



New South Wales

Health Services Amendment (Appointment of Arbitrator) Regulation 2017

under the

Health Services Act 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Health Services Act 1997*.

BRAD HAZZARD, MP
Minister for Health

Explanatory note

The object of this Regulation is to amend the *Health Services Regulation 2013* to provide for the circumstances in which an arbitrator may be appointed.

This Regulation is made under the *Health Services Act 1997*, including sections 90 and 140 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Health Services Amendment (Appointment of Arbitrator) Regulation 2017*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Health Services Regulation 2013

Clause 30A

Insert after clause 30:

30A Appointment of arbitrator by relevant Minister

- (1) For the purposes of section 90 of the Act, the relevant Minister may appoint a person to be an arbitrator if:
 - (a) the person is a qualified person, and
 - (b) the relevant Minister is satisfied that the person has relevant experience in workplace relations matters.
- (2) Before appointing a person to be an arbitrator, the relevant Minister must consult with both the Minister and the Australian Medical Association (NSW) Limited.
- (3) In this clause, *qualified person* means:
 - (a) a former judicial officer of a superior court of record of the Commonwealth, a State or a Territory, or
 - (b) an Australian legal practitioner of at least 7 years' standing.