

**Act 1994 No. 19**

**HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS)  
BILL 1994**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The objects of this Bill are:

- (a) to amend the Public Health Act 1991 as follows:
- to modify the circumstances in which information about persons who have been tested for, or who are infected with, HIV/AIDS can be disclosed;
  - to require authorised medical practitioners to take into account certain matters when making public health orders;
  - to extend the Act to cover requests by medical practitioners and registered nurses for cervical cytology tests to be carried out;
  - to require the results (whether positive or negative) of cervical cytology tests (and certain other prescribed tests) to be reported to the Director-General of the Department of Health, and to provide that information identifying the patient can (but only with the consent of the patient) be sent to the Director-General in the test report; and
- (b) to amend certain health Acts as follows:
- to provide that the Health Administration Corporation is taken to be the employer of the employees of the Ambulance Service, area health services and public hospitals for the purposes of entering into enterprise agreements;
  - to enable regulations to be made for or with respect to the infection control standards to be followed by dentists, dental prosthetists and medical practitioners;
  - to remove the requirement for the recommendation of the appropriate health registration board before regulations are made;
  - to make it clear that the Physiotherapists Registration Board can authorise a Professional Standards Committee to conduct inquiries into complaints about physiotherapists;

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- to bring the powers of the Podiatrists Registration Board and the Psychologists Registration Board (and the Professional Standards Committees of those Boards) in relation to the conduct of inquiries into complaints about podiatrists and psychologists, respectively, into line with the legislation relating to other health professional bodies;
  - to make other miscellaneous changes of an ancillary, consequential or minor nature; and
- (c) to amend the Industrial Relations Act 1991 as a consequence of the amendments relating to enterprise agreements.

A detailed explanation of each amendment is set out in the Bill after the amendment concerned.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on a day or days to be proclaimed.

**Clause 3** gives effect to the Schedules of amendments to the Public Health Act 1991.

**Clause 4** gives effect to the Schedules of amendments to other Acts.

**Clause 5** makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

**Schedules 1 and 2** contain amendments to the Public Health Act 1991 to give effect to the objects described in paragraph (a) above.

**Schedules 3–5** contain amendments to the following Acts to give effect to the objects described in paragraphs (b) and (c) above:

- Ambulance Services Act 1990 (see Schedule 3)
  - Area Health Services Act 1986 (see Schedule 3)
  - Dental Technicians Registration Act 1975 (see Schedule 4)
  - Dentists Act 1989 (see Schedule 4)
  - Industrial Relations Act 1991 (see Schedule 3)
  - Medical Practice Act 1992 (see Schedule 4)
  - Optical Dispensers Act 1963 (see Schedule 4)
  - Physiotherapists Registration Act 1945 (see Schedules 4 and 5)
  - Podiatrists Act 1989 (see Schedule 5)
  - Psychologists Act 1989 (see Schedule 5)
  - Public Hospitals Act 1929 (see Schedule 3)
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