

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 30 August 1989

(*Minister for Housing and Aged Care*)

## A BILL

FOR

### **An Act to amend the *National Health Act 1953*, and for related purposes**

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

#### **Short title etc.**

5 1. (1) This Act may be cited as the *National Health Amendment Act 1989*.

(2) In this Act, “**Principal Act**” means the *National Health Act 1953*’.

#### **Commencement**

2. This Act commences on 1 October 1989.

10 3. After section 84AA of the Principal Act the following section is inserted:

#### **Indexation**

“84AB. (1) In this section:

15 ‘**index number**’, in relation to a quarter, means the All Groups Consumer Price Index number, being the weighted average of the 8 capital cities, published by the Australian Statistician in respect of that quarter;

**'relevant amount'** means each amount of \$12 specified in paragraph 84C (4) (c), 87 (2) (b) or 87 (2A) (c) or subsection 99 (2A);

**'relevant year'** means the period of 12 months commencing on 1 August 1990 and each subsequent period of 12 months.

“(2) Subject to subsection (3), if at any time, whether before or after the commencement of this section, the Australian Statistician has published or publishes an index number in respect of a quarter in substitution for an index number previously published by the Australian Statistician in respect of that quarter, the publication of the later index number is to be disregarded for the purposes of this section. 5 10

“(3) If at any time, whether before or after the commencement of this section, the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of the application of this section after the change took place or takes place, regard is to be had only to the index number published in terms of the new reference base. 15

“(4) This Act has effect, in relation to a relevant year, as if for each relevant amount there were substituted, on the first day of the relevant year, an amount calculated by multiplying by the factor ascertained under subsection (5) in relation to the relevant year:

- (a) if, by virtue of another application or other applications of this section, this Act has effect as if another amount or amounts were substituted for the relevant amount—the substituted amount or the last substituted amount; or 20
- (b) in any other case—the relevant amount.

“(5) The factor to be ascertained for the purposes of subsection (4) in relation to a relevant year is the number (calculated to 3 decimal places) ascertained by dividing the index number of the March quarter immediately before the relevant year by the index number for the March quarter immediately before that first-mentioned March quarter. 25

“(6) Where the factor ascertained under subsection (5) in relation to a relevant year would, if it were calculated to 4 decimal places, end with a number greater than 4, the factor ascertained under that subsection in relation to that relevant year is to be taken to be the factor calculated to 3 decimal places in accordance with that subsection and increased by 0.001. 30

“(7) Where: 35

- (a) apart from this subsection, an application of this section would result in an amount (in this subsection called the **'substituted amount'**) being substituted for a relevant amount; and
- (b) the substituted amount is not a multiple of 10 cents;

the substituted amount is to be increased to the next greater amount that is a multiple of 10 cents.” 40

#### **Further amendments of Principal Act**

4. The Principal Act is further amended as set out in the Schedule.

**Application**

5. (1) The amendment of section 84C of the Principal Act made by this Act does not apply in relation to a pharmaceutical benefit supply made before 1 October 1989.

5 (2) Where, because of the operation of section 84AB of the Principal Act, an amount is substituted on the first day of a period that is a relevant year for the purposes of that section for an amount specified in section 84C of that Act, the substitution does not apply in relation to a pharmaceutical benefit supply made before that day.

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**SCHEDULE**

Section 4

**AMENDMENTS OF THE NATIONAL HEALTH ACT 1953****Paragraph 84C (4) (c):**

Omit "\$11" (wherever occurring), substitute "\$12.00".

**Paragraph 87 (2) (b):**

Omit "\$11.00", substitute "\$12.00".

**Paragraph 87 (2A) (c):**

Omit "\$11.00", substitute "\$12.00".

**Subsection 99 (2A):**

Omit "\$11.00" (wherever occurring), substitute "\$12.00".

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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; Nos. 40, 74, 92, 118, 163 and 176, 1981; Nos. 49, 80 and 112, 1982; Nos. 35, 54 and 139, 1983; Nos. 46, 63, 72, 120, 135 and 165, 1984; Nos. 24, 53, 65, 70, 95, 127 and 167, 1985; Nos. 28, 75, 94 and 115, 1986; Nos. 22, 44, 72, 118, 131 and 132, 1987; Nos. 46, 79, 87, 99 and 155, 1988; and No. 95, 1989.

