

South Australia

Emergency Management Regulations 2009

under the *Emergency Management Act 2004*

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Legislative history

1—Short title

These regulations may be cited as the *Emergency Management Regulations 2009*.

3—Interpretation

In these regulations—

Act means the *Emergency Management Act 2004*.

4—Prescribed powers

For the purposes of section 25(2)(o) of the Act, the State Co-ordinator or an authorised officer may exercise the following prescribed powers:

- (a) carry out, or cause to be carried out, excavation or other earthworks;
- (b) construct, or cause to be constructed, barriers, buildings or other structures;
- (c) remove or destroy, or order the removal or destruction of any thing;
- (d) direct a person to remain isolated or segregated from other persons or to take other measures to prevent the transmission of a disease or condition to other persons;
- (e) direct a person to undergo medical observation, examination (including diagnostic procedures) or treatment (including preventative treatment);
- (f) require a person to furnish such information as may be reasonably required in the circumstances (other than information that may be required to be furnished under section 6 of the *Essential Services Act 1981*).

5—Confidentiality

If a person, in the course of the administration or enforcement of the Act, obtains—

- (a) medical information relating to another; or

- (b) information the disclosure of which would involve the disclosure of information relating to the personal affairs of another,

the person must not intentionally disclose that information unless—

- (c) the disclosure is made in the course of the administration or enforcement of the Act; or
- (d) the disclosure is made with the consent of the other person; or
- (e) the disclosure is required by a court or tribunal constituted by law.

Maximum penalty: \$5 000.

6—Authorised officers may give expiation notices

- (1) Subject to the *Expiation of Offences Act 1996*, an authorised officer is authorised to give expiation notices for alleged offences against section 28 of the Act.
- (2) The expiation fee for an offence against section 28 of the Act is fixed at—
 - (a) in the case of a natural person—\$1 000; or
 - (b) in the case of a body corporate—\$5 000.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2009	58	<i>Gazette 7.5.2009 p1712</i>	7.5.2009: r 2
2020	28	<i>Gazette 28.3.2020 p616</i>	28.3.2020: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>28.3.2020</i>
r 6	inserted by 28/2020 r 4	28.3.2020