

2025

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Health)

# Health Legislation Amendment Bill 2025 (No 2)

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2025

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(As presented)

(Minister for Health)

# Health Legislation Amendment Bill 2025 (No 2)

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## A Bill for

An Act to amend legislation about health

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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 2025 (No 2)*.

4 **2 Commencement**

5 (1) Sections 11 and 44 to 46 commence on the later of—

6 (a) the 14th day after this Act's notification day; and

7 (b) the commencement of the *Aged Care Act 2024* (Cwlth),  
8 section 10.

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

11 (2) Part 6 (other than sections 44 to 46) commences on the later of—

12 (a) the day after this Act's notification day; and

13 (b) the commencement of the *Voluntary Assisted Dying Act 2024*,  
14 section 3.

15 (3) The remaining provisions commence on the 14th day after this Act's  
16 notification day.

17 **3 Legislation amended**

18 This Act amends the following legislation:

- 19 • *Health Act 1993*
- 20 • *Health Professionals (Special Events Exemptions) Act 2000*
- 21 • *Medicines, Poisons and Therapeutic Goods Act 2008*
- 22 • *Medicines, Poisons and Therapeutic Goods*  
23 *Regulation 2008*
- 24 • *Voluntary Assisted Dying Act 2024*.

**4** Definitions—pt 6  
Section 80 (1), definition of *approved medical facility*

, or a part of a medical facility,

- (1) The Minister must, on application by a person responsible for the management of an approved medical facility, declare an area around the facility to be a protected area.

1 **Part 3** **Health Professionals (Special**  
2 **Events Exemptions) Act 2000**

3 **6 Exemptions relating to offences**  
4 **Section 11 (1)**

5 *omit*

6 *Skin Penetration Procedures Act 1994*

7 *substitute*

8 *Public Health Act 1997*, part 3



## Part 4 Medicines, Poisons and Therapeutic Goods Act 2008

### 7 Interpretation provisions in medicines and poisons standard—application to Act Section 16 (1)

*omit*

(other than the definition of *poison*)

### 8 Section 16 (1), note

*omit*

### 9 When *authorised* to deal with regulated substances Section 20 (5), definition of *recognised research institution*, paragraph (c)

*substitute*

(c) a hospital operated by the Territory;

### 10 Section 69 (1), definition of *manufacturer's pack*, note etc

*omit the following notes*

- section 69 (1), definition of *manufacturer's pack*, note
- division 4.3.6 heading, note
- section 71 (1) to (3), notes
- section 73, note

### 11 Dictionary, definition of *residential aged care facility*

*substitute*

*residential aged care facility* means a residential care home within the meaning of the [Aged Care Act 2024](#) (Cwlth), section 10.

1	<b>Part 5</b>	<b>Medicines, Poisons and</b>
2		<b>Therapeutic Goods</b>
3		<b>Regulation 2008</b>
4	<b>12</b>	<b>Overview of things to which medicines and poisons</b>
5		<b>standard does not apply</b>
6		<b>Section 6 (2) (a)</b>
7		<i>omit</i>
8		(General Exemptions) (see the standard, par 1 (2) (h))
9	<b>13</b>	<b>Section 6 (2) (b)</b>
10		<i>omit</i>
11		(Substances considered not to require control by scheduling) (see the
12		standard, par 1 (2) (h))
13	<b>14</b>	<b>Section 6 (2) (c)</b>
14		<i>substitute</i>
15		(c) a substance to which the standard, appendix G applies;
16	<b>15</b>	<b>Section 6 (2) (d)</b>
17		<i>omit</i>
18		(see the standard, par 1 (2) (j))
19	<b>16</b>	<b>Section 6 (2) (e)</b>
20		<i>omit</i>
21		(see the standard, par 1 (2) (k))

