

1991—No. 242

INTOXICATED PERSONS ACT 1979—REGULATION

(Relating to the detention of intoxicated persons)

NEW SOUTH WALES



[Published in Gazette No. 82 of 24 May 1991]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Intoxicated Persons Act 1979, has been pleased to make the Regulation set forth hereunder.

JOHN DOWD
Attorney General.

The Intoxicated Persons Regulation 1979 is amended by inserting in clause 5 (1) after the word “crime” the following words:

unless (in the case of an intoxicated person so detained in a police station) the person for the time being in charge of the part of the police station where persons are detained or held in custody is of the opinion that:

- (a) the intoxicated person may behave in a manner likely to cause injury to himself or herself; and
- (b) the risk of the intoxicated person causing injury to himself or herself if held separately is greater than the risk of harm to the intoxicated person if held with persons accused or convicted of crime

EXPLANATORY NOTE

The object of this Regulation is to amend the Intoxicated Persons Regulation 1979 to provide that, in circumstances where an intoxicated person is detained in a police station and, in the opinion of the person in charge of the police station, may cause harm to himself or herself, the intoxicated person is not to be held separately from persons accused or convicted of crime.
