



Privacy Amendment (South Australia My Health Records Access) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 09 December 2021

David Hurley
Governor-General

By His Excellency's Command

Michaelia Cash
Attorney-General

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1 Name

This instrument is the *Privacy Amendment (South Australia My Health Records Access) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	14 December 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Privacy Act 1988*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Privacy Regulation 2013

1 At the end of section 8

Add:

- (5) For the purposes of subsection 6F(1) of the Act:
 - (a) the Department of the Premier and Cabinet of South Australia is prescribed; and
 - (b) the modification set out in subsection (6) of this section is prescribed.
- (6) The Act applies in relation to the Department of the Premier and Cabinet of South Australia as if paragraph 7(1)(ee) of the Act were modified by substituting the following paragraph:
 - “(ee) an act done, or a practice engaged in, by the Department of the Premier and Cabinet of South Australia in relation to:
 - (i) access to information from the My Health Record system (within the meaning of the *My Health Records Act 2012*); or
 - (ii) information it obtains under subparagraph (i);for the purposes of managing risks from the coronavirus known as COVID-19, other than an exempt act or exempt practice (see sections 7B and 7C);”.