

1990
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health, Education and the Arts)

**Health Services (Consequential Provisions)
Bill 1990**

A BILL

FOR

An Act to repeal the *Community and Health Service Act 1985* and for related purposes

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

PART I—PRELIMINARY

Short title

10 1. This Act may be cited as the *Health Services (Consequential Provisions) Act 1990*.

15933/90—(T75/90) Cat. No. 90 5359 0

145/30.11.1990

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on the day on which the provisions of the *Health Services Act 1990* (other than sections 1 and 2) commence. 5

PART II—REPEAL AND CONSEQUENTIAL AMENDMENTS

Repeal

3. The *Community and Health Service Act 1985* is repealed.

Amendments of Acts 10

4. The Acts specified in Schedule 1 are amended as set out in that Schedule.

Amendments of Regulations

5. The Regulations specified in Schedule 2 are amended as set out in that Schedule. 15

PART III—DELEGATION

Calvary Hospital—administrative delegations

6. (1) Where, pursuant to subsection 5 (4) of the *Administration Act 1989*, the Head of Administration has delegated any powers to the person from time to time holding or performing the duties of the office of Chairman of the Board of Management of Calvary Hospital or to another person authorised in writing for the purpose by that person (each of those persons being referred to in this section as an “authorised delegate”)— 20

(a) the instrument of delegation shall not be revoked or varied without the agreement in writing of the delegate; and 25

(b) while such a delegation is in force, those powers shall not be—
(i) exercised by the Head of Administration; or
(ii) delegated to a person other than an authorised delegate.

(2) Subsection (1) has effect notwithstanding paragraph 29B (d) of the *Interpretation Act 1967*. 30

PART IV—TRANSITIONAL PROVISIONS

Interpretation

7. In this Part—

“Board” has the same meaning as in the new Act; 35

“Chief Executive” has the same meaning as in the new Act;

“commencement date” means the day referred to in subsection 2 (2);

“former Act” means the *Community and Health Service Act 1985* as in force immediately before the commencement date;

5 “General Manager” has the same meaning as in the former Act;

“new Act” means the *Health Services Act 1990*;

“Service” has the same meaning as in the former Act.

Legal proceedings

10 8. (1) Where, before the commencement date, a cause of action by or against the Service had arisen but proceedings in respect of that cause of action had not been instituted before that date, such proceedings may be instituted by or against the Board.

15 (2) Where, before the commencement date, there were proceedings by or against the Service in a court, tribunal, commission or other body but those proceedings had not been completed before that date, those proceedings may be continued by or against the Board.

20 (3) In proceedings instituted or continued under this section, each party to the proceedings has the same rights, and is subject to the same obligations, as if the Board were the Service and the proceedings had been instituted or continued by or against the Service.

Bank accounts

9. A bank account maintained immediately before the commencement date by the Service shall, on and after that date, be taken to be an account maintained by the Board.

25 **Rights and liabilities**

10. The rights, privileges, obligations and liabilities of the Service existing immediately before the commencement date are, on and after that date, the rights, privileges, obligations and liabilities of the Board.

Vesting of property

30 11. All property, whether real or personal, vested in the Service immediately before the commencement date is, on that date, vested in the Board on the same terms and conditions and subject to the same rights and liabilities.

Contracts and agreements

35 12. A contract or agreement entered into, or taken to have been entered into, by the Service and in force immediately before the commencement date continues in force on and after that date as if—

- 40 (a) the Board were substituted for the Service as a party to the contract or agreement; and
(b) any reference in the contract to, or taken to be a reference to,

the Service were (except in relation to matters that occurred before that date) a reference to the Board.

Instruments

13. (1) An instrument made, granted or issued, or taken to have been made, granted or issued, under the former Act and in force immediately before the commencement date continues in force on and after that date as if— 5

- (a) the instrument had been made, granted or issued under the new Act on that date;
- (b) any reference in the instrument to, or taken to be a reference to, the Service were (except in relation to matters that occurred before that date) a reference to the Board; and 10
- (c) any reference in the instrument to the General Manager were (except in relation to matters that occurred before that date) a reference to the Chief Executive. 15

(2) Subsection (1) does not apply to the Community and Health Service Regulations as in force immediately before the commencement date.

