



Queensland

Corrective Services (COVID-19 Emergency Response) Regulation 2020

Subordinate Legislation 2020 No. 84

made under the

Corrective Services Act 2006

COVID-19 Emergency Response Act 2020

Dangerous Prisoners (Sexual Offenders) Act 2003

Penalties and Sentences Act 1992

State Penalties Enforcement Act 1999

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1 Short title

This regulation may be cited as the *Corrective Services (COVID-19 Emergency Response) Regulation 2020*.

2 Commencement

This regulation is taken to have commenced on 23 April 2020.

3 Declaration

It is declared that this regulation is made under the *COVID-19 Emergency Response Act 2020*, sections 8 and 13.

**4 Modification of Corrective Services Act 2006, s 234
(Meetings about particular matters relating to parole orders)**

- (1) This section applies to a meeting of the parole board under the *Corrective Services Act 2006*, section 234 to consider an application for, or the suspension, cancellation or amendment of, a parole order under that Act that is made or notified but not decided before the commencement.
- (2) For the COVID-19 emergency period, section 234 of that Act applies to the meeting as if section 234(3) to (6) were omitted.

**5 Modification of Corrective Services Act 2006, s 268
(Declaration of emergency)**

For the COVID-19 emergency period, the *Corrective Services Act 2006*, section 268 applies as if—

- (a) a reference in section 268(2) of that Act to 3 days were a reference to 90 days; and
- (b) section 268(3) of that Act were replaced by—
 - (3) The declaration lapses on the earlier of the following days unless it is sooner revoked by the chief executive or another declaration is made to take effect—

- (a) the day that is the end of the stated period;
- (b) the day that is the end of the COVID-19 emergency period.

6 **Additional procedure for entry to corrective services facility**

- (1) The chief executive may require any person entering or attempting to enter a corrective services facility when a declaration of emergency under the *Corrective Services Act 2006*, section 268 is in force for the facility to be screened for COVID-19, including by taking the temperature of the person.
- (2) Subsection (3) applies if the person conducting the screening (the *examiner*) is of the opinion that the person is exhibiting flu-like symptoms, or the person's temperature when taken under subsection (1) is more than 38 degrees Celsius.
- (3) The chief executive may, on the advice of the examiner, refuse to allow the person to enter the corrective services facility.
- (4) In this section—
corrective services facility see the *Corrective Services Act 2006*, schedule 4.

7 **Supervision by corrective services officers of persons subject to relevant order**

- (1) This section applies if a corrective services officer is required to supervise a person subject to any of the following orders (each a *relevant order*)—
 - (a) a parole order mentioned in the *Corrective Services Act 2006*, section 194 or a court ordered parole order under that Act;
 - (b) a supervision order or an interim supervision order under the *Dangerous Prisoners (Sexual Offenders) Act 2003*;
 - (c) a fine option order, a probation order, a community service order, a graffiti removal order, an intensive

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- correction order or a drug and alcohol treatment order under the *Penalties and Sentences Act 1992*;
- (d) a work and development order under the *State Penalties Enforcement Act 1999*.
- (2) For subsection (1), supervision by a corrective services officer of a person subject to a relevant order may include—
- (a) a requirement that the person report to the corrective services officer at the place, and within the time, stated in the relevant order; and
- (b) a requirement that the person report to, and receive visits from, the corrective services officer as directed by the court that made the relevant order, the relevant chief executive or the corrective services officer.
- (3) During the COVID-19 emergency period, the corrective services officer may supervise the person remotely by using communication technology.
- (4) To remove any doubt, it is declared that if the corrective services officer supervises the person remotely under subsection (3), the person's obligations relating to the supervision are taken to be satisfied.
- (5) In this section—
- corrective services officer* see the *Corrective Services Act 2006*, schedule 4.

8 Expiry

This regulation expires on 31 December 2020.

ENDNOTES

- 1 Made by the Governor in Council on 4 June 2020.
- 2 Notified on the Queensland legislation website on 5 June 2020.
- 3 The administering agency is Queensland Corrective Services.

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