

Health Legislation Amendment Act 2012 No 39

[2012-39]



New South Wales

Status Information

Currency of version

Repealed version for 22 June 2012 to 1 November 2014 (accessed 28 November 2024 at 19:48)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.11.2014.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 November 2014

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Health Legislation Amendment Act 2012 No 39



New South Wales

An Act to make miscellaneous amendments to various Acts that relate to health and associated matters.

1 Name of Act

This Act is the *Health Legislation Amendment Act 2012*.

2 Commencement

- (1) This Act commences on the date of assent to this Act, except as provided by subsection (2).
- (2) Schedule 1.2 commences on a day to be appointed by proclamation.

Schedule 1 Amendments of Acts

1.1

(Repealed)

1.2 Health Records and Information Privacy Act 2002 No 71

[1] Section 4 Definitions

Insert in alphabetical order in section 4 (1):

genetic information means health information of a type described in section 6 (d).

genetic relative means a person who is related to an individual by blood, for example, a sibling, parent or descendant of the individual.

[2] Section 6 Definition of “health information”

Omit “any sibling, relative or descendant” from section 6 (d).

Insert instead “a genetic relative”.

[3] Schedule 1 Health Privacy Principles

Insert after clause 10 (1) (c):

(c1) Genetic information

the information is genetic information and the use of the information for the secondary purpose:

- (i) is reasonably believed by the organisation to be necessary to lessen or prevent a serious threat to the life, health or safety (whether or not the threat is imminent) of a genetic relative of the individual to whom the genetic information relates, and
- (ii) is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or

[4] Schedule 1, clause 11 (1) (c1)

Insert after clause 11 (1) (c):

(c1) Genetic information

the information is genetic information and the disclosure of the information for the secondary purpose:

- (i) is to a genetic relative of the individual to whom the genetic information relates, and
- (ii) is reasonably believed by the organisation to be necessary to lessen or prevent a serious threat to the life, health or safety (whether or not the threat is imminent) of a genetic relative of the individual to whom the genetic information relates, and
- (iii) is in accordance with guidelines, if any, issued by the Privacy Commissioner for the purposes of this paragraph, or

1.3

(Repealed)