Acts of Service

14. An act or thing done by, on behalf of or in relation to, or taken to have been done by, on behalf of or in relation to, the Service shall, on and after the commencement date, be taken to have been done by, on behalf of or in relation to the Board. 20

General Manager

15. (1) The General Manager— 25

- (a) shall be taken to have been appointed on the commencement date under section 29 of the new Act to be the Chief Executive; and
- (b) holds that office, subject to the new Act, for the remainder of the period for which the General Manager was appointed under the former Act. 30

(2) A document or other thing given to, served on or lodged with the General Manager shall, on and after the commencement date, be taken to have been given to, served on or lodged with the Chief Executive. 35

Staff

16. Notwithstanding section 39 of the new Act, a person who, immediately before the commencement date, was an officer or temporary employee within the meaning of section 51 of the former Act shall, on and after that date, be a member of the staff of the Board and shall be taken to have been appointed or employed by the Board on the same 40

terms and conditions as were applicable to the person immediately before that date.

Secrecy

5 17. (1) Section 60 of the new Act applies to a person who has been—

- (a) a former executive officer;
- (b) a former staff member; or
- (c) a former health services consultant;

as if a reference in that section to—

- 10 (d) a member were a reference to a former executive officer;
- (e) a member of staff were a reference to a former staff member;
- (f) a health services consultant were a reference to a former health services consultant; and
- 15 (g) the new Act were a reference to the Ordinance or Act under which the former executive officer, former staff member or former health services consultant was appointed, employed or engaged.

(2) In subsection (1)—

“former executive officer” means—

- 20 (a) a Commissioner or the Chairman within the meaning of the repealed *Health Commission Ordinance 1975*;
- (b) the Chairman within the meaning of the repealed *Health Services Ordinance 1975*;
- 25 (c) the Chairperson or General Manager within the meaning of the *Health Authority Ordinance 1985* as in force at any time before 31 December 1987;
- (d) the General Manager within the meaning of the *Health Authority Ordinance 1985* as in force on or at any time after 31 December 1987 but before 2 July 1988; or
- 30 (e) the General Manager;

“former health services consultant” means a visiting medical officer, visiting dental officer or other consultant engaged to provide health services under—

- 35 (a) the repealed *Health Commission Ordinance 1975*;
- (b) the repealed *Health Services Ordinance 1975*;
- (c) the *Health Authority Ordinance 1985* as in force at any time before 31 December 1987;
- (d) the *Health Authority Ordinance 1985* as in force on or at any time after 31 December 1987 but before 2 July 1988;
- 40 or
- (e) the former Act;

“former staff member” means a person who has been a member of the staff of—

- (a) the Capital Territory Health Commission;
 - (b) the Australian Capital Territory Health Authority established under the repealed *Health Services Ordinance 1975*;
 - (c) the Australian Capital Territory Health Authority established under the *Health Authority Ordinance 1985* as in force at any time before 31 December 1987; 5
 - (d) the Australian Capital Territory Health Authority established under the *Health Authority Ordinance 1985* as in force on or at any time after 31 December 1987 but before 2 July 1988; or 10
 - (e) the Australian Capital Territory Community and Health Service.
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SCHEDULE 1

Section 4

AMENDMENTS OF ACTS

Blood Donation (Acquired Immune Deficiency Syndrome) Act 1985

Section 2 (definition of “approved”)—

Omit “Service”, substitute “Board”.

Section 2 (definition of “Service”)—

Omit the definition.

Section 2—

Insert the following definition:

“ ‘Board’ means the Board of Health;”.

Cemeteries Act 1933

Subsection 2 (1) (definition of “Service”)—

Omit the definition.

Subsection 2 (1)—

Insert the following definition:

“ ‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*;”.

Paragraph 16 (b)—

Omit “Service”, substitute “Medical Officer of Health”.

Children’s Services Act 1986

Subsection 4 (1) (definition of “Service”)—

Omit the definition.

Subsection 4 (1)—

Insert the following definition:

“ ‘Board’ means the Board of Health;”.

Paragraph 13 (2) (d)—

Omit “Service”, substitute “Board”.

Paragraph 103 (2) (b)—

Omit the paragraph, substitute the following paragraph:

“(b) a person employed—

(i) in the administrative unit of the Public Service that is

SCHEDULE 1—continued

the responsibility of the Minister for the time being administering this Act; or
(ii) by the Board;
whose duties include matters relating to children's welfare, in the course of performing those duties; or".

Subsection 162 (1)—

Omit "Service", substitute "Board".

