

House of Assembly—No 13

As laid on the table and read a first time, 4 March 2020

South Australia

**South Australian Public Health (Immunisation and
Early Childhood Services) Amendment Bill 2020**

A BILL FOR

An Act to amend the *South Australian Public Health Act 2011*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *South Australian Public Health (Immunisation and Early Childhood Services) Amendment Bill 2020*.

2—Commencement

This Act comes into operation 6 months after the day on which it is assented to by the Governor.

3—Amendment provisions

- 10 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 *South Australian Public Health Act 2011*

4—Amendment of section 96A—Interpretation

- 15 (1) Section 96A—definition of *immunisation record*—delete the definition and substitute:

immunisation history statement, in relation to a child, means an extract, or extracts, from the Australian Immunisation Register under the *Australian Immunisation Register Act 2015* of the Commonwealth relating to the immunisation history of the child;

- 20 *immunisation record* means a record or document referred to in subsection (2);

(2) Section 96A—after its present contents as amended by this section (now to be designated as subsection(1)) insert:

(2) For the purposes of this Part, a child *meets the immunisation requirements* if—

- 5 (a) an immunisation history statement indicates that the immunisation status of the child is up to date; or
- (b) a document of a kind approved by the Chief Public Health Officer for the purposes of this subsection indicates that the child meets the immunisation requirements within the meaning of the *A New Tax System (Family Assistance) Act 1999* of the Commonwealth; or
- 10 (c) a certificate in writing issued by the Chief Public Health Officer indicates that the child meets the immunisation requirements.

15 **5—Insertion of section 96BA**

After section 96B insert:

96BA—Prohibition on providing early childhood services to children not meeting immunisation requirements

- 20 (1) A person who provides an early childhood service must not enrol a child for the provision of the service and must suspend the existing enrolment of a child if—
- (a) immunisation records relating to the child have not been provided to the person in accordance with section 96B(1); or
- (b) the child does not, according to immunisation records provided in accordance with section 96B(1), meet the immunisation requirements.

Maximum penalty: \$30 000.

- 30 (2) A person must not provide an early childhood service to a child if—
- (a) immunisation records relating to the child have not been provided to the person in accordance with section 96B(1); or
- (b) the child does not, according to immunisation records provided in accordance with section 96B(1), meet the immunisation requirements.

Maximum penalty: \$30 000.