

South Australia

Emergency Management Regulations 2009

under the *Emergency Management Act 2004*

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Legislative history

1—Short title

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

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.

6—Authorised officers may give expiation notices

- (1) Subject to the *Expiation of Offences Act 1996*, an authorised officer is authorised to give expiation notices for alleged offences against section 28 of the Act.
- (2) The expiation fee for an offence against section 28 of the Act is fixed at—
 - (a) in the case of a natural person—\$1 000; or
 - (b) in the case of a body corporate—\$5 000.

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.

Expiry of regulations

The *Emergency Management Regulations 2009* expired on 1.9.2024: see *Legislative Instruments Act 1978*.

Principal regulations and variations

Year	No	Reference	Commencement
2009	58	<i>Gazette 7.5.2009 p1712</i>	7.5.2009: r 2
2020	28	<i>Gazette 28.3.2020 p616</i>	28.3.2020: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	28.3.2020
r 6	inserted by 28/2020 r 4	28.3.2020