

ABN 19 659 150 786

3 July 2024

Hon Christopher Picton MP  
Minister for Health and Wellbeing  
GPO Box 2555  
ADELAIDE SA 5001

Dear Minister

### ***Automated External Defibrillators (Public Access) Act – Draft Amendment Bill***

On behalf of our members, the Aged and Community Care Providers Association (ACCPA) is pleased to provide you with our review and feedback on the *Automated External Defibrillators (Public Access) Act – Draft Amendment Bill* (the Draft Amendment Bill).

ACCPA members account for approximately 70% of all retirement villages and 75% of residential aged care facilities in South Australia. These range from small privately owned operators through to large not for profit organisations.

We are pleased that the existing Act has been reviewed as several of our members were concerned of their existing requirements due to become operable in 2026. However, we still have concerns with the following items below:

**Clause 3 – Interpretation of Public** – ACCPA notes that in the interpretation of the Draft Amendment Bill there is no definition of the term ‘public’. Providing clarity on this term would assist in determining whether members are required to have an AED in their facility.. For instance, in a residential aged care facility, it is common for family members to visit their relatives. For these individuals, it is akin to visiting their loved ones in their home, rather than in an institutional setting.

Similarly, in retirement villages,,families and friends visit not as members of the public, but as guests of residents.

**Clause 7(3) – Publicly Accessible Floor Area** – ACCPA welcomes clarity with the inclusion of this clause in the Draft Amendment Bill. However, questions remain for both residential aged care facilities and retirement villages regarding the public accessibility of their facilities.

For residential aged care, many require visitors to check in, which may present an obstruction to entry. ACCPA also assumes that resident rooms are excluded from calculations as they are not accessible to the public.

In retirement villages, the clarity that villas/units/apartments are excluded from calculations is welcomed. However, confusion remains regarding the inclusion of village community facilities. Retirement villages are generally private property, with only a few offering public access to facilities such as hairdressers, medical/allied health and cafés. We believe that these publicly accessible facilities should be included in the calculations for AEDs, while other village community facilities should be excluded.

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**Clause 9(1) – Maintenance and Testing** – We acknowledge and welcome the variation to this clause in the Draft Amendment Bill, ensuring that maintenance and testing aligns with the manufacturer’s specifications. We seek clarification on whether there are any reporting requirements associated with the testing of the AEDs.

**Regulations** – The Draft Amendment Bill references regulations on several occasions. ACCPA notes that these regulations have not yet been prepared and requests that copies of any draft regulations are sent to ACCPA for review and comment upon their completion..

On behalf of our members, we thank you for the opportunity to provide feedback on the Draft Amendment Bill. We trust that you will find our review informative and suggestions well measured. If, however you would like to discuss any matter raised, please contact Mark Prosser, Director Retirement Living and Seniors Housing at [mark.prosser@accpa.asn.au](mailto:mark.prosser@accpa.asn.au).

Yours sincerely

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**ACCPA**