



New South Wales

# Public Health Amendment (Contact Tracing) Regulation 2015

under the

Public Health Act 2010

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Health Act 2010*.

JILLIAN SKINNER, MP  
Minister for Health

## Explanatory note

The object of this Regulation is to amend the *Public Health Regulation 2012*:

- (a) to enable a registered medical practitioner who attends a person with a particular scheduled medical condition, and certain other health practitioners, if authorised by that medical practitioner or the Secretary, to provide advice to anyone who may have been in contact with the person, in relation to minimising the danger of the medical condition being passed on, and
- (b) to disapply a requirement not to disclose information relating to a particular scheduled medical condition that is obtained in the course of providing a health service, if the disclosure is required by order of a court or a person authorised by law to examine witnesses.

This Regulation is made under the *Public Health Act 2010*, including sections 56 (4) (g) and 134 (the general regulation-making power).

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### **1 Name of Regulation**

This Regulation is the *Public Health Amendment (Contact Tracing) Regulation 2015*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## Schedule 1 Amendment of Public Health Regulation 2012

### Clauses 39B and 39C

Omit clause 39B. Insert instead:

#### **39B Advice to Category 2, 3 or 4 contacts**

- (1) The Secretary or an attending medical practitioner:
  - (a) may notify a person who the Secretary or attending medical practitioner believes may have been in contact with a person suffering from a Category 2, 3 or 4 condition of measures to be taken, and activities to be avoided, in order to minimise the danger of the first person contracting the condition or passing it to a third person, or
  - (b) may authorise a relevant health practitioner to so notify the person.
- (2) A notification under subclause (1) must be in accordance with the directions (if any) of the Chief Health Officer published on the website of the Ministry of Health.
- (3) In this clause:

*attending medical practitioner* means a registered medical practitioner who attends the person suffering from a Category 2, 3 or 4 condition.

*relevant health practitioner* means a natural person who provides any of the following services (whether as public or private services):

  - (a) medical, hospital, nursing or midwifery services,
  - (b) community health services,
  - (c) health education services,
  - (d) welfare services necessary to implement any services referred to in paragraphs (a)–(c).

#### **39C Disclosure of information relating to a Category 5 condition**

Section 56 (3) of the Act does not apply to the disclosure of information required by order of a court or a person authorised by law to examine witnesses.