

Queensland



Subordinate Legislation 2001 No. 33

Health Services Act 1991

**HEALTH SERVICES AMENDMENT
REGULATION (No. 2) 2001**

TABLE OF PROVISIONS

Section		Page
1	Short title	2
2	Regulation amended	2
3	Insertion of new pt 6A	2
PART 6A—QUALITY ASSURANCE COMMITTEES		
<i>Division 1—Preliminary</i>		
13A	Definitions for pt 6A	2
<i>Division 2—Procedures of committees</i>		
13B	Election of chairperson	2
13C	Times and places of meetings	3
13D	Quorum	3
13E	Presiding at meetings	3
13F	Conduct of meetings	3
13G	Minutes	3
13H	Other procedures	4
<i>Division 3—Privacy policies</i>		
13I	A committee must adopt a privacy policy	4
13J	Contents of a privacy policy	4
<i>Division 4—Information to be made available by committees</i>		
13K	Specified information to be made available to the public	5
13L	Certain information to be given to the chief health officer	6

1 Short title

This regulation may be cited as the *Health Services Amendment Regulation (No. 2) 2001*.

2 Regulation amended

This regulation amends the *Health Services Regulation 1992*.

3 Insertion of new pt 6A

After section 13—

insert—

‘PART 6A—QUALITY ASSURANCE COMMITTEES

‘Division 1—Preliminary

‘13A Definitions for pt 6A

‘In this part—

“**chief health officer**” means the chief health officer under the *Health Act 1937*.

“**committee**” has the same meaning as in section 30¹ of the Act.

“**privacy policy**” see section 13I.

‘Division 2—Procedures of committees

‘13B Election of chairperson

‘(1) This section applies if the entity that established a committee has not appointed a member to be the chairperson of the committee.

‘(2) The committee must elect a member to be the chairperson of the committee.

¹ Section 30 (Definitions) of the Act

‘13C Times and places of meetings

‘(1) Committee meetings are to be held at the times and places the chairperson decides.

‘(2) However, the chairperson must call a meeting if asked, in writing, to do so, by at least the number of members forming a quorum for the committee.

‘(3) Also, a committee must hold its first meeting at a time and place decided by the entity which established the committee.

‘13D Quorum

‘A quorum for a committee is the number equal to one-half of the number of its members or, if one-half is not a whole number, the next highest whole number.

‘13E Presiding at meetings

‘(1) The chairperson is to preside at all meetings of a committee at which the chairperson is present.

‘(2) If the chairperson is absent from a meeting or the office is vacant, a member chosen by the members present is to preside.

‘13F Conduct of meetings

‘(1) A question at a committee meeting is decided by a majority of the votes of the members present.

‘(2) Each member present at the meeting has a vote on each question to be decided and, if the votes are equal, the member presiding also has a casting vote.

‘13G Minutes

‘(1) A committee must keep the minutes of a meeting of the committee for 10 years after the meeting.

‘(2) Subsection (1) does not apply to the extent that the minutes are a public record under the *Libraries and Archives Act 1988*.²

2 See *Libraries and Archives Act 1988*, section 2(2), definition “**public records**”.

‘13H Other procedures

‘Subject to this division—

- (a) a committee must conduct its business, including its meetings, under the procedures, if any, decided for the committee by the entity that established the committee; or
- (b) otherwise, the committee may conduct its business, including its meetings, under procedures decided by the committee.

‘Division 3—Privacy policies**‘13I A committee must adopt a privacy policy**

‘A committee must adopt, by resolution, a written privacy policy (a “privacy policy”).

‘13J Contents of a privacy policy

‘(1) A committee’s privacy policy must state the ways the committee, or a member of the committee, may do any of the following—

- (a) acquire and compile relevant information;
- (b) securely store relevant information;
- (c) disclose relevant information;
- (d) ask an individual for consent to disclose the individual’s identity under section 32(2)³ of the Act.

‘(2) The privacy policy must also state the circumstances under which a record containing relevant information may be copied or destroyed.

‘(3) In this section—

“**relevant information**” means information acquired or compiled by the committee in the exercise of its functions.

3 Section 32 (Restrictions on committees) of the Act

Division 4—Information to be made available by committees**‘13K Specified information to be made available to the public**

‘(1) A committee must make available to the public the following information (the **“specified information”**)—

- (a) a statement of the committee’s functions;
- (b) for each committee member—
 - (i) the member’s full name and qualifications; and
 - (ii) the member’s office or position; and
 - (iii) a summary of the member’s experience that is relevant to the committee’s functions;
- (c) a summary of the outcomes of the exercise of the committee’s functions in the period since—
 - (i) for the first time a committee makes the specified information available to the public—the Minister declared the committee to be an approved quality assurance committee; or
 - (ii) otherwise—the committee last made the specified information available;
- (d) a summary of the committee’s privacy policy.

‘(2) The specified information must be made available—

- (a) for the first time a committee makes the specified information available to the public—within 3 years from when the Minister declared the committee to be an approved quality assurance committee; and
- (b) otherwise—within 3 years from when the committee last made the specified information available.

‘(3) The committee must give the specified information to the entity that established the committee before the committee makes the information available to the public.

‘(4) A committee may make the specified information available in a form the committee considers appropriate.

Example of an appropriate form for the specified information—

The specified information may be included in the annual report of the entity that established the committee.

‘13L Certain information to be given to the chief health officer

‘A committee must, as soon as practicable after an individual becomes, or ceases to be, a member of the committee, give the chief health officer a written notice containing the following information—

- (a) when an individual becomes a member—
 - (i) the individual’s full name and qualifications; and
 - (ii) the individual’s office or position; and
 - (iii) a summary of the individual’s experience that is relevant to the committee’s functions; and
 - (iv) the date the individual became a member;
- (b) when an individual ceases to be a member—
 - (i) the individual’s full name; and
 - (ii) the date the individual ceased to be a member.’.

ENDNOTES

1. Made by the Governor in Council on 19 April 2001.
2. Notified in the gazette on 20 April 2001.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.