

Australian Capital Territory

# Legislation (Public Health) Delegation 2015 (No 1)\*

**Notifiable instrument NI2015–232**

made under the

**Legislation Act 2001, s 254A (Delegation by Minister)**

---

## **1. Name of Delegation**

This instrument of delegation is the *Legislation (Public Health) Delegation 2015 (No 1)*.

## **2. Commencement**

This delegation commences on the day after it is signed.

## **3. Delegation of powers**

I, Simon Corbell MLA, Minister for Health delegate the powers conferred on me under the *Public Health Act 1997* as specified in Column 1 of the Schedule to the occupant of the position specified in Column 2 of the Schedule (the *delegate*).

## **4. Conditions of delegation**

Where applicable, the delegation has effect subject to conditions, limitations or directions stated in Column 3 of the Schedule.

## **5. Revocation of previous delegations**

I revoke all previous delegations under the *Public Health Act 1997* made by the Minister for Health that conferred powers to the Chief Health Officer (position number E00012) and the Director of the Health Protection Service (position number E00355).

Simon Corbell MLA  
Minister for Health

19 May 2015

\*Name amended under Legislation Act, s 60

THIS IS PAGE 1 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 22 - Exemption from licensing requirement - activity accreditation schemes	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 23 - Activity accreditation standards - notification	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 29 - Activity licence - application	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 30 - Activity licence - grant or refusal	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 33 - Activity licence - renewal	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 34 - Activity licence - variation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_

THIS IS PAGE 2 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 35 - Activity licence - return for endorsement of variation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 36 - Activity licence - application for transfer	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 37 - Activity licence - grant or refusal of transfer	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 39 - Activity licence - suspension and cancellation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 40 - Activity licence - emergency suspension	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 42D - Exemption from licensing requirement - procedure accreditation scheme	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_

THIS IS PAGE 3 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 42E - Procedure accreditation standards - modification	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 42G - Alteration of appliances - approval	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 44 - Procedure licence - further information	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 45 - Procedure licence - grant or refusal	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 48 - Procedure licence - suspension and cancellation for failure to pay annual fee	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 49 - Procedure licence - variation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_

THIS IS PAGE 4 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 50 - Procedure licence - return for endorsement of variation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 52 - Procedure licence - surrender	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 53 - Procedure licence - suspension and cancellation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 54 - Procedure licence - emergency suspension	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56D - Activity Register	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56E - Registered people register	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_

THIS IS PAGE 5 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 56F - Registration - application	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56G - Registration - grant or refusal	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56K - Registration - renewal	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56L - Registration – change of information	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56M - Registration – application for approval of transfer	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 56N - Registration – grant or refusal of transfer	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_

THIS IS PAGE 6 OF THE SCHEDULE TO THE INSTRUMENT OF DELEGATION  
MADE BY THE MINISTER FOR HEALTH UNDER SECTION 254A OF THE *LEGISLATION ACT 2001*  
IN RELATION TO THE *PUBLIC HEALTH ACT 1997*.

Column 1	Column 2	Column 3
POWERS AND FUNCTIONS	DESCRIPTION	CONDITIONS / LIMITATIONS / DIRECTIONS
s 56P – Registration – notified suspension and cancellation	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 66B – Courses of instruction	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 88 – Return of seized things	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
s 90 - Forfeiture	<ul style="list-style-type: none"> <li>• the Chief Health Officer (position number E00012)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
	<ul style="list-style-type: none"> <li>• the Director, Health Protection Service (position number E00335)</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>

Minister's Initials \_\_\_\_\_