

South Australia

Preventive Health SA Regulations 2026

under the *Preventive Health SA Act 2024*

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Legislative history

1—Short title

These regulations may be cited as the *Preventive Health SA Regulations 2026*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Preventive Health SA Act 2024*.

4—Code of conduct for members of Preventive Health SA Council

Pursuant to section 21(3) of the Act, the code of conduct to be observed by members of the Council is set out in Schedule 1.

Schedule 1—Code of conduct

Part 1—Preliminary

1—Interpretation

In this code—

member means a member of the Council.

2—Objects of code of conduct

The objects of this code of conduct are—

- (a) to establish standards of conduct, behaviour and professionalism to be observed by members; and
- (b) to outline processes to ensure the integrity of, and public confidence in, the Council is promoted and maintained; and
- (c) to ensure that the performance of the functions of the Council is not affected by pecuniary or personal interests or associations of members; and
- (d) to promote ethical conduct and prevent unethical conduct.

Note—

The duties of advisory body members under Part 2 Division 2 of the *Public Sector (Honesty and Accountability) Act 1995* apply to members of the Council.

3—Publication of code of conduct

The Chief Executive must publish a copy of this code of conduct on a website determined by the Chief Executive.

Part 2—General rules of conduct

4—Knowledge of Act, code of conduct and duties

- (1) A member must have a reasonable knowledge of the Act, this code of conduct and the functions of Preventive Health SA and the Council.
- (2) A member must have a reasonable knowledge of the duties required of members.

5—Acting with integrity

A member must—

- (a) act impartially (including by not demonstrating bias towards particular groups or individuals) and in the public interest; and
- (b) not make improper use of their position or information to an advantage for themselves or another person; and
- (c) exercise a reasonable degree of care, diligence and skill, including by reading and considering material relevant to meetings of the Council, actively participating in meetings and providing advice based on data, evidence and expert knowledge; and

- (d) attend meetings of the Council except when it is not reasonably practicable to do so (and submit timely apologies in such cases); and
- (e) not do any thing (or omit to do any thing) that might reasonably be regarded as undermining public confidence in the Council or damaging the reputation of the Council; and
- (f) ensure that another member or any other person does not suffer adverse action for alleging a contravention of this code of conduct.

6—Acting ethically

A member must—

- (a) perform their functions (including by providing advice) in a manner that promotes public confidence in the Council and the performance of its functions; and
- (b) ensure that confidential information is dealt with appropriately and that any information obtained as a member is not unlawfully disclosed; and
- (c) not seek out or accept gifts, hospitality or other benefits for themselves or another person that could be reasonably be perceived as influencing the performance of their functions as a member; and
- (d) not commit to or promise action relating to their role as a member for the benefit or another person or body except with the written authorisation of the Council; and
- (e) ensure that their dealings with other persons or bodies are not conducted in a manner that could reasonably be perceived as influencing the performance of their functions as a member; and
- (f) not make public statements relating to their role as a member of the Council except with the written authorisation of the Council.

7—Acting respectfully

A member must—

- (a) not engage in any form of behaviour that is, or may lead to, bullying, harassment and discrimination; and
- (b) actively promote conduct among members that complies with this code of conduct and seek to ensure that the relevant provisions of this code are applied in relation to conduct that does not comply with this code; and
- (c) be inclusive and respectful of other persons, recognise and respect the cultural identity of other persons and consider a range of perspectives in the performance of their functions as a member.

Part 3—Compliance with code of conduct

8—Process for dealing with contraventions of code of conduct

- (1) The Council is responsible for ensuring that alleged contraventions of this code of conduct are dealt with.
- (2) If a member considers that a contravention of this code of conduct has occurred, the member must report the alleged contravention to the Chair.

- (3) Any other person may report an alleged contravention of this code of conduct to the Chair.
- (4) On receipt of a report of an alleged contravention, the Chair—
- (a) must ensure that a record of the report is made and a response is provided to the person who reported the allegation in a timely manner; and
 - (b) may, if satisfied the matter requires investigation, investigate the alleged contravention; and
 - (c) may, if satisfied that the alleged contravention is proven, take action in relation to the contravention that the Chair considers appropriate in the circumstances.

Note—

Examples of appropriate action include any 1 or more of the following:

- (a) a reprimand;
- (b) a direction that an apology be given;
- (c) a requirement that training be completed;
- (d) the holding of a meeting and the adoption of a plan of action to address the contravention;
- (e) a recording of a finding that a contravention occurred (without further action);
- (f) the reporting of the matter to the Minister for consideration.

Section 13(3) of the Act provides that the Minister may, at any time, remove a member of the Council from office for any reason the Minister thinks fit (which could include a contravention of this code of conduct).

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 |
|------|----|--------------------------------|----------------|
| 2026 | 18 | <i>Gazette 13.5.2026 p1126</i> | 13.5.2026: r 2 |