- 1 **17**      **General overview of authorisations for medicines**  
2      **Section 10 (3), note, 1st dot point**
- 3      *omit*  
4      , par 1 (2) (see s 6)
- 5 **18**      **Sections 430, 431, 440 and 441**
- 6      *omit*  
7      the Canberra Hospital  
8      *substitute*  
9      a hospital operated by the Territory
- 10 **19**      **Packaging of supplied manufacturer's packs of**  
11      **medicines—Act, s 59 (1) (c) (i) and (2) (c) (i)**  
12      **Section 501 (a)**
- 13      *omit*  
14      , sections 2.1 (2) to 2.6 (2)
- 15 **20**      **Labelling of supplied manufacturer's packs of**  
16      **medicines—Act, s 60 (1) (c) (i) and (2) (c) (i)**  
17      **Section 502 (2) (a)**
- 18      *omit*  
19      , sections 1.1 (2) to 1.6 (2)
- 20 **21**      **Packaging of supplied manufacturer's packs of low and**  
21      **moderate harm poisons—Act, s 59 (1) (c) (i) and (2) (c) (i)**  
22      **Section 665 (1) (a)**
- 23      *omit*  
24      , sections 2.1 (2) to 2.6 (2)

Section 22

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- 1 **22**      **Labelling of supplied manufacturer's packs of low and**  
2            **moderate harm poisons—Act, s 60 (1) (c) (i) and (2) (c) (i)**  
3            **Section 666 (a)**
- 4            *omit*  
5            , sections 1.1 (2) to 1.6 (2)
- 6 **23**      **General overview of authorisations for dangerous**  
7            **poisons**  
8            **Section 670 (3), note, 1st dot point**
- 9            *omit*  
10          , par 1 (2) (see s 6)
- 11 **24**      **Authorisation conditions for dangerous poisons**  
12            **suppliers licences—Act, s 44 (1) (b) and (2) (b)**  
13            **Section 686 (d) and note**
- 14            *substitute*  
15            (d) if a dangerous poison sold under the licence is subject to the  
16            medicines and poisons standard, appendix J—the poison will be  
17            supplied only to a person who is allowed to use the poison under  
18            the appendix;
- 19 **25**      **Recording supply of dangerous poisons**  
20            **Section 722**
- 21            *omit*  
22            , section 5.1 (1) and (2)
- 23 **26**      **Packaging of supplied manufacturer's packs of**  
24            **dangerous poisons—Act, s 59 (1) (c) (i) and (2) (c) (i)**  
25            **Section 731 (a)**
- 26            *omit*  
27            , sections 2.1 (2) to 2.6 (2)

1	<b>27</b>	<b>Labelling of supplied manufacturer's packs of dangerous</b>
2		<b>poisons—Act, s 60 (1) (c) (i) and (2) (c) (i)</b>
3		<b>Section 732 (a)</b>
4		<i>omit</i>
5		, sections 1.1 (2) to 1.6 (2)
6	<b>28</b>	<b>Storage of dangerous poisons—Act, s 61 (b) and (c)</b>
7		<b>Section 735 (2)</b>
8		<i>omit</i>
9		, section 3.1 (1) and (2)
10	<b>29</b>	<b>Section 751 heading</b>
11		<i>substitute</i>
12	<b>751</b>	<b>Manufacture, supply and use of first group paints for</b>
13		<b>certain purposes—Act, s 71 (1)</b>
14	<b>30</b>	<b>Section 751 (2)</b>
15		<i>omit</i>
16	<b>31</b>	<b>Section 752</b>
17		<i>substitute</i>
18	<b>751A</b>	<b>Manufacture, supply and use of paints or tinters for</b>
19		<b>certain purposes—Act, s 71 (3)</b>
20		A paint or tinter is prescribed if it must not be manufactured, supplied
21		or used under the medicines and poisons standard if it contains more
22		than a stated amount of lead.

Section 32

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- 1     **752**     **Manufacture, supply and use of paints for toys—Act,**  
2             **s 72 (b)**
- 3             A paint that complies with the requirements for paints for application  
4             to toys under the medicines and poisons standard is prescribed.
- 5     **32**       **Manufacture, supply and use of paints containing**  
6             **pesticides—Act, s 73 (b)**  
7             **Section 753 (1)**
- 8             *substitute*
- 9             (1) A pesticide is prescribed if a paint or tinter containing the pesticide  
10            may be manufactured, supplied or used under the medicines and  
11            poisons standard.
- 12    **33**       **Section 862**
- 13            *substitute*
- 14    **862**       **Certain containers not to be used for human-use**  
15            **substances—Act, s 63 (1) (b)**
- 16            A container that must not be used to supply a human-use product  
17            under the medicines and poisons standard is prescribed.
- 18    **34**       **Dictionary, definition of *primary pack* and note**
- 19            *omit*
- 20    **35**       **Further amendments, notes**
- 21            *omit the following notes*
- 22
  - 23              • section 72 (e), note
  - 24              • section 76 (f), note
  - 25              • section 78 (f), note
  - 26              • section 123 (f), note
  - section 125 (h), note

