

South Australia

South Australian Public Health (Notifiable and Controlled Notifiable Conditions) (Miscellaneous) Variation Regulations 2021

under the *South Australian Public Health Act 2011*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *South Australian Public Health (Notifiable and Controlled Notifiable Conditions) (Miscellaneous) Variation Regulations 2021*.

2—Commencement

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

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *South Australian Public Health (Notifiable and Controlled Notifiable Conditions)* Regulations 2012

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *Act* insert:

adverse event following immunisation or *AEFI* means any untoward medical occurrence that follows immunisation (whether or not the occurrence has a causal relationship with the vaccine);

Australian Immunisation Handbook means *The Australian Immunisation Handbook* published by the Commonwealth Department of Health (as in force from time to time);

notifiable adverse event following immunisation or *notifiable AEFI* means an AEFI that is not a very common or common AEFI;

very common or common adverse event following immunisation or *very common or common AEFI* means an AEFI that is listed as a very common or common adverse event in the Australian Immunisation Handbook or in clinical advice relating to adverse events published by the Australian Technical Advisory Group on Immunisation (ATAGI) established by the Commonwealth Government.

5—Variation of regulation 4—Notifiable conditions

(1) Regulation 4, delete "Australian Bat Lyssavirus infection"

(2) Regulation 4, after "Campylobacter infection" insert:

Candida auris

(3) Regulation 4, after "Influenza (pandemic)" insert:

Invasive group A streptococcal disease

(4) Regulation 4, delete "Kunjin virus infection"

(5) Regulation 4, after "Listeriosis" insert:

Lyssavirus infection (including rabies, Australian bat lyssavirus and other lyssavirus infections)

(6) Regulation 4, after "Mycobacterial infection (non-tuberculous)" insert:

Notifiable adverse event following immunisation

(7) Regulation 4, delete "Rabies" and substitute:

Respiratory syncytial virus (RSV)

(8) Regulation 4, after "Viral Haemorrhagic Fever" insert:

West Nile virus infection (including Kunjin variant)

6—Insertion of regulations 5A and 5B

After regulation 5 insert:

5A—Prescribed classes of persons (section 64(1)(c) of Act)

- (1) For the purposes of section 64(1)(c) of the Act, a registered health practitioner of a class determined by the Minister under regulation 18(3) of the *Controlled Substances (Poisons) Regulations 2011* who—
 - (a) has successfully completed a training program approved by the Minister for the purposes of regulation 18(3) of those regulations; and
 - (b) is authorised to administer vaccines as part of an immunisation program delivered under regulation 18(3) of those regulations,is a person of a prescribed class, but only in respect of a suspicion that a person is suffering, or has died from, a notifiable AEFI.
- (2) A registered health practitioner of a class prescribed under subregulation (1) who suspects that a person is suffering from a notifiable AEFI is not required to make a report under section 64(1) of the Act with respect to that case if the practitioner knows or reasonably believes that a report has already been made to the Chief Public Health Officer by a medical practitioner or another registered health practitioner of a class prescribed under subregulation (1).
- (3) For the purposes of section 64(10)(c) of the Act, the responsible person for a registered health practitioner of a class prescribed under subregulation (1) is the registered health practitioner.

5B—Exemption from notification requirements

Pursuant to section 109(2)(t) of the Act, a medical practitioner is exempt from the application of section 64(1) of the Act—

- (a) in respect of a suspicion that a person has respiratory syncytial virus (RSV); or
- (b) if the medical practitioner suspects that a person is suffering from a notifiable AEFI and knows or reasonably believes that a report has already been made to the Chief Public Health Officer by another medical practitioner or registered health practitioner of a class prescribed under regulation 5A(1).

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.

**South Australian Public Health (Notifiable and Controlled Notifiable Conditions) (Miscellaneous)
Variation Regulations 2021**

Part 2—Variation of *South Australian Public Health (Notifiable and Controlled Notifiable Conditions)
Regulations 2012*

Made by the Administrator

with the advice and consent of the Executive Council
on 7 October 2021

No 148 of 2021