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 outside Australian Territorial Waters after 2359 hours Australian Standard Time on 15 March 2020, or
- any crew or other person on board (a relevant person) has travelled to or transited through a country outside Australia after 2359 hours Australian Standard Time on 15 March 2020.

Unless prior written approval has been obtained from the General Manager of Maritime Safety Queensland.

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 country outside Australia, whichever is later.

(To remove any doubt, this means for example that a ship which left a port outside Australian Territorial Waters after 2359 on 15 March 2020 may not enter a Queensland pilotage area until 14 days after the ship left the port, but if after leaving that port the ship took aboard a person who had been present in a country outside Australia after 2359 on 15 March, the ship may not enter a Queensland pilotage area until 14 days after the person left the country outside Australia.)

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 Prime Minister announced on Sunday 15 March, on behalf of the National Cabinet, that Australia's task over the next six months will be to slow the spread of COVID-19. The National Security Committee resolved to impose a universal precautionary self-isolation requirement on all international arrivals to Australia, effective from midnight 15 March. Refer https://www.pm.gov.au/media/transcript-press-conference


The World Health Organisation's Situation Report No 56 dated 16 March shows that the virus is spreading to more countries outside mainland China, including countries in the Western pacific and South-East Asia regions. Containment of COVID-19 remains a top priority for all countries. Refer: https://www.who.int/docs/default-source/coronaviruse/situation-reports/20200316-sitrep-56-covid-19.pdf?sfvrsn=9fda7db2_2

A statement from the Australian Health Protection Principal Committee (AHPPC) published on 27 February 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


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
18 March 2020