

Summary IAS

Details

Lead department	Queensland Health
Name of the proposal	Proclamation – <i>Health and Other Legislation Amendment Act 2023</i>
Submission type (<i>Summary IAS / Consultation IAS / Decision IAS</i>)	Summary IAS
Title of related legislative or regulatory instrument	Proclamation – <i>Health and Other Legislation Amendment Act 2023</i>
Date of issue	October 2023

For proposals noted in table below

Complete and delete rows where applicable. No further analysis is required.

Proposal type	Details
Minor and machinery in nature	<p>The Proclamation will commence the following provisions in the <i>Health and Other Legislation Amendment Act 2023</i> on 15 November 2023:</p> <ul style="list-style-type: none"> • amendments to the <i>Mental Health Act 2016</i> to: <ul style="list-style-type: none"> ○ remove the requirement that adults entitled to waive the right to representation before the Mental Health Review Tribunal must do so in writing; and ○ restrict the provision of records or transcripts of Mental Health Review Tribunal proceedings that are made under the <i>Recording of Evidence Act 1962</i>; • amendments to the <i>Radiation Safety Act 1999</i> to: <ul style="list-style-type: none"> ○ make operational and technical amendments to ensure a person does not receive greater than a specified dose of ionising radiation; and ○ stipulate when a regulation may prescribe particular radioactive materials as exempt from the requirements in the <i>Radiation Safety Act</i>; • amendments to the <i>Recording of Evidence Act</i>: <ul style="list-style-type: none"> ○ to establish a statutory framework for recording prescribed tribunal proceedings and providing access to copies of records and transcriptions of those proceedings; • amendments to the <i>Transplantation and Anatomy Act 1979</i> to: <ul style="list-style-type: none"> ○ ensure efficient processes for the supply of human tissue products for essential health purposes; and ○ support consistent and practical processes for the donation of human tissue. <p>The Proclamation will commence the following provisions in the <i>Health and Other Legislation Amendment Act</i> on 1 May 2024:</p> <ul style="list-style-type: none"> • amendments to the <i>Hospital and Health Boards Act 2011</i> to: <ul style="list-style-type: none"> ○ strengthen protections for the wellbeing of the public health workforce by requiring Hospital and Health Boards and



	<p>Hospital and Health Services to proactively consider the staff health, safety and wellbeing; and</p> <ul style="list-style-type: none"> ○ clarify when healthcare security officers may direct persons to leave public healthcare premises. <p>Queensland Health has assessed the amendments as machinery in nature as they only have the effect of commencing provisions not yet in force. Queensland Health has identified that no further regulatory impact analysis is required under the <i>Queensland Government Better Regulation Policy</i>.</p>
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*Refer to [The Queensland Government Better Regulation Policy](#) for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).

Signed

Michael Walsh
A/Director-General, Queensland Health

Date: 19/10/2023

Shannon Fentiman MP
Minister for Health, Mental Health and Ambulance Services and Minister for Women

Date: 24/10/2023