

Proclamation – Health and Other Legislation Amendment Act 2024

Explanatory notes for SL 2024 No. 141

made under the

Health and Other Legislation Amendment Act 2024

General Outline

Short title

Proclamation commencing the remaining provisions of the *Health and Other Legislation Amendment Act 2024* that are not in force.

Authorising law

Section 2 of the *Health and Other Legislation Amendment Act 2024*.

Policy objectives and the reasons for them

The objective of the Proclamation is to commence the remaining provisions of the *Health and Other Legislation Amendment Act 2024* (Amendment Act) that are not in force on 1 September 2024. The Amendment Act was passed by the Legislative Assembly on 7 March 2024 and received Royal Assent on 18 March 2024.

The Proclamation will commence provisions that make the following amendments on 1 September 2024:

- amendments to the *Termination of Pregnancy Act 2018* and Criminal Code to allow additional health practitioners to perform medical terminations of pregnancy using a termination of pregnancy drug;
- amendments to the *Termination of Pregnancy Act*, Criminal Code and *Powers of Attorney Act 2018* to replace references to ‘woman’ with ‘person’ in termination of pregnancy provisions to ensure legal access to termination of pregnancy services for all pregnant Queenslanders;
- amendments to the *Hospital and Health Boards Act 2011* to clarify that a newborn baby staying on a maternity ward with their birthing parent should be counted as a patient for the purposes of minimum nurse-to-patient and midwife-to-patient ratios.

Achievement of policy objectives

The policy objective is achieved by fixing 1 September 2024 as the commencement date for the remaining provisions of the Amendment Act.

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 inconsistency with the policy objectives of other legislation has been identified.

Alternative ways of achieving policy objectives

The Proclamation is the only way of achieving the policy objective.

Benefits and costs of implementation

Any costs associated with the amendments that will be commenced by the Proclamation can be met through existing budgets.

Consistency with fundamental legislative principles

As outlined in the explanatory notes for the Amendment Act, the Amendment Act is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*. The Proclamation does not engage any additional fundamental legislative principles.

Consultation

Consultation was undertaken with relevant stakeholders during the development of the Amendment Act.

Queensland Health has assessed the Proclamation in accordance with the *Queensland Government Better Regulation Policy* as machinery in nature as it is required to bring sections of an Act into operation. The Office of Best Practice Regulation was notified of this assessment when developing the Impact Analysis Statement for the amendments. The Minister for Health, Mental Health and Ambulance Services and Minister for Women and the Director-General of Queensland Health are satisfied that the regulatory review requirements have been met and have approved the Impact Analysis Statement for publication.