

South Australia

Suicide Prevention Regulations 2022

under the *Suicide Prevention Act 2021*

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Legislative history

1—Short title

These regulations may be cited as the *Suicide Prevention Regulations 2022*.

2—Commencement

These regulations come into operation on 5 September 2022.

3—Interpretation

In these regulations—

Act means the *Suicide Prevention Act 2021*.

4—State authorities

- (1) For the purposes of paragraph (d) of the definition of *State authority* in section 3(1) of the Act, a person or body specified by the Minister by notice in the Gazette is declared to be a State authority.
- (2) For the purposes of the definition of *State authority* in section 3(1) of the Act, a person or body specified by the Minister by notice in the Gazette is declared to be excluded from the ambit of that definition.

5—Suicide prevention action plan—prescribed State authorities

For the purposes of the definition of *prescribed State authority* in section 25(9) of the Act, a State authority specified by the Minister by notice in the Gazette is prescribed.

6—Information to be recorded on South Australian Suicide Register

- (1) For the purposes of section 35(2) of the Act, the following information is required:
 - (a) methods used by individuals who have died by suicide in the State;

- (b) demographic information about individuals who have died by suicide in the State;
 - (c) such of the following information relating to individuals who have died by suicide in the State as may be known to the Chief Executive:
 - (i) any relevant physical or mental health diagnoses;
 - (ii) any previous suicide attempts;
 - (iii) any known stressors;
 - (iv) any substance misuse;
 - (v) any justice contacts;
 - (vi) any prior suicidal intent;
 - (vii) any findings of the State Coroner in relation to the individual's death.
- (2) Pursuant to section 35(3) of the Act, information referred to in subregulation (1) must be provided in a manner and form determined by the Chief Executive.

7—Access etc to South Australian Suicide Register

- (1) For the purposes of section 37 of the Act, the South Australian Suicide Register may only be inspected with the permission of the Chief Executive.
- (2) The Chief Executive must grant permission to inspect the South Australian Suicide Register to the Office of the Chief Psychiatrist, South Australia Police, the State Coroner, or an individual's treating health service if satisfied that disclosure of information contained in the Register is reasonably necessary to protect the lives of others, or, in the case of the Office of the Chief Psychiatrist, is reasonably necessary for the Chief Psychiatrist to perform a function under the Act or the *Mental Health Act 2009*.
- (3) The Chief Executive must grant permission to inspect the South Australian Suicide Register to—
 - (a) the State Coroner, for the purposes of determining whether or not it is necessary or desirable to hold an inquest; and
 - (b) the Coroner's Court, for the purposes of an inquest,and must, if requested by the State Coroner or the Coroner's Court, provide a report as to specified matters relevant to those purposes.
- (4) Without limiting subregulation (2) or (3), the Chief Executive may only grant permission to inspect the information referred to in regulation 6(1)(c) if the Chief Executive is satisfied that—
 - (a) it is reasonably required to lessen or prevent a serious threat to the life, health or safety of a person, or a serious threat to public health or safety; or
 - (b) it is for medical or social research purposes, the research methodology has been approved by an ethics committee, and there is no reason to believe that disclosure of the information would be contrary to a deceased individual's best interests; or

- (c) in the case of the Office of the Chief Psychiatrist, it is reasonably necessary for the Chief Psychiatrist to perform a function under the Act or the *Mental Health Act 2009*.
- (5) In considering whether to approve the disclosure of information for the purposes of subregulation (4)(a), the Chief Executive must balance the right to privacy for the individual and any other persons who may be affected by the disclosure, with the risk of harm should the information not be disclosed.
- (6) Pursuant to section 35(3) of the Act, information contained in the South Australian Suicide Register that has been de-identified may be disclosed for the purposes of reporting to—
 - (a) Parliament; or
 - (b) the Australian Institute of Health and Welfare.

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

Year	No	Reference	Commencement
2022	76	<i>Gazette 1.9.2022 p5828</i>	5.9.2022: r 2