



PRISON AMENDMENT ACT (No. 2) 1994

No. 23 of 1994

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AN ACT to amend the *Prison Act 1977*

[Royal Assent 17 March 1994]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Prison Amendment Act (No. 2) 1994*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Prison Act 1977** is referred to as the Principal Act.

Section 17A amended (Medical tests for HIV)

4—Section 17A (1) of the Principal Act is amended as follows:—

- (a) by inserting “or a nurse registered under the *Nursing Act 1987*” after “medical officer”;
- (b) by omitting “possible” from paragraph (a) and substituting “practicable”;
- (c) by omitting “circumstances; and” from paragraph (b) and substituting “circumstances.”;
- (d) by omitting paragraph (c).

Section 17B substituted (Report of test)

5—Section 17B of the Principal Act is repealed and the following section is substituted:—

Report of test

17B—A medical officer or nurse registered under the *Nursing Act 1987* who, under section 17A, carries out an HIV test the result of which is positive, is to submit a report of the result to the Director as soon as practicable after the result is obtained.

* No. 19 of 1977. Amended by No. 29 of 1984, Nos. 4, 51 and 120 of 1985, No. 88 of 1987, No. 5 of 1990, Nos. 43 and 46 of 1991, Nos. 3 and 25 of 1993 and No. 4 of 1994.

Section 17D amended (Application of *HIV/AIDS Preventive Measures Act 1993*)

6—Section 17D of the Principal Act is amended as follows:—

(a) by omitting “The provisions of sections 6 to 19 inclusive” and substituting “(1) The provisions of sections 6 to 19 inclusive, other than section 14,”;

(b) by adding the following subsection:—

(2) Section 15 of the *HIV/AIDS Preventive Measures Act 1993* applies as if a reference to an approved health care worker authorized by a medical practitioner is a reference to a nurse registered under the *Nursing Act 1987*.

[Second reading presentation speech made in:—
House of Assembly on 24 February 1994
Legislative Council on 2 March 1994]

