

COVID-19 Hotel Quarantine

Applying for a fee waiver

HOTEL QUARANTINE

During the COVID-19 pandemic there have been a number of changes in Queensland Government directions relating to quarantine and border requirements. Please check the [Chief Health Officer- Public Health Directions](#) for up-to-date information.

This factsheet is for people who have been directed to quarantine in a hotel and who wish to apply for a waiver of the fee.

CAN YOU GET AN EXEMPTION FROM HOTEL QUARANTINE?

There are very limited circumstances where a person may be exempted from quarantining in a hotel and may be able to quarantine in another place such as at their home.

Queensland Health will only consider allowing quarantine in a place other than a hotel in exceptional circumstances. 'Exceptional circumstances' is not defined under the public health directions or under the [Public Health Act 2005 \(Qld\)](#) but it appears it may include human rights considerations in rare cases.

For example, the [Queensland Human Rights Commission](#) assisted a family of five adults and a child to obtain an exemption as the child had autism spectrum disorder and the quarantine environment was completely unsuitable for her impairment and would have distressed her as a result.

To apply for an exemption, you must complete the form online using the [Health Service Portal](#).

COST OF HOTEL QUARANTINE

If you are directed to quarantine in a hotel and you have come from outside of Queensland, you

will have to pay a contribution to the overall cost at the end of your quarantine. However, if you are directed into hotel quarantine because you were already in Queensland and you have been identified as a close contact of someone with COVID-19, then you will not have to pay a fee.

Following the end of your quarantine you will be sent an invoice to pay within 30 days. You may [apply to have the fee waived](#) after you get the invoice.

The quarantine fee includes your accommodation and daily meals. See [Queensland Government website](#) for more information about fees.

IN WHAT CIRCUMSTANCES CAN YOU APPLY TO HAVE THE COST OF HOTEL QUARANTINE WAIVED?

You can apply for a fee waiver where you can show financial hardship, specifically if you:

- are unemployed
- have been significantly financially impacted by the COVID-19 pandemic.

Queensland Health may require you to provide certain mandatory evidence to prove financial hardship including:

- copy of the Queensland Health invoice
- proof of Australian citizenship or permanent residency
- evidence that you have no more than \$10 000 cash in your bank account
- confirmation of your Centrelink application for income support.

Other evidence that may assist includes:

- financial hardship form (non-mandatory)
- letter from a charitable organisation regarding loss of employment or inability to provide for basic necessities

- bank statements showing a reduction of income, reduced savings and essential spending
- if coming from overseas, documentation of excessive costs to relocate back to Australia
- loss of business activity, home or possessions due to the pandemic
- statutory declaration
- any other relevant information to support your application for a fee waiver.

You can also apply for a fee waiver on the grounds of vulnerability, if you can demonstrate your vulnerability affects your ability to meet your financial obligations.

A person may apply for a fee waiver if they:

- identify as a refugee and/or the application is based on humanitarian reasons
- have a serious chronic illness/disability and/or are not able to take care of themselves
- are unable to protect themselves against harm or exploitation by reason of age, illness, trauma, disability or any other reason
- are escaping domestic, family or sexual violence
- are performing the role of a carer for a person who may be considered vulnerable.

When acting or making any decisions, including about whether to grant a fee waiver, Queensland Health must also consider human rights under the *Human Rights Act 2019 (Qld)*, and must act in a way that respects human rights wherever possible. If a decision to charge a fee in any case would impact negatively on a person's human rights, you can include information about that when you apply for the fee waiver.

WHAT HAPPENS IF YOUR FEE WAIVER APPLICATION IS REJECTED?

There does not appear to be any internal review process for a decision to reject a quarantine fee waiver application by Queensland Health.

Some government administrative decisions may be subject to external review by way of a judicial review application under the *Judicial Review Act 1991 (Qld)*. There is a 28-day time limitation to bring a judicial review application from the date of the decision by Queensland Health.

You can read more about judicial review in the [Complaints Against Government - Judicial Review chapter](#) in the *Queensland Law Handbook*.

Judicial review is a complex legal action. It is not advisable to commence a judicial review application without legal advice and help.

In some rare cases there may also be other legal options available. For example, if the refusal to grant a fee waiver negatively impacts on your human rights, it may be possible to make a complaint to the Queensland Human Rights Commission. You have 12 months from the date of the conduct you are complaining about to make a complaint to the Queensland Human Rights Commission.

WHO YOU CAN CONTACT FOR FURTHER INFORMATION

CAXTON LEGAL CENTRE

T: (07) 3214 6333

www.caxton.org.au

QUEENSLAND HUMAN RIGHTS COMMISSION

T: 1300 130 670

www.qhrc.qld.gov.au

COMMUNITY LEGAL CENTRES QUEENSLAND

Contact details of community legal centres for free legal advice

T: (07) 3392 0092

www.communitylegalqld.org.au/find-legal-help

QUEENSLAND LAW SOCIETY

Private lawyer referral list

T: 1300 367 757

www.qls.com.au/For_the_community/Find_a_solicitor

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This information is current at December 2020.

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