

House of Assembly—No 79

As received from the Legislative Council and read a first time, 22 July 2020

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*.

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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:

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- (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.