Chiropractors Registration Act 1983

Section 58—

Omit "Australian Capital Territory Community and Health Service", substitute "Board of Health".

Dentists Registration Act 1931

Section 18—

Omit "Capital Territory Health Commission", substitute "Board of Health".

Paragraph 34 (1B) (a)—

Omit "Australian Capital Territory Community and Health Service", substitute "Board of Health".

Paragraph 34 (1B) (b)—

Omit "*Community and Health Service Act 1985*", substitute "*Health Services Act 1990*".

Drugs of Dependence Act 1989

Subsection 3 (1) (paragraph (a) of the definition of "methadone program treatment centre")—

Omit "Service", substitute "Board".

Subsection 3 (1) (definitions of "General Manager" and "Service")—

Omit the definitions.

Subsection 3 (1)—

Insert the following definitions:

"'Board' means the Board of Health;

'Chief Executive' has the same meaning as in the *Health Services Act 1990*;"

Subsection 11 (1)—

Omit "Service" (first occurring), substitute "Board".

SCHEDULE 1—continued

Subsection 25 (1)—

Omit “Service” (first occurring), substitute “Board”.

Section 31 (definition of “recognised educational institution”)—

Omit “Canberra College of Advanced Education”, substitute “University of Canberra”.

Subsection 37 (1)—

Omit “Service” (first occurring), substitute “Board”.

Subsection 39 (3)—

Omit “Service” (first occurring), substitute “Board”.

Subsection 43 (1)—

Omit “Service” (second occurring), substitute “Medical Officer of Health”.

Section 48—

Omit “Service” (first occurring), substitute “Medical Officer of Health”.

Subsection 50 (3)—

Omit “Service” (first occurring), substitute “Medical Officer of Health”.

Subsection 131 (3)—

Omit “Service” (first occurring), substitute “Board”.

Section 137—

Omit “Service” (first and second occurring), substitute “Board”.

Section 138—

Omit “Service” (first occurring), substitute “Board”.

Paragraph 151 (b)—

Omit “General Manager” (first occurring), substitute “Board”.

Subsections 176 (2), (3) and (4)—

Omit “General Manager”, substitute “Chief Executive”.

Subsection 198 (1)—

Omit “General Manager”, substitute “Chief Executive”.

Paragraph 200 (b)—

Omit “*Community and Health Service Act 1985*”, substitute “*Health Services Act 1990*”.

SCHEDULE 1—continued

Section 203—

Omit “General Manager”, substitute “Chief Executive”.

Schedule 4 (Form 7)—

- (a) Omit “General Manager” (wherever occurring), substitute “Chief Executive”.
- (b) Omit “ACT Community and Health Service”, substitute “Board of Health”.

Further amendments—

1. The following provisions are amended by omitting “General Manager” (wherever occurring) and substituting “Board”:

Subsection 35 (2), paragraph 123 (7) (b), subsections 124 (6) and 129 (3) and (5), section 136, subsections 141 (1), (3), (4) and (5), 142 (3) and (6) and 143 (1), paragraphs 143 (3) (a) and (c), subsections 144 (1) and (5), 145 (6) and 146 (2), (3) and (4), subparagraph 151 (b) (v), subsections 153 (1), 156 (2) and 158 (2), section 159, subsections 160 (1) (subparagraph (c) (iii) of the definition of “exempt person”) and 173 (2), (4), (5) and (6), section 202 and Schedule 4 (Form 5).

2. The following provisions are amended by omitting “General Manager” (wherever occurring) and substituting “Medical Officer of Health”:

Subsections 8 (2) and (3), 9 (1), (2), (3), (4) and (5) and 10 (1), section 12, subsection 16 (1), section 17, subsections 22 (2) and (3), 23 (1), (2), (3) and (4) and 24 (1), sections 26 and 30, subsections 35 (3), 36 (1) and 37 (2), section 40, subsections 43 (1), 45 (2) and (3) and 46 (1) and (2) and 47 (1), section 51, subsections 54 (5) and 64 (6), paragraph 82 (b), subsection 87 (1), sections 94 and 98, paragraphs 106 (4) (a) and 122 (3) (b), subsections 175 (3) and (4) and Schedule 4 (Form 4).

