

AUSTRALIAN CAPITAL TERRITORY

Public Health Act 1997

Declaration of operation, management or control of a private centre for opioid detoxification using opioid antagonists to be a Public Health Risk Activity

INSTRUMENT NO. 40 OF 2001

EXPLANATORY STATEMENT

Subsection 18(1) of the *Public Health Act 1997* (the Act) provides that the Minister may, by instrument, declare an activity that may result in the transmission of disease, or that may otherwise adversely affect the health of individuals in the context of the wider health of the community, to be a public health risk activity. Section 18(3) of the Act provides that a declaration under Subsection 18(1) shall indicate whether the declared activity is licensable, registerable or non-licensable activity.

This instrument declares the operation, management or control of a centre for opioid detoxification using opioid antagonists, in which rapid detoxification is carried out a public health risk activity under subsection 18(1) of the Act. The instrument further declares operation, management or control of a centre for opioid detoxification using opioid antagonists to be a licensable public health risk activity under subsection 18(3) of the Act.

This instrument specifically excludes hospitals from the definition of a centre for opioid detoxification using opioid antagonists in order to ensure that the operators of hospitals are not required to obtain a licence under section 18 (1) the *Public Health Act 1997* for the operation of a centre for opioid detoxification using opioid antagonists.