zone person**); or
 - (iv) 10(1) (**specified worker (single entry)**); or
 - (v) 10(7) (**specified worker (multiple entry)**); or
 - (vi) 12 (**international passenger arrival 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.

14 Excepted persons

- (1) Despite clause 5, 6 and 7, a person may enter Victoria from any other State or Territory in Australia, 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 transplant surgeon, to provide medical care including care that is not urgent or time-critical; or
- (d) 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
- (e) if the person is an **emergency worker** and they are providing emergency services to prevent or respond to an emergency; or
- (f) to provide essential public services to prevent or respond to an emergency; or
- (g) to ensure the provision of telecommunications, critical infrastructure, or essential services where the worker is acting to prevent or respond to an emergency; or
- (h) to receive emergency services or essential public services (including services provided by emergency workers and child protection workers); or
- (i) 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
- (j) to escape harm or the risk of harm, including harm relating to family violence or violence of another person and is only required to self-quarantine to the extent it is reasonably practicable to do so in all the circumstances; or

- (k) 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
- (l) 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
- (m) 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
- (n) 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.

- (o) 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.

- (p) for purposes related to shared custody arrangements (court ordered or non-court ordered); or
- (q) 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
- (r) as required or authorised by law; or
- (s) if the person is a Victorian resident and the person is returning to Victoria after leaving Victoria as required or authorised by law; or
- (t) for the purposes of **national security**; or
- (u) 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 from a cross border community area); and

- (ii) prohibits or prevents any person who has been in a red zone at any time after the relevant zone commencement time in the previous 14 days from travelling on the Murray River with them or entering Victoria with them;
- (v) 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 is not required to apply for a permit.

- (2) A person who enters Victoria as an excepted person under subclause (1) (except where the person enters Victoria as an excepted person in accordance with subclause (1)(k) or (1)(l)) must:
 - (a) if the person is entering Victoria and has been in a green zone but has not been in a Red Zone or Orange Zone in a State or Territory for the 14 days prior to entry, comply with the green zone general conditions other than the requirement in subclause 5(3)(b)(i); or
 - (b) if the person entering Victoria has been in an orange zone but not a red zone at any time after the relevant zone commencement time in the previous 14 days, comply with:
 - (i) the orange zone general conditions, except for subclause 6(3)(b)(i) (the requirement to have an orange zone permit); and
 - (ii) if the person is either:
 - (A) 12 years and 2 months of age or above and is fully vaccinated; or
 - (B) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is unaccompanied,the orange zone (fully vaccinated) conditions, except for subclause 6(3)(c) (the requirement to carry vaccination information); or
 - (iii) if the person is either:
 - (A) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (B) the person is younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,the **orange zone (not fully vaccinated) conditions,**

except the person may leave their self-quarantine premises to fulfil the purpose of their entry as an excepted person;

- (c) if the person entering Victoria has been in a red zone at any time after the relevant zone commencement time in the previous 14 days, comply with:
 - (i) the red zone general conditions, other than the requirement to obtain a red zone permit as excepted in clause 7(3)(a)(ii)(A) from (i); and
 - (ii) if the person is either:
 - (A) 12 years and 2 months of age or above and is fully vaccinated; or
 - (B) younger than 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is unaccompanied,the red zone (fully vaccinated) conditions, except for subclause 7(3)(c)(vii)(B) (the requirement to carry vaccination information); or
 - (iii) if the person is either:
 - (A) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (B) the person is younger than 12 years and 2 months of age and is travelling with a parent or guardian who is not fully vaccinated,the red zone (not fully vaccinated) conditions,except the requirement to self-quarantine when in Victoria to fulfil the purpose of entry and the requirement to obtain a red zone permit.

15 Exemption power

Request for exemption

- (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:
 - (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 (2)(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 or Territory 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 or Territory 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 or Territory 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 person who has not been in a red zone at any time after the relevant zone commencement time in the previous 14 days must:

- (a) enter Victoria within 72 hours of the time set out in the exemption; and

Note 1: an exemption will expire if the person does not enter Victoria within 72 hours of the time set out in the exemption and the 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 person who has been in a red zone at any time after the relevant zone commencement time in the previous 14 days 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 person does not enter Victoria within 72 hours of the time set out in the exemption and the 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 their 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) travel directly from their place of departure to Victoria; and

- (d) whilst in direct and short term transit to Victoria, minimise contact with other persons; and

- (e) comply with any conditions imposed on the exemption.

