



New South Wales

Automated External Defibrillators (Public Access) Bill 2024 (No 2)

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) require the installation of automated external defibrillators (*defibrillators*) in certain buildings and vehicles, and
- (b) require the registration and maintenance of the defibrillators, and
- (c) require the Minister to—
 - (i) keep a publicly accessible register of the defibrillators, including the location of the defibrillators, and
 - (ii) develop a strategy to inform the public about defibrillators.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 provides for the dictionary in proposed Schedule 2 to define certain words and expressions used in the proposed Act.

Clauses 4 and 5 define certain key concepts used in the proposed Act, including *relevant building*, *relevant vehicle* and *responsible person*.

Clause 6 provides that the proposed Act binds the Crown.

Part 2 Installation of defibrillators

Part 2 requires the responsible persons for relevant buildings and relevant vehicles to ensure the following—

- (a) a certain number of defibrillators are installed in each relevant building or relevant vehicle,
- (b) each defibrillator is properly maintained,
- (c) each defibrillator is tested at least once every 12 months,
- (d) signage is installed to indicate the location of each defibrillator.

The proposed part also requires responsible persons to—

- (a) give relevant information about the defibrillators required to be installed under the proposed Act to the Minister responsible for the administration of the proposed Act (the *Minister*), and
- (b) notify the Minister of changes to the relevant information.

The proposed part also makes it an offence for a person to intentionally and without a reasonable excuse—

- (a) damage or destroy a defibrillator, or
- (b) remove a defibrillator required to be installed under the proposed Act from the location at which it is installed.

Part 3 Access to information and training

Part 3 requires the Minister to—

- (a) establish and keep a register of the defibrillators required to be installed under the proposed Act, and
- (b) ensure the register is accessible on a software application, and
- (c) develop and implement a strategy to inform the public about defibrillators, and
- (d) ensure training in the use of defibrillators is made available to prescribed persons.

Part 4 Miscellaneous

Part 4 provides that the Minister must prepare a report on how the Government will support responsible persons who are required under the proposed Act to install a defibrillator.

The proposed part also—

- (a) enables the Governor to make regulations for the proposed Act, and
- (b) enables offences prescribed by the regulations as penalty notice offences to be dealt with by the issue of a penalty notice rather than through court proceedings.

Schedule 1 Savings, transitional and other provisions

Schedule 1 provides that the regulations may contain savings, transitional and other provisions consequent on the commencement of—

- (a) a provision of the proposed Act, or
- (b) a provision amending the proposed Act.

Schedule 2 Dictionary

Schedule 2 defines certain words and expressions used in the proposed Act.