

Proclamation–Health Legislation Amendment Act 2020

Explanatory notes for SL 2020 No. 200

made under the

Health Legislation Amendment Act 2020

General Outline

Short title

Proclamation for the *Health Legislation Amendment Act 2020*.

Authorising law

Section 2 of the *Health Legislation Amendment Act 2020*.

Policy objectives and the reasons for them

The *Health Legislation Amendment Act 2020* (the Amendment Act) was passed by the Parliament on 13 August 2020 and received Royal Assent on 20 August 2020. Most of the provisions in the Act commenced on Royal Assent.

The objective of the proclamation is to fix the commencement dates for provisions of the Amendment Act that are not yet in force. The proclamation does not fix the commencement date for all the provisions in the Amendment Act that are not yet in force; a number of provisions will be commenced by a separate proclamation.

The provisions commenced by the proclamation amend the *Hospital and Health Boards Act 2011* to require each Hospital and Health Board to have one or more Aboriginal persons or Torres Strait Islander persons as members.

These amendments give effect to a recommendation of the expert panel (the Panel) to provide advice on Queensland Health’s governance framework as established by the Hospital and Health Boards Act. The Panel recommended the mandating of Aboriginal and Torres Strait Islander representation on Hospital and Health Boards.

Achievement of policy objectives

The policy objectives will be achieved by fixing 25 September 2020 as the commencement date for the provisions in the Amendment Act that require each Hospital and Health Board to have one or more Aboriginal persons or Torres Strait Islander persons as members.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Amendment Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The proclamation is the only effective means of commencing the Amendment Act.

Benefits and costs of implementation

There are no costs arising from the proclamation.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of the Premier and Cabinet and Queensland Treasury were consulted on the proclamation and support the proposed commencement dates.

The proclamation was assessed by Queensland Health, in accordance with the *Queensland Government Guide to Better Regulation*, as being excluded from regulatory impact assessment under exclusion category ‘g’ on the basis that the proclamation is of a machinery nature. Therefore, consultation with the Queensland Productivity Commission was not required.