Additional conditions for fully vaccinated persons

- (17) In addition to the obligations imposed on a person entering Victoria under subclause (16), a person who is granted an exemption and is:

- (a) 12 years and 2 months of age or above and is fully vaccinated; or
- (b) under 12 years and 2 months of age and is either travelling with parents or guardians who are all fully vaccinated or is unaccompanied,

must:

- (c) travel directly to the premises at which the person ordinarily resides or such other premises suitable for the person to reside in for the purpose of self-quarantine in accordance with subclause (d); and

- (d) 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 has received a negative SARS-CoV-2 test result from the COVID-19 test they received within 72 hours of entering Victoria (subject to subclause (f)), 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 person may spend at the specified event or place; and
 - (B) whether other persons with whom the person does not ordinarily reside are permitted to be present at the specified event or place; and
 - (C) if the person is permitted to attend a worksite, record keeping requirements of any worksite the person attends; or
 - (ii) to carry out essential activities; and
- (e) carry and present on request to an authorised officer, Victoria Police Officer or Protective Services Officer (or other person under such a person's direction) vaccination information to show that they, or if younger than 12 years and 2 months of age, their parents or guardians, are fully vaccinated; and
- (f) unless the specific conditions of the exemption granted to the person provide that the person is not required to be tested for SARS-CoV-2 or the person has received a negative SARS-CoV-2 test result within 72 hours prior to entry to Victoria, obtain a SARS-CoV-2 test within 72 hours of the time the person enters Victoria.

Additional conditions for not fully vaccinated persons

- (18) In addition to the obligations imposed on a person entering Victoria under subclause (16), a person who is granted an exemption and is:
 - (a) 12 years and 2 months of age or above and is not fully vaccinated; or
 - (b) under 12 years and 2 months of age and travelling with at least one parent or guardian who is not fully vaccinated,
 must:
 - (c) unless the specific conditions of the exemption granted to the person provide that the person is not required to be tested for SARS-CoV-2, get tested for SARS-CoV-2;
 - (i) within 72 hours of the time the person enters Victoria, unless the person has received a negative SARS-CoV-2 test result no more than 72 hours before entering Victoria; and

- (ii) on the thirteenth day of self-quarantine; and
- (d) travel directly to the premises at which the person ordinarily resides or such other premises suitable for the person to reside in for the purpose of self-quarantine for 14 days, and only leave those 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 person may spend at the specified event or place; and
 - (B) whether other persons with whom the person does not ordinarily reside are permitted to be present at the specified event or place; and
 - (C) if the person is permitted to attend a worksite, record keeping requirements of any worksite the person attends; or
 - (ii) to carry out essential activities; and
- (e) unless the specific conditions of the exemption granted to the 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 (d) 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 (d) has not expired, the person must continue to self-quarantine under subclause (d) for the remainder of that period; or
 - (B) the period for which the person is required to self-quarantine under subclause (d) (as extended under subclause (ii)) has expired, the person may cease self-quarantining immediately; and
- (f) unless the specific conditions of the exemption granted to the 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
 - (g) 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.
- (19) Nothing in subclauses (17) and (18) 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.

16 Definitions

In these directions:

- (1) **acceptable certification** has the same meaning as in the **Open Premises Directions**;
- (2) **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 or Territory or a passport issued by Australia. Evidence of the current address where the person ordinarily resides includes a driver's licence or any other document issued by any State or Territory 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 or Territory 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.

- (3) **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;
- (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 (General Workers) Directions** means the **COVID-19 Mandatory Vaccination (General Workers) Directions (No 3)** as amended or replaced from time to time;
- (8) **COVID-19 Mandatory Vaccination (Specified Facilities) Directions** means the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions (No 13)** as amended or replaced from time to time;

- (9) **COVID-19 Mandatory Vaccination (Workers) Directions** means the **COVID-19 Mandatory Vaccination (Workers) Directions (No 8)** as amended or replaced from time to time;
- (10) **COVID-19 vaccine** means a vaccine to protect a person against SARS-CoV-2 that:
- (a) has been registered, provisionally registered or recognised 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;
- (11) **COVIDSafe Plan** has the same meaning as in the **Workplace Directions**;
- (12) **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 as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (13) **cross border community member** means a person whose ordinary place of residence is in the **cross border community area**;
- (14) **Department** means the Victorian Department of Health;
- (15) **diagnosed person** has the same meaning as in the **Diagnosed Persons and Close Contacts Directions**;
- (16) **Diagnosed Persons and Close Contacts Directions** means the **Diagnosed Persons and Close Contacts Directions (No 34)** as amended or replaced from time to time;
- (17) **disability residential service** means a residential service within the meaning of the **Disability Act 2006** and to avoid doubt, includes the facility called the Intensive Residential Treatment Program of the Statewide Forensic Service;
- Note: the Intensive Residential Treatment Program of the Statewide Forensic Service is often referred to as "DFATS".*
- (18) **direct and short-term transit** means when in a **red zone** or **orange zone** and:
- (a) if travelling from a **green zone**, spend no more than 24 hours in total within an **orange zone** or a **red zone**; or
 - (b) if travelling from an **orange zone**, spend no more than 24 hours within a **red zone**;
- (19) **direct and short-term transit conditions** means:

- (a) practise **physical distancing** (except in cases of emergency);
 - (b) 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:
 - (i) departing for Victoria from an airport, seaport, railway station, bus station or other transport facility; or
 - (ii) travelling to Victoria on an aircraft, train, sea vessel, bus or other transport vehicle; or
 - (iii) accessing essential medical care;
 - (iv) accessing toilet and bathroom facilities; or
 - (v) paying for fuel; or
 - (vi) purchasing essential items; or
 - (vii) purchasing takeaway food or drink, which must only be consumed in the **vehicle** used for transit and not in any other **vehicle** or indoor space whilst in transit; or
 - (viii) accessing accommodation; and
 - (c) keep detailed records, including QR codes, of each place they stop (including accommodation); and
 - (d) wear a **face covering** at all times in all:
 - (i) indoor public spaces; and
 - (ii) outdoor public spaces; and
 - (iii) flights to and from Victoria, if applicable (unless, in accordance with the Directions currently in force, an exception from the requirement to wear a face covering applies to the person); and
 - (iv) 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;
- (20) **Directions currently in force** has the same meaning as in the **Workplace Directions**;
- (21) **educational facility** has the same meaning as in the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions**;
- (22) **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;

- (23) **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;
- (24) **essential activities** means;
- (a) obtaining medical care or medical supplies; or
 - (b) obtaining a **SARS-CoV-2** test; or
 - (c) responding to an emergency situation; or
 - (d) activities required to comply with any law; or
 - (e) departing the State of Victoria;
- (25) **excepted person** has the meaning in clause 14(1);
- (26) **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);
- (27) **fully vaccinated** means a person who has received either one dose of a **one dose COVID-19 vaccine** or two doses of a **two dose COVID-19 vaccine**, including a dose of two different types of a **two dose COVID-19 vaccine**;
- (28) **general eligibility requirements** means that a person:
- (a) has not been at a **very high risk exposure site** in any State or Territory in Australia at any time during a **very high risk period**; and
 - (b) is not experiencing **SARS-CoV-2 symptoms**; and
 - (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 in any State or Territory within Australia;
- (29) **general post-entry conditions** means that a person must:
- (a) comply with all of the **Directions currently in force**; and
 - (b) monitor for **SARS-CoV-2 symptoms**; and
 - (c) obtain a test for **SARS-CoV-2** as soon as possible after experiencing any **SARS-CoV-2 symptoms**;
- (30) **green zone** has the meaning in clause 4A4(1)(a);
- (31) **green zone general conditions** means all of the conditions set out in clause 5(2);
- (32) **green zone permit** is a permit held by a **green zone person** that meets all of the requirements specified in clause 5(2)(a);
- (33) **green zone person** means a person who meets all of the requirements specified in clause 5(1);
- (34) **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 a 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 service 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;
- (35) **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** or the Commonwealth of Australia made in order to limit the spread **SARS-CoV-2**;
- (36) **hospital** has the same meaning as in the **Hospital Visitor Directions**;
- (37) **Hospital Visitor Directions** means the **Hospital Visitor Directions (No 40)** as amended from time to time;
- (38) **international acceptable certification** means the person has a certificate issued by an overseas government authority or an accredited vaccination provider (a vaccination provider that is accredited in or by the overseas government authority in the country which the person received the vaccination), that is written in English or accompanied by a certified translation and contains:
- (i) the person's name as it appears on their passport; and
 - (ii) the person's date of birth or passport number; and
 - (iii) a certification from a medical practitioner that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to:
 - (A) a **medical contraindication**; or
 - (B) an acute medical illness (including where the person has been diagnosed with SARS-CoV-2); or
 - (C) a documented diagnosed SARS-CoV-2 infection confirmed by a **SARS-CoV-2 PCR test** within the previous 6 months.
- Note: a person who enters Victoria on an international passenger arrival permit has a temporary medical exemption pursuant to subclause (C) and will not meet the definition for a medical exemption in other relevant Directions in force in Victoria, including the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions, COVID-19 Mandatory Vaccination (General Workers) Directions, COVID-19 Mandatory Vaccination (Specified Workers) Directions** and the **Open Premises Directions**, unless they also meet the criteria at subclause (A) or (B).*
- (39) **international acceptable evidence** means information about a person's vaccination status:
- (a) 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; or

