



New South Wales

# Intoxicated Persons (Sobering Up Centres Trial) Amendment (Extension) Regulation 2014

under the

Intoxicated Persons (Sobering Up Centres Trial) Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Intoxicated Persons (Sobering Up Centres Trial) Act 2013*.

STUART AYRES, MP  
Minister for Police and Emergency Services

## Explanatory note

The objects of this Regulation are:

- (a) to postpone the date of repeal of the *Intoxicated Persons (Sobering Up Centres Trial) Act 2013* from 1 July 2014 to 1 July 2016, and
- (b) to remove the Coogee and Wollongong sobering up centre catchment areas from the operation of that Act, and
- (c) to exempt a person who has been admitted to the Sydney City sobering up centre from the requirement to pay a cost recovery charge if the person has been detained:
  - (i) for behaving in a disorderly manner or in a manner likely to cause injury to the person or another person or damage to property, or
  - (ii) because the person was in need of physical protection because the person is intoxicated.

This Regulation is made under the *Intoxicated Persons (Sobering Up Centres Trial) Act 2013*, including sections 4 (in relation to the definition of a *catchment area*), 17 (relating to the cost recovery charge), 28 (the general regulation-making power) and 30 (relating to the repeal of that Act).

## **Intoxicated Persons (Sobering Up Centres Trial) Amendment (Extension) Regulation 2014**

under the

Intoxicated Persons (Sobering Up Centres Trial) Act 2013

### **1 Name of Regulation**

This Regulation is the *Intoxicated Persons (Sobering Up Centres Trial) Amendment (Extension) Regulation 2014*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Intoxicated Persons (Sobering Up Centres Trial) Regulation 2013**

**[1]    Clause 8 Cost recovery charge**

Insert “after being detained under section 5 (1) (a) of the Act” after “sobering up centre” in clause 8 (1).

**[2]    Clause 8 (1A)**

Insert after clause 8 (1):

- (1A) A person who has been admitted to the Sydney City sobering up centre after being detained under section 5 (1) (b) of the Act is not required to pay a cost recovery charge.

**[3]    Clause 8 (2)**

Insert “and who is required to pay a cost recovery charge under the Act” after “sobering up centre”.

**[4]    Clause 8 (2) (a)**

Omit “under the Act”.

**[5]    Clause 13**

Insert after clause 12:

**13    Postponement of repeal of Act: section 30**

The prescribed date for the repeal of the Act is 1 July 2016.

**[6]    Schedule 1 Catchment areas**

Omit Parts 3 and 4 from the Schedule.