3. The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Board”:

Subsections 5 (1), 6 (1), 8 (1) and 9 (5), paragraph 11 (1) (b), subsections 14 (1) and (3), 19 (1), 20 (1) and 22 (1), paragraph 25 (1) (b), subsections 28 (1) and (3), section 31 (definition of “recognised educational institution”), subsections 32 (1), 33 (1) and 35 (1), paragraph 37 (1) (b), subsections 37 (2) and 39 (1), paragraphs 39 (3) (b) and 67 (d), subparagraph 84 (2) (b) (ii), section 85 (definition of “course of instruction”), subparagraphs 106 (3) (b) (ii) and 120 (4) (a) (ii), section 121 (definitions of “approved treatment centre” and “treatment centre”), paragraph 123 (5) (c), subsections 129 (1), (4), (5) and (6) and 130 (1), paragraph 130 (2) (b), subsection 131 (1), paragraph 131 (3) (b), section 133, subsections 134 (1) and (2), paragraphs 137 (b) and 138 (d) and (f), subsections 142 (1) and (3), paragraph 142 (4) (a), subsection 143 (5),

SCHEDULE 1—continued

paragraphs 144 (1) (d) and (4) (c), subsections 144 (6), 149 (1) and 150 (1), subparagraph 151 (b) (v), subsections 152 (1), (2), (3) and (4), 154 (1) and (2), 155 (1), (2) and (3), 156 (1) and (2), 158 (1) and (3), 176 (1) and (2) and 198 (1) and sections 200 and 203.

4. The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Subsections 23 (4) and 42 (1), paragraph 43 (1) (d), subsection 45 (1), paragraph 48 (b), subsection 50 (1), paragraphs 50 (3) (b) and 53 (2) (b), subsections 86 (1) and (3), 88 (1), 90 (1) and (3), 111 (2), (3), (4) and (5), 112 (3) and (4) and 114 (2) and (3), paragraphs 114 (4) (b) and 120 (3) (b), subsections 175 (1) and (2), section 183, subsections 190 (4) and 194 (8) and section 195.

Hawkers Act 1936

Subsection 4 (1) (definition of “Service”)—

Omit the definition.

Subsection 4 (1)—

Insert the following definition:

“ ‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*.”

Section 8A—

Omit “Service” (wherever occurring), substitute “Medical Officer of Health”.

Subsection 12A (2)—

Omit “Service” (wherever occurring), substitute “Medical Officer of Health”.

Health Professions Boards (Procedures) Act 1981

Section 3 (definition of “Service”)—

Omit the definition.

Paragraphs 34 (2) (a) and (b)—

Omit “Service”, substitute “Board of Health”.

Subsections 34 (3) and (4)—

Omit “Service”, substitute “Board of Health”.

Meat Act 1931

Section 4 (paragraph (a) of the definition of “authorised person”)—

Omit “Service”, substitute “Board”.

SCHEDULE 1—continued

Section 4 (definitions of “General Manager” and “Service”)—
Omit the definitions.

Section 4—

Insert the following definitions:

“ ‘Board’ means the Board of Health;

‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*.”

Section 8—

Omit “Service”, substitute “Medical Officer of Health”.

Subsection 9 (1)—

Omit “Service” (wherever occurring), substitute “Medical Officer of Health”.

Section 9A—

Omit “Service”, substitute “Medical Officer of Health”.

Subsection 19A (2)—

Omit “General Manager”, substitute “Medical Officer of Health”.

Medical Practitioners Registration Act 1930

Section 18—

Omit “Australian Capital Territory Health Authority”, substitute “Board of Health”.

Mental Health Act 1983

Subsection 4 (1) (definitions of “General Manager” and “Service”)—
Omit the definitions.

Subsection 4 (1)—

Insert the following definition:

“ ‘Board’ means the Board of Health;”

Section 8—

Omit “General Manager”, substitute “Board”.

Subsection 10 (5)—

Omit “General Manager”, substitute “Board”.

Subsection 11 (1)—

Omit “*Community and Health Service Act 1985*”, substitute “*Health Services Act 1990*”.

SCHEDULE 1—continued

Paragraph 14 (a)—

Omit “Service” (first occurring), substitute “Board”.

Section 16—

Omit “General Manager”, substitute “Board”.

Subsection 21 (5)—

Omit “Service” (first occurring), substitute “Board”.

Subsection 61 (2)—

Omit “General Manager”, substitute “Board”.

Subsection 62 (3)—

Omit “General Manager”, substitute “Board”.

