

Legislative Council

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South Australia

COVID-19 Emergency Response (Further Measures) (No 2) Amendment Bill 2020

A BILL FOR

An Act to amend the *COVID-19 Emergency Response Act 2020*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *COVID-19 Emergency Response Act 2020*

- 3 Amendment of Schedule 2—Temporary modification of particular State laws
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *COVID-19 Emergency Response (Further Measures) (No 2) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *COVID-19 Emergency Response Act 2020*

3—Amendment of Schedule 2—Temporary modification of particular State laws

- (1) Schedule 2—after Part A1 insert:

Part A2—*Criminal Law Consolidation Act 1935*

A2—Modification of *Criminal Law Consolidation Act 1935*

Section 20AA of the *Criminal Law Consolidation Act 1935* applies with the following modifications:

- (a) Section 20AA(9)—after the definition of ***human biological material*** insert:

pharmacy has the same meaning as in Part 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010*;

pharmacy services has the same meaning as in Part 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010*;

- (b) Section 20AA(9), definition of ***prescribed emergency worker***, (e)—after "hospital" insert:

, or at any other place where medical treatment is provided or medical testing undertaken (however described, but including, without limiting this paragraph, a general practice, medical centre or place at which people are screened for COVID-19 or other diseases)

- (c) Section 20AA(9), definition of ***prescribed emergency worker***—after paragraph (g) insert:

(ga) a person (whether a pharmacist, pharmacy assistant or otherwise) performing duties in a pharmacy; or

(gb) a person providing pharmacy services at a place other than a pharmacy, or a person assisting in the provision of such services; or

- (2) Schedule 2—after Part 2 insert:

Part 2AA—*Health Practitioner Regulation National Law (South Australia) Act 2010*

2AA—Modification of *Health Practitioner Regulation National Law (South Australia) Act 2010*

Part 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010* applies with the following modifications:

- (a) Section 43—after subsection (1) insert:

(1a) Section 43(1) will be taken not to apply to a person who carries on a pharmacy business in circumstances where—

- (a) the person is authorised by the Authority to operate the pharmacy business without a pharmacist being physically in attendance at the pharmacy; and
- (b) a pharmacist is, by means of internet or other electronic communication (other than communication of a kind specified by the Authority), in attendance during any period the pharmacy business is operating and is available for consultation by members of the public.

- (b) Section 46—after subsection (5) insert:

(6) A condition of the registration of a pharmacy that is inconsistent with section 43(1a) will, to the extent of the inconsistency, be taken to be modified to give effect to the modification made by that subclause.