

South Australia

## **Emergency Management Regulations 2009**

under the *Emergency Management Act 2004*

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#### **1—Short title**

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

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **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.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 7 May 2009

No 58 of 2009

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