Subsection 64 (1)—

Omit “General Manager”, substitute “Board”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Board”:

Subsections 6 (1) and (3), 9 (1) and (2), 10 (1), (3) and (4) and 11 (1), paragraph 12 (2) (b), subparagraph 14 (a) (vi), subsections 15 (2), 17 (1) and (2), 18 (1) and (2), 19 (2), 20 (4) and 21 (1), (2), (3) and (4), paragraph 21 (5) (d), subsections 51 (2) and (4), section 59 (paragraph (b) of the definition of “mental health facility”), subsections 61 (1), (3) and (5), 62 (2) and (4), 63 (1), (2), (3), (4) and (5), 65 (1), (2) and (3), 66 (1) and (4) and 68 (1), section 69, subsections 71 (1) and (3) and section 78.

Nurses Act 1988

Subsection 3 (1) (definition of “Authority”)—

Omit the definition.

Section 56—

Omit “Authority”, substitute “Board of Health”.

Subsection 57 (4)—

Omit “General Manager of the Authority”, substitute “Board of Health”.

Optometrists Act 1956

Subsection 15 (1)—

Omit “Capital Territory Health Commission”, substitute “Board of Health”.

SCHEDULE 1—continued

Pharmacy Act 1931

Section 49—

Omit “Capital Territory Health Commission”, substitute “Board of Health”.

Physiotherapists Registration Act 1977

Section 41—

Omit “Capital Territory Health Commission”, substitute “Board of Health”.

Poisons Act 1933

Subsection 5 (1) (definition of “Authorized person”)—

Omit “Service”, substitute “Board of Health”.

Subsection 5 (1) (definitions of “General Manager” and “Service”)—

Omit the definitions.

Subsection 5 (1)—

Insert the following definitions:

“ ‘Board’ means the Board of Health;

‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*;”.

Section 7—

Omit “Service” (wherever occurring), substitute “Board”.

Subsection 8 (1)—

(a) Omit “Service” (first and last occurring), substitute “Medical Officer of Health”.

(b) Omit “Service” (second occurring), substitute “Board”.

Subsections 8 (2), (3) and (4)—

Omit “Service”, substitute “Medical Officer of Health”.

Paragraph 40 (1) (f)—

Omit “Service” (wherever occurring), substitute “Board”.

Paragraph 40 (2) (e)—

Omit “Service” (wherever occurring), substitute “Board”.

SCHEDULE 1—continued

Poisons and Drugs Act 1978

Subsection 3 (1) (definitions of “General Manager” and “Service”)—
Omit the definitions.

Public Health Act 1928

Section 4 (definition of “authorized”)—
Omit “Service”, substitute “Board”.

Section 4 (definitions of “General Manager” and “Service”)—
Omit the definitions.

Section 4—
Insert the following definition:
“ ‘Board’ means the Board of Health;”.

Subsections 8 (1), (2) and (3)—
Omit “Service”, substitute “Board”.

Section 11B—
Omit “Service”, substitute “Board”.

Public Health (Prohibited Drugs) Act 1957

Section 2 (definitions of “General Manager” and “Service”)—
Omit the definitions.

Section 2—
Insert the following definitions:
“ ‘Board’ means the Board of Health;
‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*;”.

Subsection 5 (2)—
Omit “General Manager”, substitute “Medical Officer of Health”.

Section 6—
(a) Omit “General Manager”, substitute “Medical Officer of Health”.
(b) Omit “Service” (wherever occurring), substitute “Medical Officer of Health”.

Subsection 6A (1)—
Omit “Service”, substitute “Board”.

SCHEDULE 1—continued

Section 3—

Insert the following definition:

“ ‘Medical Officer of Health’ has the same meaning as in the *Public Health Act 1928*.”

Subsection 4 (1)—

Omit “General Manager”, substitute “Medical Officer of Health”.

Subsection 12 (1)—

(a) Omit “under its seal”.

(b) Omit “its” (second occurring), substitute “his or her”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Subsections 7 (1) and (3), section 8 and subsections 9 (1), (2), (3), (5), (8), (10) and (12), 10 (1) and 12 (1), (2) and (3).

Venereal Diseases Act 1956

Section 17—

Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Veterinary Surgeons Registration Act 1965

Section 42A—

Omit “Capital Territory Health Commission”, substitute “Board of Health”.

