



Australian Capital Territory

Health Amendment Act 2019

A2019-33

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

Health Amendment Act 2019

A2019-33

An Act to amend the *Health Act 1993*, and for other purposes

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

1 Name of Act

This Act is the *Health Amendment Act 2019*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Health Act 1993*.

Note This Act also amends the *Sex Work Act 1992* (see s 14).

**4 Definitions—pt 5
Section 50, definitions of *dentist*, *doctor* and *eligible midwife***

omit

5 Section 50, note

substitute

Note *Scope of clinical practice committee* is defined for the Act in s 51.
Practitioner is defined for the Act in s 52.

6 Section 52

substitute

52 Who is a *practitioner* for a health facility?

(1) In this Act:

practitioner, for a health facility, means—

- (a) a dentist for the health facility; or
- (b) a doctor for the health facility; or

- (c) an eligible midwife for the health facility; or
- (d) a nurse practitioner for the health facility.

(2) In this section:

dentist, for a health facility, means a dentist who—

- (a) provides health services at the health facility; or
- (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

doctor, for a health facility, means a doctor who—

- (a) provides health services at the health facility; or
- (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

eligible midwife, for a health facility, means a midwife who—

- (a) is an eligible midwife within the meaning of the [Health Insurance Act 1973](#) (Cwlth), section 21 (Meaning of *eligible midwife*); and
- (b) either—
 - (i) provides health services at the health facility; or
 - (ii) uses the equipment or other facilities of the health facility to provide health services elsewhere.

nurse practitioner, for a health facility, means a nurse practitioner who—

- (a) provides health services at the health facility; or
- (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

**7 Scope of clinical practice committees—functions
Section 59 (4), definition of *credential***

omit

(the *practitioner*)

**8 Complainants to remain anonymous
Section 78 (a)**

omit

doctor, dentist, eligible midwife

substitute

practitioner

9 Dictionary, note 2

insert

- dentist
- doctor
- midwife
- nurse practitioner

10 Dictionary, definitions of *dentist*, *doctor* and *eligible midwife*

omit

11 Dictionary, new definition of *practitioner*

insert

practitioner, for a health facility—see section 52.

12 Further amendments, mentions of *doctor, dentist or eligible midwife*

omit

doctor, dentist or eligible midwife

substitute

practitioner

in

- section 50, definition of *scope of clinical practice*
- section 54, definition of *scope of clinical practice*
- section 59
- sections 65 to 74
- sections 77 and 78
- sections 130 and 131
- section 189
- dictionary, definition of *scope of clinical practice*

13 Further amendments, mentions of *doctor's, dentist's or eligible midwife's*

omit

doctor's, dentist's or eligible midwife's

substitute

practitioner's

in

- section 59 (1) (c)
- section 66 (2)
- section 70 (4)

- section 73 (2) and (3)
- section 131
- section 189

14 **Sex Work Act 1992**
Section 2, note 1

substitute

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere in this Act.

For example, the signpost definition ‘*commercial brothel*, for part 2 (Registration)—see section 5.’ means that the term ‘commercial brothel’ is defined in that section for part 2.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 15 August 2019.

2 Notification

Notified under the [Legislation Act](#) on 9 October 2019.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Health Amendment Bill 2019, which was passed by the Legislative Assembly on 24 September 2019.

Clerk of the Legislative Assembly

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