

Australian Capital Territory

## Explanatory Statement

# Public Health (Reporting of Notifiable Conditions) Code of Practice 2022 (No 2)

## Disallowable Instrument DI2022–238

made under the

### Public Health Act 1997, s 133 (Codes of Practice)

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*Public Health Act 1997* (the Act) Part 6 (Notifiable conditions and public health hazards) establishes the regulatory framework for the monitoring and investigation of notifiable conditions so that public health action may be carried out in order to minimise the adverse public health effects of such conditions.

Sections 102 through to 105 in Division 6.2 of the Act require certain individuals including Doctors, Nurse Practitioners, Pathologists, persons in charge of Hospitals and other responsible people to inform the Chief Health Officer if they have reasonable grounds to believe that a patient has, or may have, a notifiable condition.

A notification under the Act must be made in accordance with the applicable code of practice. This instrument repeals the Public Health (Reporting of Notifiable Conditions) Code of Practice 2022 (No 1) and will be replaced by the Public Health (Reporting of Notifiable Conditions) Code of Practice 2022 (No 2).

With the COVID-19 Public Health Emergency in the ACT revoked on 29 September 2022, COVID-19 has been changed from a ‘Group A to ‘Group B’ notifiable condition removing the need for urgent notification of COVID-19 cases.

Another notable change is that Monkeypox, which had been declared a temporary notifiable condition by the Chief Health Officer on 27 May 2022, now becomes a permanent inclusion in the list of notifiable conditions.

Furthermore, the listing of “Respiratory illness in **three** or more related cases in an institution within 72 hours” has been amended to be “respiratory illness in **two** or more related cases in an institution within 72 hours” to align with updated national guidance for Residential Aged Care Facilities (RACFs) that were recently endorsed by the Australian Health Protection Principal Committee (AHPPC).

The first two sections of the code of practice address the obligation to report notifiable conditions and details who is obliged to report. Section 3 of the code of practice details notification requirements. Sections 4 and 5 describe the public health response to notifications and issues related to privacy and disclosure of information. Section 6 provides an explanation of the definitions used in the code of practice. These provisions have undergone minor editorial changes from the previously determined code of practice.