SCHEDULE 2

Section 5

AMENDMENTS OF REGULATIONS

Meat Regulations

The Schedule (Forms A and B)—

(a) Omit “General Manager”, substitute “Medical Officer of Health”.

(b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

SCHEDULE 2—continued

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Regulation 4, subregulations 5 (1), (3) and (7), 6 (1), (2) and (4) and 7 (1) and regulation 8.

Poisons Regulations

Subregulation 4 (1)—

Omit “Service”, substitute “Medical Officer of Health”.

Schedule—

- (a) Omit “Australian Capital Territory Community and Health Service” (first occurring), substitute “Medical Officer of Health”.
- (b) Omit “General Manager”, substitute “Medical Officer of Health”.
- (c) Omit “Australian Capital Territory Community and Health Service” (last occurring), substitute “Board of Health”.

Public Health (Barbers’ Shops) Regulations

Subregulation 6 (1)—

Omit “General Manager”, substitute “Medical Officer of Health”.

Subregulation 6 (2)—

Omit “Service”, substitute “Medical Officer of Health”.

Subregulation 6 (3)—

- (a) Omit “Service”, substitute “Medical Officer of Health”.
- (b) Insert “to the Board” after “fee”.

The Schedule (Forms A and B)—

- (a) Omit “General Manager”, substitute “Medical Officer of Health”.
- (b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Public Health (Boarding-houses) Regulations

The Schedule (Form B)—

- (a) Omit “General Manager”, substitute “Medical Officer of Health”.
- (b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

SCHEDULE 2—continued

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Subregulations 3 (1) (definition of “Approved”) and 5 (2) and (3), paragraph 6 (f), subregulations 8 (2) and (3), regulation 10 and paragraph 16 (h).

Public Health (Dairy) Regulations

Subregulation 4 (1) (definitions of “approved” and “authorized officer”)—

Omit “Service” (wherever occurring), substitute “Board”.

Subregulation 6 (4)—

Insert “to the Board” after “fee”.

Subregulations 7 (1) and (2)—

Omit “General Manager”, substitute “Medical Officer of Health”.

Subregulation 40 (9)—

Omit “Service” (first occurring), substitute “Medical Officer of Health”.

Regulation 70—

Omit “Service” (first occurring), substitute “Medical Officer of Health”.

The Schedule (Forms 1, 2, 3 and 4)—

(a) Omit “General Manager”, substitute “Medical Officer of Health”.

(b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Subregulations 6 (2), (3), (4) and (5), regulation 18, subregulations 19 (1), (3) and (4), regulation 24, subregulations 38 (1) and 40 (7), paragraphs 40 (9) (b) and 47 (1) (d), subregulation 55 (3), paragraph 59 (b), subregulation 60 (1), paragraph 63 (2) (a), subregulation 63A (2), regulations 65 and 66, subregulation 67 (2), regulation 69, paragraph 70 (b) and regulation 71.

SCHEDULE 2—continued

Public Health (Eating Houses) Regulations

Regulation 2 (definition of “approved”)—

Omit “Service”, substitute “Medical Officer of Health”.

Subregulation 4 (2)—

Omit “Service”, substitute “Medical Officer of Health”.

Regulation 5—

Omit “Service”, substitute “Medical Officer of Health”.

The Schedule (Forms A and B)—

(a) Omit “General Manager”, substitute “Medical Officer of Health”.

(b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Public Health (General Sanitation) Regulations

Regulation 17—

(a) Omit “Service” (first and second occurring), substitute “Medical Officer of Health”.

(b) Omit “Service” (last occurring), substitute “Board”.

Paragraphs 18 (b) and (c)—

Omit “Service”, substitute “Board”.

Subregulation 28 (2)—

Omit “Service” (wherever occurring), substitute “Board”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Regulations 4 (definition of “Approved”) and 9, subregulation 19 (3), regulations 24 and 26, subregulations 27 (1), (3), (4) and (5) and 28 (1), (3) and (5) and regulation 32.

Public Health (Infectious and Notifiable Diseases) Regulations

Subregulation 4B (1)—

Omit “Service” (wherever occurring), substitute “Board”.

Regulation 10—

Omit “Service” (wherever occurring), substitute “Board”.

SCHEDULE 2—continued

Subregulation 12 (2)—

Omit “Service”, substitute “Board”.

Subregulations 17 (1) and (2)—

Omit “Service” (wherever occurring), substitute “Medical Officer of Health”.

