

2019

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**EPIDEMIOLOGICAL STUDIES (CONFIDENTIALITY) AMENDMENT
REGULATION 2019 (No 1)**

SL2019-6

EXPLANATORY STATEMENT

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EPIDEMIOLOGICAL STUDIES (CONFIDENTIALITY) AMENDMENT REGULATION 2019 (No 1)

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Amendment to the Epidemiological Studies (Confidentiality) Regulation 1992

Overview

The aim of the Epidemiological Studies (Confidentiality) Amendment Regulation 2019 (No 1) is to declare the Pill Testing Trial evaluation an epidemiological study under the *Epidemiological Studies (Confidentiality) Act 1992* (the Act).

Purpose

The purpose of the Regulation is to amend the *Epidemiological Studies (Confidentiality) Regulation 1992* by inserting a new section into the Regulation: Section 9 ‘Prescribed study-pill testing trial’. The Act provides for confidentiality in relation to certain epidemiological studies where research covers potentially illegal activities such as illicit drug possession and consumption. A number of drug-related research studies have been classified as “prescribed studies” under the Act.

Outline of amendments

Clause 1 – Name of regulation

This clause states that the regulation is the Epidemiological Studies (Confidentiality) Amendment Regulation 2019 (No 1).

Clause 2 – Commencement

This clause states that the regulation commences on 28 April 2019. This commencement is timed to coincide with a pill testing trial to be conducted at a music festival scheduled for 28 April 2019.

Due to the operation of section 75(1) of the *Legislation Act 2001* the naming and commencement provisions of this Regulation (clauses 1 and 2) commence automatically on the day that the Regulation is notified. A note to that effect is included in the provision.

Clause 3 – Legislation amended

This provision alerts the reader that this Regulation amends the Epidemiological Studies (Confidentiality) Regulation 1992.

Upon commencement this Regulation will alter the Epidemiological Studies (Confidentiality) Regulation 1992 in accordance with the provisions that this Regulation contains. This Regulation will then be immediately repealed.

Consequently, from the date that this Regulation commences a new republication of the Epidemiological Studies (Confidentiality) Regulation 1992 will be available. That new republication will feature the alterations made by this Regulation.

Clause 4 – Part 3

The dictionary within the Act defines a prescribed study as including any Territory epidemiological study declared by the Epidemiological Studies (Confidentiality) Regulation 1992 to a study to which the Act relates. There are currently 5 studies prescribed by the Epidemiological Studies (Confidentiality) Regulation 1992 in sections 4 to 8. This clause inserts a new section 9 which prescribes a 6th epidemiological study, referred to as Pill testing in the ACT: Pilot evaluation.

The new section 9 to be inserted is titled: ‘Prescribed study – pill testing trial’. Subsection 2 of that provision specifies that the prescribed study, Pill testing in the ACT: Pilot evaluation, is an epidemiological study to commence in April 2019 and to be conducted by the Research School of Population Health at the Australian National University. The focus of the study is the trial of pill testing at a music festival to be conducted in the ACT on or after 28 April 2019, together with an evaluation of the impacts of the trial on people and the community.