

2025

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

Health Legislation Amendment Bill 2025

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THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

Health Legislation Amendment Bill 2025

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 **1 Name of Act**

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

3 **2 Commencement**

4 This Act commences on the 7th day after its notification day.

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

7 **3 Legislation amended—sch 1**

8 This Act amends the legislation mentioned in schedule 1.

1 **Schedule 1** **Legislation amended**

2 (see s 3)

3 **Part 1.1** **Gene Technology Act 2003**

4 **[1.1] Section 7, note**

5 *omit*

6 other than Norfolk Island

7 **[1.2] Section 19 (1) and (2) (a)**

8 *omit*

9 Commonwealth administrative appeals tribunal

10 *substitute*

11 Commonwealth administrative review tribunal

12 **[1.3] Section 19 (3)**

13 *omit*

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

16 *substitute*

17 *Administrative Review Tribunal Act 2024* (Cwlth) (other than part 7)

18 **[1.4] Section 19 (4)**

19 *omit*

20 Commonwealth Administrative Appeals Tribunal Act

21 *substitute*

22 *Administrative Review Tribunal Act 2024* (Cwlth)

1 **[1.5] Section 19 (4)**

2 *omit*

3 part 4A

4 *substitute*

5 part 7

6 **[1.6] Section 19 (4), note 1**

7 *omit*

8 Commonwealth Administrative Appeals Tribunal Act

9 *substitute*

10 *Administrative Review Tribunal Act 2024* (Cwlth)

11 **[1.7] Section 183 heading**

12 *substitute*

13 **183 Review of decisions by Commonwealth administrative**
14 **review tribunal**

15 **[1.8] Section 183 (1)**

16 *omit*

17 Commonwealth Administrative Appeals Tribunal Act

18 *substitute*

19 *Administrative Review Tribunal Act 2024* (Cwlth)

1 **[1.9] Section 183 (2)**

2 *omit*

3 Commonwealth Administrative Appeals Tribunal Act, section 3

4 *substitute*

5 *Administrative Review Tribunal Act 2024* (Cwlth), section 4

6 **[1.10] Sections 192B to 192D**

7 *omit*

8 **[1.11] Section 192E, new note**

9 *insert*

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

11 **[1.12] Dictionary, definitions of *Commonwealth administrative***
12 ***appeals tribunal* and *Commonwealth Administrative***
13 ***Appeals Tribunal Act***

14 *omit*

15 **[1.13] Dictionary, new definition of *Commonwealth***
16 ***administrative review tribunal***

17 *insert*

18 *Commonwealth administrative review tribunal* means the
19 Administrative Review Tribunal established under the *Administrative*
20 *Review Tribunal Act 2024* (Cwlth), section 8.

1 **Part 1.2** **Gene Technology (GM Crop**
2 **Moratorium) Act 2004**

3 **[1.14] New part 3A**

4 *insert*

5 **Part 3A** **Notification and review of**
6 **decisions**

7 **32A** **Meaning of *reviewable decision*—pt 3A**

8 In this part:

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

11 **32B** **Reviewable decision notices**

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

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

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

20 **32C** **Applications for review**

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

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

1 **[1.15] Section 34**

2 *omit*

3 administrative appeals tribunal

4 *substitute*

5 ACAT

6 **[1.16] Dictionary, note 2, new dot point**

7 *insert*

- 8
 - ACAT

9 **[1.17] Dictionary, new definition of *reviewable decision***

10 *insert*

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

13 **Part 1.3** **Gene Technology**
14 **Regulation 2004**

15 **[1.18] Section 38, note**

16 *omit*

17 Commonwealth administrative appeals tribunal

18 *substitute*

19 Commonwealth administrative review tribunal

1 **Part 1.4** **Human Cloning and Embryo**
2 **Research Act 2004**

3 **[1.19] Section 23, definition of *proper consent*, paragraph (a)**
4 **and note**

5 *substitute*

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

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

10 **[1.20] Section 23, definition of *proper consent*, paragraph (b)**

11 *omit*

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

13 *substitute*

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

16 **[1.21] Section 23, definition of *unsuitable for implantation*,**
17 **paragraph (a) and note**

18 *substitute*

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

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

1 **[1.22] Section 23, definition of *unsuitable for implantation*,**
2 **paragraph (b)**

3 *omit*
4 the *Research Involving Human Embryos Regulations 2003* (Cwlth)
5 *substitute*
6 regulations made for the *Research Involving Human Embryos*
7 *Act 2002* (Cwlth), section 7 (1), definition of *unsuitable for*
8 *implantation*, paragraph (b)

9 **[1.23] Section 30 (4) (c)**

10 *after*
11 issued by
12 *insert*
13 the CEO of

14 **[1.24] Section 30 (4) (c)**

15 *omit*
16 the *Research Involving Human Embryos Regulations 2003* (Cwlth)
17 for this paragraph
18 *substitute*
19 regulations made for the *Research Involving Human Embryos*
20 *Act 2002* (Cwlth), section 21 (4) (c)

21 **[1.25] Section 40, definition of *Commonwealth administrative***
22 ***appeals tribunal***

23 *omit*

1 **[1.26] Section 40, new definition of *Commonwealth***
2 ***administrative review tribunal***

3 *insert*

4 *Commonwealth administrative review tribunal* means the
5 Administrative Review Tribunal established under the *Administrative*
6 *Review Tribunal Act 2024* (Cwlth), section 8.

7 **[1.27] Section 40, definition of *decision***

8 *substitute*

9 *decision*—see the *Administrative Review Tribunal Act 2024* (Cwlth),
10 section 4.

11 **[1.28] Section 41 (1)**

12 *omit*

13 Commonwealth administrative appeals tribunal

14 *substitute*

15 Commonwealth administrative review tribunal

16 **[1.29] Section 41 (2)**

17 *omit*

18 *Commonwealth Administrative Appeals Tribunal Act 1975* (Cwlth)

19 *substitute*

20 *Administrative Review Tribunal Act 2024* (Cwlth)

1 **[1.30] Section 51 (1) (a)**

2 *omit*

3 section 25A

4 *substitute*

5 section 25

6 **[1.31] Section 51 (1) (b)**

7 *omit*

8 section 47A

9 *substitute*

10 section 47B

11 **Part 1.5 Medicines, Poisons and**
12 **Therapeutic Goods Act 2008**

13 **[1.32] Section 156, definition of *Commonwealth administrative***
14 ***laws*, paragraph (a)**

15 *substitute*

16 (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 2025.

3 Republications of amended laws

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

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