

2009

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

Health Legislation Amendment Bill 2009

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(As presented)

(Minister for Health)

Health Legislation Amendment Bill 2009

A Bill for

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

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Health Legislation Amendment Act 2009*.

4 **2 Commencement**

5 This Act commences on a day fixed by the Minister by written
6 notice.

7 *Note 1* The naming and commencement provisions automatically commence on
8 the notification day (see Legislation Act, s 75 (1)).

9 *Note 2* A single day or time may be fixed, or different days or times may be
10 fixed, for the commencement of different provisions (see Legislation
11 Act, s 77 (1)).

12 *Note 3* If a provision has not commenced within 6 months beginning on the
13 notification day, it automatically commences on the first day after that
14 period (see Legislation Act, s 79).

1 **Part 2** **Drugs of Dependence Act 1989**

2 **3** **Legislation amended—pt 2**

3 This part amends the *Drugs of Dependence Act 1989*.

4 **4** **Treatment**
5 **Part 9**

6 *omit*

7 **5** **Inspection**
8 **Division 11.2**

9 *omit*

10 **6** **Notification and review of decisions**
11 **Part 12**

12 *omit*

13 **7** **Secrecy**
14 **Section 201 (1)**

15 *omit*

16 a treatment centre inspector,

17 **8** **Section 201 (3) (a)**

18 *omit*

19 **9** **Reviewable decisions**
20 **Schedule 1**

21 *omit*

- 1 **10 Dictionary**
- 2 *omit the definitions of*
- 3 *approval*
- 4 *approval holder*
- 5 *approved treatment centre*
- 6 *assessment order*
- 7 *director*
- 8 *member*
- 9 *offender*
- 10 *opioid dependency treatment centre*
- 11 *panel*
- 12 *proper officer*
- 13 *responsible officer*
- 14 *reviewable decision*
- 15 *treatment*
- 16 *treatment centre*
- 17 *treatment centre inspector*
- 18 *treatment order*

1 **Part 3** **Health Records (Privacy and**
2 **Access) Act 1997**

3 **11** **Legislation amended—pt 3**

4 This part amends the *Health Records (Privacy and Access)*
5 *Act 1997*.

6 **12** **The privacy principles**
7 **Schedule 1, principle 4.1, new clause 3 (c)**

8 *before the example, insert*

9 (c) an electronic copy of the record has been generated—

10 (i) by a method described in the *Electronic Transactions*
11 *Act 2001*, section 11 (2) (b); and

12 (ii) when the record is destroyed it is reasonable to expect
13 that the information contained in the electronic copy will
14 be readily accessible so as to be useable for subsequent
15 reference.

16 *Note* The *Electronic Transactions Act 2001*, section 11 (Retention of
17 information and documents) provides that, if a person is required to
18 retain a document, the requirement is taken to be met if the person
19 retains an electronic form of the document.

1 **Schedule 1 Consequential amendments**

2 **Part 1.1 Children and Young People**
3 **Act 2008**

4 **[1.1] Dictionary, definition of *drug of dependence***

5 *substitute*

6 *drug of dependence*—see the *Drugs of Dependence Act 1989*,
7 dictionary.

8 **Part 1.2 Court Procedures Rules 2006**

9 **[1.2] Rule 4700, definition of *sentence*, example 3**

10 *omit*

11 **[1.3] Rule 5000, definition of *sentence*, example 3**

12 *omit*

13 **Part 1.3 Crimes Sentencing Act 2005**

14 **[1.4] Section 13 (3) (g), note 1**

15 *omit*

16 **[1.5] Section 29 (1) (i)**

17 *omit*

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2009.

2 Notification

Notified under the Legislation Act on 2009.

3 Republications of amended laws

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

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