



New South Wales

Public Health Amendment (Reporting) Regulation 2017

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*.

BRAD HAZZARD, MP
Minister for Health

Explanatory note

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

- (a) to require medical practitioners to inform their patients with a sexually transmitted infection about certain precautions patients should take in minimising the risk of infecting others, and
- (b) to provide for additional purposes for which a public health or disease register may be established and maintained, and
- (c) to make other amendments that are consequential on amendments made to the *Public Health Act 2010* by the *Public Health Amendment (Review) Act 2017*.

This Regulation is made under the *Public Health Act 2010*, including sections 5 (1) (definition of *skin penetration procedure*), 78 (1), 85 (1) (definition of *child*), 86 (1), 86 (4), 87 (3), 97 and 134 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Public Health Amendment (Reporting) Regulation 2017*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as otherwise provided by this clause.
- (2) Schedule 1 [1] commences on 1 December 2017.
- (3) Schedule 1 [4] and [5] commence on 1 April 2018.

Schedule 1 Amendment of Public Health Regulation 2012

[1] Clause 21 Skin penetration procedures

Omit clause 21 (1) (b)–(d).

[2] Clause 40 Information for patients with sexually transmitted infections

Omit clause 40 (a). Insert instead:

- (a) the means of minimising the risk of infecting other people and the precautions that should be taken to minimise the risk, which may include the following:
 - (i) using a condom during sexual intercourse,
 - (ii) receiving treatment for the sexually transmitted infection,
 - (iii) for a patient who has a Human Immunodeficiency Virus (*HIV*) infection, seeking and receiving confirmation from a sexual partner that the sexual partner is on HIV pre-exposure prophylaxis medication,
 - (iv) for a patient who has an HIV infection, knowing that he or she has an HIV viral load of less than 200 copies/mL,

[3] Clause 40 (c) and (d)

Omit the paragraphs.

[4] Clause 42 Children to whom Division 4 of Part 5 of Act applies

Omit clause 42 (c). Insert instead:

- (c) children who are enrolled at a school and are under the age of 18 years.

[5] Clauses 43 (1), 44 (1) and 44A (1) (a)

Omit “primary school” wherever occurring. Insert instead “school”.

[6] Clause 93D

Insert after clause 93C:

93D Public health or disease registers that may be established

For the purposes of section 97 of the Act, a public health or disease register may be established and maintained for any of the following purposes:

- (a) to facilitate the identification and monitoring of risk factors for particular diseases and conditions in the population or one or more sections of the population,
- (b) to facilitate the measurement and monitoring of the impact of any of the following on the population or one or more sections of the population:
 - (i) diseases and conditions,
 - (ii) treatments for diseases and conditions,
 - (iii) risk factors of diseases and conditions,
 - (iv) health services,
- (c) to facilitate the identification, monitoring or measurement of the health outcomes in relation to the population or one or more sections of the population,
- (d) to facilitate the planning of health programs, or treatments or services, for the population or one or more sections of the population,

- (e) to facilitate the evaluation of health programs, or treatments or services, for the population or one or more sections of the population.