

General Manager's Direction

Transport Operations (Marine Safety) Act 1994

Section 191A – Direction to person about operation of ship in relation to pilotage area

Application

This direction applies to the masters of all ships in Queensland waters intending to enter a Queensland pilotage area if:

- the ship left, or transited through a port in mainland China or South Korea (both of which are a relevant country) in the last 14 days, or
- any crew or other person on board the ship (a relevant person) has travelled to or transited through a relevant country in the last 14 days.

DIRECTION:

I, Angus Mitchell, General Manager of Maritime Safety Queensland, direct the master of a ship to which this direction applies to navigate or otherwise operate the ship in relation to the pilotage area as follows:

- The ship must not enter a Queensland pilotage area until 14 days have elapsed since the ship or any relevant person on board the ship left a relevant country, whichever is later.

(To remove any doubt, this means for example that a ship which left a relevant country on 1 March 2020, then called at a port in a country that was not a relevant country on 7 March, taking on a crew member there who had left a relevant country by air on 6 March, may not enter a Queensland pilotage area until 20 March – 14 days after the new crew member left a relevant country. If the ship called at the same two ports but did not take on the crew member, it could enter a Queensland pilotage area on 15 March – 14 days after the ship left a port in a relevant country.)

Facts and Circumstances

I am satisfied on the basis of the facts and circumstances stated below that exceptional circumstances exist which justify the giving of this direction in the public interest, in that there is a serious risk to public health:

- The Director General of the World Health Organisation, on the advice of the International Health Regulations (2005) Emergency Committee, declared that the

outbreak of COVID-19 constitutes a Public Health Emergency of International Concern (PHEIC). Refer: [https://www.who.int/news-room/detail/30-01-2020-statement-on-the-second-meeting-of-the-international-health-regulations-\(2005\)-emergency-committee-regarding-the-outbreak-of-novel-coronavirus-\(2019-ncov\)](https://www.who.int/news-room/detail/30-01-2020-statement-on-the-second-meeting-of-the-international-health-regulations-(2005)-emergency-committee-regarding-the-outbreak-of-novel-coronavirus-(2019-ncov))

- The World Health Organisation's *Situation Report No 42* dated 2 March 2020 shows that the virus is spreading to more countries outside mainland China, including countries in the Western Pacific and South-East Asia regions. The report emphasizes that containment of COVID-19 remains the top priority for all countries. Refer: https://www.who.int/docs/default-source/coronaviruse/20200302-sitrep-42-covid-19.pdf?sfvrsn=d863e045_2
- A statement from the Australian Health Protection Principal Committee (AHPPC) published on 27 February 2020 notes that the "global epidemiology of COVID-19 continues to evolve. While there are a decreasing number of cases being reported in mainland China (outside of Hubei province), there is a materially increasing risk of sustained transmission being established in several other countries". Refer: <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-statement-on-coronavirus-covid-19-0>
- The John Hopkins CSSE (Center for Systems Science and Engineering) data on COVID-19 indicates 95,411 confirmed cases and 3,285 fatalities worldwide as at 5 March 2020. Refer: <https://gisanddata.maps.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6>
- The Queensland Health public information about COVID-19 is available as a fact sheet. Refer: <https://www.health.qld.gov.au/clinical-practice/guidelines-procedures/diseases-infection/diseases/coronavirus/public-info-novel-coronavirus/fact-sheet-coronavirus>

You are advised that

- It is an offence under section 191A(8) of the *Transport Operations (Marine Safety) Act 1994* to contravene this direction without reasonable excuse. The maximum prescribed penalty for a contravention of this direction is \$66,725 for an individual, and \$333,625 for a corporation.



Angus Mitchell
General Manager
Maritime Safety Queensland
5 March 2020