



Australian Capital Territory

Health Legislation Amendment Act 2025

A2025-16

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Australian Capital Territory

Health Legislation Amendment Act 2025

A2025-16

An Act to amend legislation about health, and for other purposes

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

1 Name of Act

This Act is the *Health Legislation Amendment Act 2025*.

2 Commencement

This Act commences on the 7th 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—sch 1

This Act amends the legislation mentioned in schedule 1.

Schedule 1 Legislation amended

(see s 3)

Part 1.1 Gene Technology Act 2003

[1.1] Section 7, note

omit

other than Norfolk Island

[1.2] Section 19 (1) and (2) (a)

omit

Commonwealth administrative appeals tribunal

substitute

Commonwealth administrative review tribunal

[1.3] Section 19 (3)

omit

Commonwealth Administrative Appeals Tribunal Act (other than part 4A)

substitute

[*Administrative Review Tribunal Act 2024*](#) (Cwlth) (other than part 7)

[1.4] Section 19 (4)

omit

Commonwealth Administrative Appeals Tribunal Act

substitute

[*Administrative Review Tribunal Act 2024*](#) (Cwlth)

[1.5] Section 19 (4)

omit

part 4A

substitute

part 7

[1.6] Section 19 (4), note 1

omit

Commonwealth Administrative Appeals Tribunal Act

substitute

[*Administrative Review Tribunal Act 2024*](#) (Cwlth)

[1.7] Section 183 heading

substitute

**183 Review of decisions by Commonwealth administrative
review tribunal**

[1.8] Section 183 (1)

omit

Commonwealth Administrative Appeals Tribunal Act

substitute

[*Administrative Review Tribunal Act 2024*](#) (Cwlth)

[1.9] Section 183 (2)

omit

Commonwealth Administrative Appeals Tribunal Act, section 3

substitute

[Administrative Review Tribunal Act 2024](#) (Cwlth), section 4

[1.10] Sections 192B to 192D

omit

[1.11] Section 192E, new note

insert

Note 2 This section does not appear in the Commonwealth Act.

[1.12] Dictionary, definitions of *Commonwealth administrative appeals tribunal* and *Commonwealth Administrative Appeals Tribunal Act*

omit

[1.13] Dictionary, new definition of *Commonwealth administrative review tribunal*

insert

Commonwealth administrative review tribunal means the Administrative Review Tribunal established under the [Administrative Review Tribunal Act 2024](#) (Cwlth), section 8.

Part 1.2 Gene Technology (GM Crop Moratorium) Act 2004

[1.14] New part 3A

insert

Part 3A Notification and review of decisions

32A Meaning of *reviewable decision*—pt 3A

In this part:

reviewable decision means a direction given by the Minister under section 12.

32B Reviewable decision notices

If the Minister makes a reviewable decision, the decision-maker must give a reviewable decision notice to the person to whom the direction the subject of the reviewable decision is given.

Note 1 The Minister must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see [ACT Civil and Administrative Tribunal Act 2008](#), s 67A).

Note 2 The requirements for reviewable decision notices are prescribed under the [ACT Civil and Administrative Tribunal Act 2008](#).

32C Applications for review

The following may apply to the ACAT for review of a reviewable decision:

- (a) a person mentioned in section 32B;
- (b) any other person whose interests are affected by the decision.

[1.15] Section 34

omit

administrative appeals tribunal

substitute

ACAT

[1.16] Dictionary, note 2, new dot point

insert

- ACAT

[1.17] Dictionary, new definition of *reviewable decision*

insert

reviewable decision, for part 3A (Notification and review of decisions)—see section 32A.

Part 1.3 Gene Technology Regulation 2004

[1.18] Section 38, note

omit

Commonwealth administrative appeals tribunal

substitute

Commonwealth administrative review tribunal

Part 1.4 Human Cloning and Embryo Research Act 2004

[1.19] Section 23, definition of *proper consent*, paragraph (a) and note

substitute

- (a) the Ethical guidelines on the use of assisted reproductive technology in clinical practice and research, issued by the CEO of the NHMRC in 2017 and updated in 2023; or

Note The guidelines are accessible at www.nhmrc.gov.au.

[1.20] Section 23, definition of *proper consent*, paragraph (b)

omit

the *Research Involving Human Embryos Regulations 2003* (Cwlth)

substitute

regulations made for the *Research Involving Human Embryos Act 2002* (Cwlth), section 24 (9), definition of *proper consent*

[1.21] Section 23, definition of *unsuitable for implantation*, paragraph (a) and note

substitute

- (a) is diagnosed by preimplantation genetic diagnosis as unsuitable for implantation, in accordance with the *Ethical guidelines on the use of assisted reproductive technology in clinical practice and research*, issued by the CEO of the NHMRC in 2017 and updated in 2023; or

Note The guidelines are accessible at www.nhmrc.gov.au.

[1.22] Section 23, definition of *unsuitable for implantation*, paragraph (b)

omit

the *Research Involving Human Embryos Regulations 2003* (Cwlth)

substitute

regulations made for the *Research Involving Human Embryos Act 2002* (Cwlth), section 7 (1), definition of *unsuitable for implantation*, paragraph (b)

[1.23] Section 30 (4) (c)

after

issued by

insert

the CEO of

[1.24] Section 30 (4) (c)

omit

the *Research Involving Human Embryos Regulations 2003* (Cwlth)
for this paragraph

substitute

regulations made for the *Research Involving Human Embryos Act 2002* (Cwlth), section 21 (4) (c)

[1.25] Section 40, definition of *Commonwealth administrative appeals tribunal*

omit

[1.26] Section 40, new definition of *Commonwealth administrative review tribunal*

insert

Commonwealth administrative review tribunal means the Administrative Review Tribunal established under the [Administrative Review Tribunal Act 2024](#) (Cwlth), section 8.

[1.27] Section 40, definition of *decision*

substitute

decision—see the [Administrative Review Tribunal Act 2024](#) (Cwlth), section 4.

[1.28] Section 41 (1)

omit

Commonwealth administrative appeals tribunal

substitute

Commonwealth administrative review tribunal

[1.29] Section 41 (2)

omit

[Commonwealth Administrative Appeals Tribunal Act 1975](#) (Cwlth)

substitute

[Administrative Review Tribunal Act 2024](#) (Cwlth)

[1.30] Section 51 (1) (a)

omit

section 25A

substitute

section 25

[1.31] Section 51 (1) (b)

omit

section 47A

substitute

section 47B

Part 1.5 Medicines, Poisons and Therapeutic Goods Act 2008

[1.32] Section 156, definition of *Commonwealth administrative laws*, paragraph (a)

substitute

(a) the [Administrative Review Tribunal Act 2024](#) (Cwlth); and

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 5 February 2025.

2 Notification

Notified under the [Legislation Act](#) on 26 May 2025.

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 Legislation Amendment Bill 2025, which was passed by the Legislative Assembly on 15 May 2025.

Clerk of the Legislative Assembly

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