- (b) in relation to a person who is **fully vaccinated** and ordinarily resides outside Australia, is a copy of a paper or digital certificate issued by an overseas government authority or an accredited overseas government vaccination provider that shows the person is fully vaccinated with a vaccine approved or recognised by the Therapeutic Goods Administration, is written in English or accompanied by a certified translation, and contains:
 - (i) the person's name as it appears in their passport;
 - (ii) the person's date of birth or passport number;
 - (iii) the vaccine brand name, and
 - (iv) the date of each dose or the date on which a full course of immunisation was completed; or
 - (c) an Australian International COVID-19 Vaccination Certificate.
- (40) **international aircrew services worker** means an **aircrew services worker** who is arriving or departing Victoria on a flight to or from an international port;
 - (41) **international passenger arrival** means a person who meets all of the requirements specified in clause 12(1);
 - (42) **international passenger arrival conditions** means all of the conditions set out in clause 12(3);
 - (43) **international passenger arrival permit** has the meaning in clause 12;
 - (44) **medically exempt person** means a person who holds **international acceptable certification** from a **medical practitioner** that the person is unable to receive a dose, or a further dose, of a **COVID-19 vaccine** due to:
 - (a) a **medical contraindication**; or
 - (b) an acute medical illness (including where the person has been diagnosed with SARS-CoV-2).
 - (45) **medical practitioner** has the meaning in the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions**;
 - (46) **medical contraindication** has the meaning in the **COVID-19 Mandatory Vaccination (Specified Facilities) Directions**;
 - (47) **municipal district** has the same meaning as in the **Local Government Act 1989**;
 - (48) **national security** has the meaning that security has in the **Australian Security Intelligence Organisation Act 1979** of the Commonwealth;
 - (49) **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**;

- (50) **one dose COVID-19 vaccine** means the **COVID-19 vaccine** called 'COVID-19 Vaccine Janssen' (Jansen-Cilag);
- (51) **Open Premises Directions** means the **Open Premises Directions (No 5)** as amended from time to time;
- (52) **orange zone** has the meaning in clause 4A4(1)(b);
- (53) **orange zone (fully vaccinated) conditions** means the conditions set out in clause 6(3)(c);
- (54) **orange zone (not fully vaccinated) conditions** means the conditions set out in clause 6(3)(d);
- (55) **orange zone general conditions** means the conditions set out in clauses 6(3)(a) and 6(3)(b);
- (56) **orange zone permit** has the meaning in clause 6;
- (57) **orange zone person** means a person who meets all of the requirements specified in clause 6(1);
- (58) **permit** means the written notice (digital or otherwise) provided under clause 13 and includes:
- (a) **green zone permit**; and
 - (b) **orange zone permit**; and
 - (c) **red zone permit**; and
 - (d) **specified worker (single entry) permit**; and
 - (e) **specified worker (multiple entry) permit**; and
 - (f) **international passenger arrival permit**;
- (59) **personal details** means:
- (a) the person's full name; and
 - (b) the person's contact phone number; and
 - (c) the full names of any dependants under the age of 12 years and 2 months for whom the person is a parent, guardian or carer, entering Victoria with the person; and
 - (d) the address from which the person is departing when entering Victoria; and
 - (e) where applicable, the current address where the person ordinarily resides; and
 - (f) the address where the person will reside after entering Victoria; and
 - Note: if the person is in Victoria temporarily, they can provide details of the accommodation at which they are staying.*
 - (g) the date of entry to Victoria; and