Public Health (Meat) Regulations

Regulation 4—

(a) Omit “Service” (first, third and last occurring), substitute “Medical Officer of Health”.

(b) Omit “Service” (second and fourth occurring), substitute “Board”.

Regulation 6—

(a) Omit “Service” (first and last occurring), substitute “Medical Officer of Health”.

(b) Omit “Service” (second occurring), substitute “Board”.

Subregulation 19 (6)—

Omit “Service”, substitute “Medical Officer of Health”.

Subregulation 20 (1)—

Omit “Service”, substitute “Medical Officer of Health”.

Schedule (Forms A, B, C and D)—

(a) Omit “General Manager”, substitute “Medical Officer of Health”.

(b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Public Health (Medical and Dental Inspection of School Children) Regulations

Subregulation 3 (2)—

Omit “Service”, substitute “Board”.

Subregulation 4 (2)—

Omit “Service”, substitute “Board”.

Public Health (Piggeries) Regulations

Subregulations 4 (2) and (3)—

Omit “Service”, substitute “Medical Officer of Health”.

SCHEDULE 2—continued

Subregulation 5 (3)—

Omit “Service”, substitute “Medical Officer of Health”.

Schedule (Forms A and B)—

- (a) Omit “General Manager”, substitute “Medical Officer of Health”.
- (b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Public Health (Private Hospitals) Regulations

Regulation 3—

Insert the following definition:

“ ‘Chief Executive’ has the same meaning as in the *Health Services Act 1990*.”

Paragraph 6 (2) (g)—

Omit “Service”, substitute “Board”.

Subregulation 6 (2)—

Omit “Service” (second occurring), substitute “Board”.

Subparagraph 16 (1) (b) (iii)—

Omit “Service”, substitute “Medical Officer of Health”.

Paragraph 17 (c)—

Omit “Service”, substitute “Medical Officer of Health”.

The Schedule (Forms 1 and 2)—

- (a) Omit “General Manager”, substitute “Chief Executive”.
- (b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Board”:

Regulation 4, subregulations 6 (1) and (3) and 7 (1), (3) and (4), regulation 8, paragraph 10 (1) (e), regulation 11 and paragraphs 17 (f) and (1).

Public Health (Sale of Food and Drugs) Regulations

Subregulation 16 (4)—

Omit “it”, substitute “the Medical Officer of Health”.

SCHEDULE 2—continued

Paragraph 39 (j)—

Omit “Service” (first occurring), substitute “Medical Officer of Health”.

Subregulation 65 (4)—

- (a) Omit “General Manager”, substitute “Medical Officer of Health”.
- (b) Omit “Australian Capital Territory Community and Health Service”, substitute “Board of Health”.

Subregulation 95A (1) (paragraph (c) of the definition of “owner”)—

Omit “Canberra College of Advanced Education”, substitute “University of Canberra”.

Further amendments—

The following provisions are amended by omitting “Service” (wherever occurring) and substituting “Medical Officer of Health”:

Paragraph 16 (1) (b), subregulations 16 (4), 17 (1) and (2) and 21 (1), (2) and (3), paragraph 25 (c), subparagraph 39 (j) (iii), subregulation 57 (4), paragraph 65 (1) (a), subregulations 65 (2) and (3), regulation 72, paragraphs 73 (b) and 83 (b), subregulation 91 (1), regulation 97 and paragraph 106 (h).

SCHEDULE 2—continued

NOTE ABOUT HEADINGS

On the day on which the laws referred to below are amended by this Act, headings to provisions of those laws are altered as set out in the following table:

Provision	Alteration
<i>Drugs of Dependence Act 1989</i>	
Sections 17, 30, 40, 51, 94 and 98	Omit from the heading "General Manager", substitute "Medical Officer of Health".
Section 159	Omit from the heading "General Manager", substitute "Board".
<i>Public Health (Prohibited Drugs) Act 1957</i>	
Section 6	Omit from the heading "General Manager", substitute "Medical Officer of Health".
Section 6B	Omit from the heading "Service", substitute "Board".
<i>Public Health (Dairy) Regulations</i>	
Regulations 69 and 71	Omit from the heading "Service", substitute "Medical Officer of Health".
<i>Public Health (Infectious and Notifiable Diseases) Regulations</i>	
Regulation 10	Omit "Chairman", substitute "Board".

