

1994—No. 305

PUBLIC HEALTH ACT 1991—REGULATION

(Relating to disclosure of HIV/AIDS related information)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Public Health Act 1991, has been pleased to make the Regulation set forth hereunder.

Ron Phillips
Minister for Health.

Commencement

1. This Regulation commences on 1 July 1994.

Amendment

2. The Public Health Regulation 1991 is amended by omitting clause 7 (2) and by inserting instead the following subclause:

(2) For the purposes of section 17 (3) (e) of the Act, information may be disclosed by a person to the Director-General if the person has reasonable grounds to believe that failure to provide the information could place the health of the public at risk.

EXPLANATORY NOTE

Section 17 (3) (e) of the Public Health Act 1991 allows information about persons who have been tested for, or who are infected with, HIV/AIDS, to be disclosed in such circumstances as may be prescribed. Clause 7 (2) of the Public Health Regulation 1991 currently provides that such information may be disclosed by a person to the Director-General of the Department of Health in the circumstance that the person has reasonable grounds to believe that the person tested or infected with HIV/AIDS is behaving in such a way that the health of the public is at risk.

The object of this Regulation is to provide instead that a person may disclose HIV/AIDS related information about another person to the Director-General if the person has reasonable grounds to believe that failure to provide the information could place the health of the public at risk.