- (h) if applicable, any planned date of departure from Victoria;
 - (i) the person's **vaccination status**;
- (60) **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;
- (61) **Public Event Framework** means the Public Event Framework available at 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;
- (62) **public transport** means a **vehicle** operated by a **passenger transport company** or by a **bus company** in the provision of a **public transport service**;
- (63) **red zone** has the meaning in clause 4A4(1)(c);
- (64) **red zone (fully vaccinated) conditions** means the conditions set out in clause 7(3)(c);
- (65) **red zone general conditions** means the conditions specified in clauses 7(3)(a) and 7(3)(b)(i);
- (66) **red zone (not fully vaccinated) conditions** means the conditions set out in clause 7(3)(d);
- (67) **red zone permit** has the meaning in clause 7;
- (68) **red zone person** means a person who meets all of the requirements specified in clause 7(1);
- (69) **red zone requirements for entry** means the requirements specified in clause 7(2);
- (70) **relevant green zone** means, in relation to a person who entered Victoria, any **green zone** in a **State** or **Territory** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (71) **relevant orange zone** means, in relation to a person who entered Victoria, any **orange zone** in a **State** or **Territory** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (72) **relevant red zone** means, in relation to a person who entered Victoria, any **red zone** in a **State** or **Territory** that the person had been in after the zone commencement time in the 14 days prior to the person's entry to Victoria;
- (73) **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**;

- (74) **residential aged care facility** means 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;
- (75) **returning Victorian resident** means a person who:
- (a) ordinarily resides in Victoria;
 - (b) 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
 - (c) is not performing any work or travelling to work in Victoria;
- (76) **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**;
- (77) **SARS-CoV-2 PCR test** means a SARS-CoV-2 polymerase chain reaction test;
- (78) **SARS-CoV-2 rapid antigen test** means a SARS-CoV-2 rapid antigen test;
- (79) **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°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;
- (80) **school** means a registered school as defined in the **Education and Training Reform Act 2006**;
- (81) **Service Victoria CEO** has the same meaning as in the **Service Victoria Act 2018**;
- (82) **short term transit** means a transit period of less than 24 hours, except in an emergency;
- (83) **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), as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;

- (84) **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 as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (85) **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 as amended from time to time by the Victorian Government with the approval of the Chief Health Officer;
- (86) **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** and who meets the requirements specified in clause 10(7);
- (87) **specified worker (multiple entry) conditions** means the conditions specified for a **specified worker (multiple entry)** in clauses 10(9) and 10(10) (fully vaccinated) or 10(11) (not fully vaccinated);
- (88) **specified worker (multiple entry) permit** means a permit that may be granted to a person who is a **specified worker (multiple entry)**;
- (89) **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** and who meets the requirements specified in clause 10(1);
- (90) **specified worker (single entry) conditions** means the conditions specified for a **specified worker (single entry)** in clauses 10(3) and 10(4) (fully vaccinated) or 10(5) (not fully vaccinated);
- (91) **specified worker (single entry) permit** means a permit that may be granted to a person who is a **specified worker (single entry)**;
- (92) **State** means a State in Australia (and otherwise has the meaning in the Australian Constitution);
- (93) **Territory** means a territory in Australia (and otherwise has the meaning in the Australian Constitution);
- (94) **two dose COVID-19 vaccine** means any of the following **COVID-19 vaccines** called:
- (a) Vaxzevria (AstraZeneca);
 - (b) Comirnaty (Pfizer);
 - (c) Spikevax (Moderna);
 - (d) Coronvac (Sinovac);
 - (e) Covishield (Astrazeneca/Serum Institute of India);
 - (f) Covaxin (Bharat Biotech); or
 - (g) BBIP-CorV (Sinopharm);

- (95) **vaccination information** has the same meaning as in the **COVID-19 Mandatory Vaccination (Workers) Directions**;
- (96) **vaccination status** means whether a person is **fully vaccinated**, received one dose of a **two dose COVID-19 vaccine** or has not received any dose of a **COVID-19 vaccine**;
- (97) **vehicle** has the same meaning as in the **PHW Act**;
- (98) **very high risk exposure site** means a site in a **State** or a **Territory**:
- (a) assessed as very high risk for **SARS-CoV-2** transmission described:
 - (i) by a State, Territory or the Commonwealth of Australia 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, 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 or the Commonwealth of Australia; 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;
- (99) **very high risk period** means the period of time in which a **very high risk exposure site** in a **State** or a **Territory** is assessed as very high risk for **SARS-CoV-2** transmission, as specified:
- (a) by a State, Territory or the Commonwealth of Australia 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, as amended from time to time with the approval of the Chief Health Officer;
- (100) **Victorian resident** means a person who ordinarily resides in Victoria;
- (101) **worker** has the meaning in the **Workplace Directions**;
- (102) **Workplace Directions** means the **Workplace Directions (No 56)** as amended from time to time;

(103) 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**;

(104) **zone commencement time** has the meaning in clause 4A(2).

17 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 is a restricted area, and any Country outside of Australia is 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).



Professor Benjamin Cowie

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

18 November 2021