



AUSTRALIAN CAPITAL TERRITORY

Health Complaints (Amendment) Act 1994

No. 89 of 1994

An Act to amend the *Health Complaints Act 1993*

[Notified in ACT Gazette S280: 15 December 1994]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Health Complaints (Amendment) Act 1994*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

(3) If section 4 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that section, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, “Principal Act” means the *Health Complaints Act 1993*.¹

Insertion

4. Before section 72 of the Principal Act the following section is inserted in Part IX:

Notices about Unit

“71A. (1) If a health service is provided at premises, the provider shall ensure that a notice referred to in subsection (6) is displayed in each part of the premises that is attended by users in a position of such prominence that it is likely to be seen by those users.

“(2) Without limiting the generality of subsection (1), each ward, clinic, surgery, waiting room or reception area within premises at which a health service is provided shall, for the purposes of that subsection, be taken to be a part of the premises that is attended by users.

“(3) A provider shall not, without reasonable excuse, fail to comply with subsection (1).

Penalty: \$100.

“(4) The Commissioner may, on request, cause to be made available to a provider a notice or notices referred to in subsection (6) to facilitate compliance by that provider with subsection (1).

“(5) A failure by the Commissioner to make a notice referred to in subsection (6) available to a provider does not constitute a reasonable excuse for the provider failing to comply with subsection (1).

“(6) A notice shall—

- (a) be of durable material;
- (b) be not less than 297 millimetres by 210 millimetres;
- (c) bear a heading ‘COMMISSIONER FOR HEALTH COMPLAINTS’ in characters of 24 point type;
- (d) specify in legible characters the street address, the postal address and the telephone number of the Unit; and
- (e) indicate that if a person is dissatisfied about any matter in respect of which a complaint could be made to the Commissioner, it would be appreciated if in the first instance the matter were to be discussed with the appropriate provider.

“(7) In this section—

‘provider’, in relation to a provider who, as such, is an employee, means the provider’s employer.”.

NOTE

1. Act No. 96, 1993.

[Presentation speech made in Assembly on 24 August 1994]

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