

1980-81

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 27 October 1981

*(Minister for Health)*

## A BILL

FOR

### **An Act to amend the *National Health Act 1953***

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

#### **Short title, &c.**

5     **1.** (1) This Act may be cited as the *National Health Amendment Act* 1981.

**(2)** The *National Health Act 1953*<sup>1</sup> is in this Act referred to as the Principal Act.

#### **Commencement**

10     **2.** (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.

**(2)** Section 3 shall come into operation on 1 December 1981.

#### **Interpretation**

15     **3.** Section 84 of the Principal Act is amended by omitting from the definition of “prescribed maximum amount” in sub-section (1) “\$2.75” and substituting “\$3.20”.

**Approved hospital authorities****4. (1) Section 94 of the Principal Act is amended—**

- (a) by omitting “Permanent Head” (wherever occurring) and substituting “Minister”; and
- (b) by inserting after sub-section (5) the following sub-sections: 5

“(5A) The Minister may, in his discretion, at any time, by notice in writing, vary, or suspend or revoke, an approval in force under this section (including an approval granted before the commencement of this sub-section).

“(5B) A suspension under sub-section (5A) has effect for such period as the Minister determines and specifies in the notice of suspension. 10

“(5C) A revocation under sub-section (5A) that is made by notice in writing issued within 14 days after the commencement of that sub-section may be expressed to be deemed to have taken effect on and from a date earlier than the date on which the notice is issued but not earlier than 16 September 1981.”. 15

(2) Notwithstanding the amendment made by sub-section (1), an approval in force under section 94 of the Principal Act immediately before the commencement of this section continues in force as if it had been granted by the Minister under section 94 of the Principal Act, as amended by this section. 20

**Suspension or revocation of approval or authorization****5. Section 95 of the Principal Act is amended—**

- (a) by omitting sub-section (2);
- (b) by omitting from sub-section (3) “either of the preceding sub-sections” and substituting “sub-section (1)”; and 25
- (c) by omitting sub-section (9) and substituting the following sub-section:

“(9) The suspension or revocation of the approval of a pharmaceutical chemist under this section may be in respect of all of the premises in respect of which the approval was granted or may be in respect of particular premises.”. 30

**Cancellation by Permanent Head of approval of pharmaceutical chemists, &c.****6. Section 98 of the Principal Act is amended—**

- (a) by omitting paragraphs (1) (b) and (c) and substituting the following word and paragraph: 35
  - “or (b) an approved medical practitioner requests that his approval in respect of an area under section 92 be cancelled,”;
- (b) by omitting paragraphs (2) (b) and (c) and substituting the following word and paragraph: 40

“or (b) an approved medical practitioner ceases to practise in the area in respect of which he is approved,”; and

(c) by omitting from sub-section (4) "section 94" and substituting "section 92".

7. After section 98 of the Principal Act the following section is inserted in Division 2 of Part VII:

5 **Cancellation by Minister of approval of hospital**

"98AA. (1) Whenever an approved hospital authority requests that its approval under section 94 in respect of all or any of the hospitals in respect of which it is approved be cancelled, the Minister shall cancel that approval.

10 "(2) Whenever a hospital authority ceases to conduct a hospital in respect of which it is approved, the hospital authority shall notify the Minister forthwith.

Penalty: \$20.

"(3) Upon receipt of a notification given in accordance with sub-section (2), the Minister shall cancel the approval."

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**NOTE**

1. No. 95, 1953, as amended. For previous amendments, see No. 68, 1955; Nos. 55 and 95, 1956; No. 92, 1957; No. 68, 1958; No. 72, 1959; No. 16, 1961; No. 82, 1962; No. 77, 1963; No. 37, 1964; Nos. 100 and 146, 1965; No. 44, 1966; Nos. 14 and 100, 1967; No. 100, 1968; No. 102, 1969; No. 41, 1970; No. 85, 1971; No. 114, 1972; Nos. 49 and 202, 1973; No. 37, 1974; Nos. 1, 13 and 93, 1975; Nos. 1, 60, 91, 99, 108, 157 and 177, 1976; Nos. 98 and 100, 1977; Nos. 36, 88, 132 and 189, 1978; Nos. 54, 91 and 122, 1979; Nos. 117 and 131, 1980; and No. 118, 1981.

