

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 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 who has transferred out of 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 or 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 who has transferred out of 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 who has transferred out of 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 who has transferred out of care***.

In this Notice of Exemption "***child who has transferred out of care***" means: a child who has transferred from the custody or guardianship of the Chief Executive of the Department for Child Protection pursuant to the *Children and Young People (Safety) Act 2017* to another guardian or to their parent.

These exemptions apply for a six-week period commencing on the day on which the ***child who has transferred out of care*** is or was transferred from the custody or guardianship of the Chief Executive of the Department for Child Protection under the *Children and Young People (Safety) Act 2017* to another guardian or to their parent.

These exemptions operate from the date of the Chief Public Health Officer signing this Notice 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

14/8/2020