- 1                   • section 132 (a), note
- 2                   • section 141 (2) (a), note
- 3                   • section 161 (d), note
- 4                   • section 162 (b), note
- 5                   • section 253 (e), note
- 6                   • section 256 (e), note
- 7                   • section 751 (1) (d), note
- 8                   • dictionary, definition of *manufacturer's pack*, note

9       **36       Further amendments, mentions of (*Drugs required to be***  
10       ***labelled with a sedation warning*)**

11               *omit*

12               (Drugs required to be labelled with a sedation warning)

13               *in*

- 14                   • section 123 (m)
- 15                   • section 152 (f)
- 16                   • section 161 (g)
- 17                   • section 253 (h)
- 18                   • section 256 (i)

1 **Part 6** **Voluntary Assisted Dying**  
2 **Act 2024**

3 **37** **Notifying individual and board about outcome of final**  
4 **assessment**  
5 **Section 36 (2)**

6 *omit*

7 If the coordinating practitioner decides that

8 *substitute*

9 After the coordinating practitioner decides whether

10 **38** **Section 36 (4) (a)**

11 *omit*

12 that

13 *substitute*

14 whether

15 **39** **Transfer request made by individual**  
16 **New section 38 (5) (aa)**

17 *insert*

18 (aa) record the request acceptance in the individual's health record;  
19 and



**40      Section 41**

*substitute*

**41      Application—div 4.1**

This division applies if an individual's coordinating practitioner has—

- (a) decided that the individual meets the final assessment requirements; and
- (b) prepared a final assessment report for the individual.

**41      Transfer of administering practitioner functions—transfer request made by individual  
New section 47 (5) (ba)**

*insert*

- (ba) record the request acceptance in the individual's health record; and

**42      Giving, receiving and possessing approved substances—change in contact person  
Section 67 (5) (a) and (b) (ii)**

*after*

given the substance to

*insert*

the individual or

1	<b>43</b>	<b>Contact person to tell coordinating practitioner about death</b>
2		<b>Section 78 (2)</b>
3		
4		<i>omit</i>
5		2 business days
6		<i>substitute</i>
7		4 business days
8	<b>44</b>	<b>Definitions—pt 7</b>
9		<b>Section 101 (1), definition of <i>facility</i>, paragraph (d)</b>
10		<i>substitute</i>
11		(d) a residential care home within the meaning of the <i>Aged Care</i>
12		<i>Act 2024</i> (Cwlth), section 10.
13	<b>45</b>	<b>Section 101 (1), definition of <i>resident</i>, examples</b>
14		<i>omit</i>
15		residential aged care facility
16		<i>substitute</i>
17		residential care home
18	<b>46</b>	<b>Section 101 (2), definitions of <i>residential aged care facility</i> and <i>residential care</i></b>
19		
20		<i>omit</i>

1 **47 Requirements for health professionals when raising**  
2 **voluntary assisted dying as an end of life choice**  
3 **Section 155 (1)**

4 *after*

5 A doctor or nurse practitioner

6 *insert*

7 with the necessary expertise

8 **48 Section 155 (1) (b)**

9 *omit*

10 **49 Section 155 (3)**

11 *substitute*

12 (3) In this section:

13 ***necessary expertise***—a doctor or nurse practitioner has the ***necessary***  
14 ***expertise*** if they are satisfied that they have the expertise to  
15 appropriately discuss treatment and palliative care options with an  
16 individual.

17 ***relevant health professional*** means—

- 18 (a) a counsellor who meets the requirements prescribed by  
19 regulation; or
- 20 (b) a health practitioner other than a doctor or nurse practitioner  
21 with the necessary expertise; or
- 22 (c) a social worker who meets the requirements prescribed by  
23 regulation; or
- 24 (d) any other health professional prescribed by regulation.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 4 September 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](http://www.legislation.act.gov.au).

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