



ANNO VICESIMO SECUNDO

ELIZABETHAE SECUNDAE REGINAE

No. 56 of 1973

**An Act to provide for the exemption from liability at law of certain persons who render voluntary aid to injured persons in circumstances of emergency**

[ASSENTED TO 25TH OCTOBER, 1973]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. **Short title.** This Act may be cited as the *Voluntary Aid in Emergency Act 1973*.

2. **Interpretation.** In this Act save where a contrary intention appears—

“medical practitioner” means a person registered as a medical practitioner under the *Medical Act 1939-1973* or a corresponding law of another State or of a Territory of the Commonwealth;

“nurse” means a person registered as a nurse under *The Nurses Act of 1964* or a corresponding law of another State or of a Territory of the Commonwealth;

“injured person” includes a person suffering or apparently suffering from an illness.

**3. Protection of medical practitioners and nurses.** Liability at law shall not attach to a medical practitioner or nurse in respect of an act done or omitted in the course of rendering medical care, aid or assistance to an injured person in circumstances of emergency—

- (a) at or near the scene of the incident or other occurrence constituting the emergency;
- (b) while the injured person is being transported from the scene of the incident or other occurrence constituting the emergency to a hospital or other place at which adequate medical care is available,

if—

- (c) the act is done or omitted in good faith and without gross negligence; and
- (d) the services are performed without fee or reward or expectation of fee or reward.

**4. Power of Governor in Council.** (1) The Governor in Council may from time to time by Order in Council prescribe a class of persons for the purposes of this section.

(2) While an Order in Council made pursuant to subsection (1) continues to apply, section 3 shall be read and construed as if a reference to a medical practitioner or nurse included a reference to a person who is a member of a class prescribed for the purposes of this section.