



Queensland

Health Legislation Amendment Regulation (No. 1) 2019

Subordinate Legislation 2019 No. 40

made under the

Health Act 1937

Health Ombudsman Act 2013

Hospital and Health Boards Act 2011

Private Health Facilities Act 1999

Radiation Safety Act 1999

Tobacco and Other Smoking Products Act 1998

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health Legislation Amendment Regulation (No. 1) 2019*.

Part 2 Amendment of Health (Drugs and Poisons) Regulation 1996

2 Regulation amended

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

3 Amendment of s 171 (Pharmacists)

Section 171(5), ‘an adult’—

omit, insert—

a person who is 16 years or more

4 Amendment of s 257 (Pharmacists)

Section 257(2), ‘an adult’—

omit, insert—

a person who is 16 years or more

Part 3 Amendment of Health Ombudsman Regulation 2014

5 Regulation amended

This part amends the *Health Ombudsman Regulation 2014*.

[s 6]

6 Amendment of s 5 (Prescribed conduct document—Act, s 288)

Section 5(a)—

omit, insert—

- (a) the National Safety and Quality Health Service Standards, 2nd edition, formulated by the Australian Commission on Safety and Quality in Health Care established under the *National Health Reform Act 2011* (Cwlth), section 8;

Part 4 Amendment of Hospital and Health Boards Regulation 2012

7 Regulation amended

This part amends the *Hospital and Health Boards Regulation 2012*.

8 Amendment of s 12 (Prescribed requirements for clinician engagement strategies)

Section 12(b), examples, second dot point—

omit, insert—

- the National Safety and Quality Health Service Standards, 2nd edition, formulated by the Australian Commission on Safety and Quality in Health Care

9 Amendment of s 13 (Prescribed requirements for consumer and community engagement strategies)

Section 13(1)(b), examples, first dot point—

omit, insert—

- the National Safety and Quality Health Service Standards, 2nd edition, formulated by the

Australian Commission on Safety and Quality in
Health Care

10 Amendment of s 32 (Functions of a safety and quality committee)

Section 32(a)(iv), examples, first dot point—

omit, insert—

- the National Safety and Quality Health Service Standards, 2nd edition, formulated by the Australian Commission on Safety and Quality in Health Care

Part 5 Amendment of Private Health Facilities Regulation 2016

11 Regulation amended

This part amends the *Private Health Facilities Regulation 2016*.

12 Amendment of s 6 (Time for giving of reports)

(1) Section 6(2)—

insert—

- (d) for a reportable event—within 2 business days of the event.

(2) Section 6—

insert—

(3) In this section—

reportable event see the *Hospital and Health Boards Act 2011*, section 94.

[s 13]

13 Amendment of s 8 (Quality assurance entity)

(1) Section 8(1)—

omit, insert—

(1) For schedule 3 of the Act, definition *quality assurance entity*, an entity approved by the Commission as an accrediting agency is prescribed.

(2) Section 8(2), definition *JAS-ANZ*—

omit.

14 Replacement of s 9 (Quality assurance program)

Section 9—

omit, insert—

9 Quality assurance program

(1) For schedule 3 of the Act, definition *quality assurance program*, the National Safety and Quality Health Service Standards, 2nd edition, formulated by the Commission are prescribed.

(2) In this section—

Commission means the Australian Commission on Safety and Quality in Health Care established under the *National Health Reform Act 2011* (Cwlth), section 8.

Part 6 Amendment of Radiation Safety Regulation 2010

15 Regulation amended

This part amends the *Radiation Safety Regulation 2010*.

16 Amendment of s 10 (Documents relating to proof of identity—Act, s 51)

- (1) Section 10(1), ‘individual’s’—

omit, insert—

applicant’s

- (2) Section 10(2)—

omit, insert—

- (2) A relevant application must be accompanied by—

- (a) a copy of 1 document mentioned in schedule 4, part 1; and
(b) a copy of 1 document mentioned in schedule 4, part 2.

- (2A) At least 1 of the documents must contain a photograph of the applicant or nominated person.

- (3) Section 10(3), definitions *certified copy, justice of the peace* and *notary public*—

omit.

- (4) Section 10(3)—

insert—

copy, of a document, means a reproduction of the document in the form required or permitted by the approved form for the relevant application.

- (5) Section 10(2A) and (3)—

renumberas section 10(3) and (4).

17 Amendment of sch 9 (Dictionary)

Schedule 9, definition *transport code of practice*—

omit, insert—

transport code of practice means the Code for the Safe Transport of Radioactive Material (2014)

published by ARPANSA.

Part 7

Amendment of Tobacco and Other Smoking Products Regulation 2010

18 Regulation amended

This part amends the *Tobacco and Other Smoking Products Regulation 2010*.

19 Amendment of s 15 (Prescribed government precincts— Act, s 26ZD)

- (1) Section 15, '(known'—
omit, insert—
known
- (2) Section 15, 'Street)'—
omit, insert—
Street
- (3) Section 15(d), 'Brisbane)'—
omit, insert—
Brisbane
- (4) Section 15(h)—
omit, insert—
 - (h) the land adjoining the building known as Claude Wharton Building, 46 Quay Street, Bundaberg and within lot 3 on SP131270;
 - (i) the land adjoining the building known as William McCormack Place, 5B Sheridan Street, Cairns and within lot 7 on SP146396;

- (j) the land adjoining the building known as Mike Ahern Building, 12 First Avenue, Maroochydore and within lot 6 on SP207309;
- (k) the land adjoining the building known as Brendan Hansen Building, 50-54 Main Street, Pialba and within lot 3 on SP108932;
- (l) the land adjoining the building known as James Larcombe Place, 209 Bolsover Street, Rockhampton and within lot 1 on crown plan 801453;
- (m) the land adjoining the building known as Government Office Building No. 3, 187-209 Stanley Street, Townsville and within lot 21 on crown plan EP2035;
- (n) the land adjacent to the land mentioned in any of paragraphs (b) to (m), including a footpath, that extends to the kerb of the road.

ENDNOTES

- 1 Made by the Governor in Council on 4 April 2019.
- 2 Notified on the Queensland legislation website on 5 April 2019.
- 3 The administering agency is Queensland Health.

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