

NOTICE

Section 96E of the *South Australian Public Health Act 2011*

Exemptions granted by the Chief Public Health Officer from specified provisions of Part 12A – Immunisation and Early Childhood Services

I, **Professor Nicola Spurrier, Chief Public Health Officer** appointed pursuant to section 20 of the *South Australian Public Health Act 2011* (“the **SAPH Act**”), **HEREBY grant the following exemptions** pursuant to section 14C of the *Acts Interpretation Act 1915* and section 96E of the SAPH Act:

Section 96B(1) of the SAPH Act

1. **to the parent or guardian** of a child that is enrolled or attends at premises for the purposes of the provision of an early childhood service from the requirement in section 96B(1) of the SAPH Act to provide immunisation records relating to the child to the provider of the service, if the child is a **child in care**.

Section 96B(3) of the SAPH Act

2. **to the provider of an early childhood service** from the requirement in section 96B(3) of the SAPH Act to take reasonable steps to ensure that the parent of guardian of a child that is enrolled or attends at premises for the purposes of the provision of early childhood services complies with the requirements in section 96B(1) of the SAPH Act, if the child is a **child in care**.

Section 96BA(1) of the SAPH Act

3. **to a person who provides an early childhood service** from the prohibition in section 96BA(1) of the SAPH Act from enrolling a child for the provision of the service unless:
 - a. immunisation records relating to the child have been provided to the person in accordance with section 96B(1) of the SAPH Act; and
 - b. the immunisation records indicate that the child meets the immunisation requirements,if the child is a **child in care**.

Section 96BB(1) of the SAPH Act

4. to a person who provides an early childhood service from the prohibition in section 96BB(1) of the SAPH Act from providing an early childhood service to a child unless:
- a. immunisation records relating to the child have been provided to the person in accordance with section 96B(1) of the SAPH Act; and
 - b. the immunisation records indicate that the child meets the immunisation requirements,
- if the child is a **child in care**.

In this Notice of Exemption “**child in care**” means: a child who is under the custody or guardianship of the Chief Executive of the Department for Child Protection pursuant to the *Children and Young People (Safety) Act 2017*.

These exemptions apply:

- for a six-week period commencing at 12:01am on Friday 7 August 2020 and concluding at 12:01am on Friday 18 September 2020 (“**the transitional period**”); and
- at the conclusion of **the transitional period**, for a six-week period commencing on the day on which the **child in care** is taken into the custody or guardianship of the Chief Executive of the Department for Child Protection under the *Children and Young People (Safety) Act 2017*.

These exemptions operate from 12:01am on Friday 7 August 2020 and have effect until varied or revoked.

These exemptions may be varied or revoked at any time by the person holding or acting in the position of Chief Public Health Officer.



PROFESSOR NICOLA SPURRIER
Chief Public Health Officer

06 / 08 / 2020