

Automated External Defibrillators Act (AED)

Guidance Note 1

We are providing a further update to assist landlords, property managers and agents in preparing for the new defibrillator legislation commencing on 1 January 2026.

Since our previous communication, the Minister for Health and Wellbeing, The Hon Chris Picton, has issued additional clarification on how the legislation is intended to operate. This guidance provides a clearer interpretation of the circumstances in which a building will be considered a public building or facility for the purpose of AED installation.

The Minister has confirmed that any commercial building or facility with a total floor area of 600 square metres or more that includes any publicly accessible area, will fall within the scope of the legislation. In these circumstances, at least one Automated External Defibrillator (AED) must be installed.

A building or facility will be considered accessible to the public if the public can freely access any part of the building or facility such as, a foyer, lobby, lift, toilet, coffee area, even if this area is small.

This update does not replace previous advice but reflects the fact that further information is now being provided by the Department. We strongly encourage landlords to review their commercial properties in light of this clarification.

When an AED is required:

- If the building or facility has 600 square metres or more of total floor area and any part is publicly accessible, one AED must be installed.
- If the property is considered a relevant facility, i.e. if multiple freestanding buildings are owned by the same entity within 100meters of each other, the total floor area of the buildings must be calculated and if more than 600 square metres in total an AED is required.
- If the publicly accessible area exceeds the initial threshold, further AEDs may be required. Page 7 of the SA Health Best Practice Guide provides detailed guidance.

When an AED is NOT required:

- A commercial building with a total floor area of less than 600 square meters.
- A commercial building where access is restricted to only employees or contractors as well as couriers or other operational purposes.
- A carpark - all carpark spaces are excluded from the legislation and are not included total floor area.

Examples scenarios can be found in the SA Health Best Practice Guide.

Further guidance is expected as the legislation begins to be applied in practice throughout 2026. We will continue to monitor updates and will keep you informed of any additional information that becomes available.

This guidance note provides general information only. It does not constitute legal advice. The application of the legislation will depend on the specific circumstances of each property.

We are available to assist with reviewing your properties, updating your leasing documents, and advising on compliance.

Please contact Alexander Hamilton on (08) 8363 2460 or ahamilton@clegal.com.au if you require tailored advice.