



New South Wales

Public Health Amendment (Correctional Centres) Regulation 2016

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 exempt correctional centres from the minimum floor area requirements for rooms and cubicles in premises to be used for the purposes of sleeping accommodation, and
- (b) to provide for the Commissioner of Corrective Services to issue directions concerning the standards and sizes required for rooms and cubicles at correctional centres, and
- (c) to enable the Chief Health Officer to issue directions concerning the outbreak, or risk of outbreak, of infectious disease at correctional centres.

This Regulation is made under the *Public Health Act 2010*, including section 134 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Public Health Amendment (Correctional Centres) Regulation 2016*.

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

[1] Clause 3 Interpretation

Insert in alphabetical order:

correctional centre has the meaning given by the *Crimes (Administration of Sentences) Act 1999*.

[2] Part 7 Other disease control measures

Insert after Division 2:

Division 2A Correctional centres

44B Commissioner of Corrective Services must issue directions concerning standards and sizes for rooms and cubicles at correctional centres

- (1) The Commissioner of Corrective Services must issue directions, within 3 months after the commencement of this clause, concerning the standards and sizes required for rooms and cubicles at correctional centres.
- (2) The Commissioner may amend or replace any directions issued under this clause.
- (3) The Commissioner must review any directions issued under this clause at least once every 5 years.

44C Chief Health Officer may issue directions concerning outbreak or risk of outbreak of infectious disease

- (1) If the Chief Health Officer is of the opinion that there is an outbreak, or the risk of an outbreak, of infectious disease at a correctional centre:
 - (a) the Chief Health Officer may issue directions in respect of the outbreak or risk of outbreak, and
 - (b) the Commissioner of Corrective Services is required to ensure that the general manager of the correctional centre complies with those directions.
- (2) Before issuing a direction under subclause (1), the Chief Health Officer is to consult with the Commissioner having regard to any issues raised by the Commissioner relating to maintaining the security, good order or safety of the correctional centre or its inmates.

[3] Clause 46 Sleeping accommodation

Insert at the end of clause 46 (1) (c):

- , or
- (d) the premises are a correctional centre.