

# Corrective Services and Other Legislation Amendment Act 2020

Explanatory notes for SL 2021 No. 15

made under the

*Corrective Services and Other Legislation Amendment Act 2020*

## General Outline

### Short title

Proclamation commencing section 39 of the *Corrective Services and Other Legislation Amendment Act 2020*

### Authorising law

Section 2 of the *Corrective Services and Other Legislation Amendment Act 2020*.

### Policy objectives and the reasons for them

The objective of the Proclamation is to commence section 39 of the *Corrective Services and Other Legislation Amendment Act 2020* (the Amendment Act) on 12 March 2021. Section 39 of the Amendment Act amends section 266 of the *Corrective Services Act 2006* (CS Act).

This amendment intends to clarify that since 2008, and in accordance with current Administrative Arrangements Orders, Queensland Health has been responsible for the delivery of prisoner health services in all publicly operated corrective services facilities.

The amendment removes the specific requirement for the chief executive to establish medical programs or services under section 266 of the CS Act, reflecting Queensland Health's responsibility for the delivery of medical services. The amendment instead inserts that the chief executive must establish or facilitate programs or services to support the health and wellbeing of prisoners. This better reflects the more holistic role Queensland Corrective Services has in supporting the health and wellbeing of prisoners.

### Achievement of policy objectives

The policy objective is achieved by fixing a commencement date of 12 March 2021 for section 39 of the Amendment Act.

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the policy objectives of the authorising law.

## **Inconsistency with policy objectives of other legislation**

The Proclamation is not inconsistent with the policy objectives of other legislation.

## **Alternative ways of achieving policy objectives**

There are no alternative means to achieve the policy objectives.

## **Benefits and costs of implementation**

The Explanatory Notes for the Amendment Act noted that there are no costs to Government in implementing the Amendment Act.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles.

## **Consultation**

The Department of the Premier and Cabinet and Queensland Treasury were consulted and support the commencement of section 39 of the Corrective Services and Other Legislation Amendment Act 2020.

The Proclamation meets category (g) *Regulatory proposals that are of a machinery nature*, an agency-assessed exclusion category and accordingly does not require consultation with the Office of Best Practice Regulation, Queensland Productivity Commission.