

# Direction from Deputy Chief Health Officer (Communicable Disease) in accordance with emergency powers arising from declared state of emergency

## Isolation (Diagnosis) Direction

*Public Health and Wellbeing Act 2008 (Vic)*

Section 200

I, Dr Annaliese van Diemen, Deputy Chief Health Officer (Communicable Disease), consider it reasonably necessary to protect public health to give the following direction pursuant to section 200(1)(b) and (d) of the *Public Health and Wellbeing Act 2008 (Vic)* (**PHW Act**):

### 1 Preamble

The purpose of this direction is to require persons diagnosed with Novel Coronavirus 2019 (**2019-nCoV**) to isolate (self-isolate) in order to limit the spread of 2019-nCoV.

### 2 Citation

This direction may be referred to as the **Isolation (Diagnosis) Direction**.

### 3 Direction

- (1) A person who is diagnosed with 2019-nCoV in the State of Victoria between midnight on 25 March 2020 and midnight on 13 April 2020:
  - (a) if the diagnosis is communicated to the person in a place other than where the person resides, must:
    - (i) travel directly from that place to a premises that is suitable for the person to reside in and reside in that premises until **clearance from isolation (self-isolation)** is given under subclause (2); or
    - (ii) travel directly to a hospital for medical treatment, and following treatment and discharge from the hospital, travel directly to a premises that is suitable for the person to reside in until clearance from isolation (self-isolation) is given under subclause (2); and
  - (b) if the diagnosis is communicated to the person in suitable premises where the person resides, must reside in that premises beginning on the day of the diagnosis and ending when clearance from isolation (self-isolation) is given under subclause (2); and
  - (c) must not leave the premises, except:
    - (i) for the purposes of obtaining medical care or medical supplies; or

- (ii) in any other emergency situation; or
  - (iii) in limited outdoor circumstances when it is possible to avoid close contact with other persons and not to enter any other building; and
- (d) must not permit any other person to enter the premises unless that other person usually lives at the premises or is living at the premises for the purposes of isolation (self-isolation), or for medical or emergency purposes.
- (2) A person subject to the requirements in subclause (1) is given **clearance from isolation (self-isolation)** when an officer of the Department of Health and Human Services certifies that the person meets the criteria for discharge from isolation (self-isolation) under existing Departmental requirements.
- (3) Certification under subclause (2) must be in writing but is not required to be in a particular form.

#### 4 Penalties

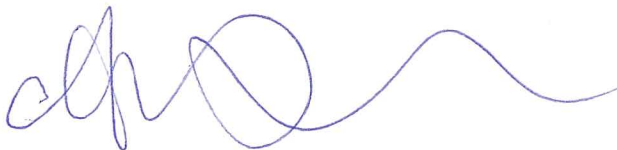
Section 203 of the PHW Act provides:

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

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

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

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



**Dr Annaliese van Diemen**

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

25 March 2020