

Queensland



Subordinate Legislation 2002 No. 156

Food Act 1981
Health Act 1937
Health Services Act 1991
Radiation Safety Act 1999

**HEALTH LEGISLATION AMENDMENT
REGULATION (No. 2) 2002**

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PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Health Legislation Amendment Regulation (No. 2) 2002*.

2 Commencement

Part 2 and sections 8, 19, 22, 23 and 26 commence on 1 July 2002.

PART 2—AMENDMENT OF FOOD STANDARDS REGULATION 1994

3 Regulation amended in pt 2

This part amends the *Food Standards Regulation 1994*.

4 Amendment of s 11 (Fee payable for analysis)

Section 11, '\$233.42'—

omit, insert—

'\$238.80'.

PART 3—AMENDMENT OF HEALTH (DRUGS AND POISONS) REGULATION 1996

5 Regulation amended in pt 3

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

6 Amendment of s 17 (Applications—form and fee)

Section 17, ‘or treatment approval’—

omit, insert—

‘, treatment approval or wholesale representative licence’.

7 Amendment of s 18 (How chief executive may deal with applications)

Section 18(2), (3) and (7), ‘or treatment approval’—

omit, insert—

‘, treatment approval or wholesale representative licence’.

8 Replacement of appendix 2 (Application fees for licences)

Appendix 2—

omit, insert—

‘APPENDIX 2

‘APPLICATION FEES FOR LICENCES

section 17

\$

Application for, or application for renewal of—

(a) controlled drug manufacturer licence	260.00
(b) restricted drug manufacturer licence	260.00
(c) controlled drug wholesaler licence	260.00
(d) restricted drug wholesaler licence	260.00
(e) poison manufacturer licence	128.00
(f) poison wholesaler licence	128.00
(g) general poison licence	72.00

	\$
(h) licence to sell S7 poisons for other than human therapeutic use	50.00
(i) wholesale representative licence	55.00’.

PART 4—AMENDMENT OF HEALTH REGULATION 1996

9 Regulation amended in pt 4

This part amends the *Health Regulation 1996*.

10 Amendment of s 21 (Time for giving return—Act, s 100C(2) and (3))

(1) Section 21(1), ‘section 100(2)(b)’—

omit, insert—

‘section 100C(2)(b)’.

(2) Section 21(2), ‘section 100(3)’—

omit, insert—

‘section 100C(3)’.

11 Amendment of s 22 (Definitions)

Section 22, definitions “Australian Standard” and “Standard for the Uniform Scheduling of Drugs and Poisons”—

omit.

12 Omission of s 64 (Further notification of maltreatment—Act, s 76K(3))

Section 64—

omit.

13 Amendment of s 130 (Definitions)

Section 130, definition “AS”—

omit.

14 Amendment of s 136 (Application)

Section 136(1)(e), ‘chiropracists’—

omit, insert—

‘podiatrists’.

15 Amendment of s 141 (Suspension etc. of registration)

Section 141(3), ‘*Local Government (Planning and Environment) Act 1990*’—

omit, insert—

‘*Integrated Planning Act 1997*’.

16 Amendment of s 153 (Definitions)

Section 153—

insert—

‘**“Standard for the Uniform Scheduling of Drugs and Poisons”** means the Standard for the Uniform Scheduling of Drugs and Poisons published by the Commonwealth.¹’.

17 Amendment of s 156 (Labelling requirements generally)

Section 156(2)(b)(vi), ‘the *Poisons Regulation 1973*, schedule 3, schedule 4 or schedule 8’—

omit, insert—

‘schedule 3, 4 or 8 of the Standard for the Uniform Scheduling of Drugs and Poisons’.

¹ A copy of the standard may be purchased at the Government Info Shop, Adelaide Street, Brisbane.

18 Amendment of s 211 (Expiry of regulation)

Section 211, '2002'—

omit, insert—

'2004'.

19 Replacement of sch 3 (Fees)

Schedule 3—

omit, insert—

'SCHEDULE 3

'FEES

section 210

\$

- | | |
|--|----------|
| 1. Analysis of a drug or article by an analyst by any of the following methods— | 218.00 |
| (a) chemical | 218.00 |
| (b) physical | 218.00 |
| (c) chemical and physical | 218.00 |
| (d) microbiological | 218.00 |
| 2. Application for, or application for renewal of, a licence under part 10 | 72.00 |
| 3. Application for, or application for renewal of, a licence under part 12 | 31.00 |
| 4. Application for, or application for renewal of, registration of establishment under part 15 | 200.00'. |

20 Amendment of sch 4 (Items to be provided)

Schedule 4, item 6(a) and (b)—

omit, insert—

- ‘(a) the *Health (Drugs and Poisons) Regulation 1996*;
- (b) the Standard for the Uniform Scheduling of Drugs and Poisons published by the Commonwealth;².

PART 5—AMENDMENT OF HEALTH SERVICES REGULATION 1992

21 Regulation amended in pt 5

This part amends the *Health Services Regulation 1992*.

22 Amendment of s 4 (Accommodation etc. charges)

(1) Section 4(1)—

omit, insert—

‘(1) The fees that may be charged for patient accommodation and other services stated in the Australian Health Care Agreement are specified opposite the following classes of patients—

	\$
(a) eligible person, other than an eligible person mentioned in paragraph (c), who is a patient of a private medical practitioner, accommodated in a single room—	
(i) for a period that does not include a whole day	389.00

2 A copy of the standard may be purchased at the Government Info Shop, Adelaide Street, Brisbane.

(ii) for a period of 1 day or longer—the total of	389.00 plus 389.00 for each day
(b) eligible person, other than an eligible person mentioned in paragraph (c), who is a patient of a private medical practitioner, accommodated in other than a single room—	
(i) for a period that does not include a whole day	242.00
(ii) for a period of 1 day or longer—the total of	242.00 plus 242.00 for each day
(c) eligible person, who is a patient of a private medical practitioner, and who is admitted to and discharged from a hospital in 1 day.....	176.00
(d) eligible person, who is a patient of a private medical practitioner, treated at a hospital as a day benefit patient and whose treatment can be classified into 1 of the following bands—	
(i) band 1—gastrointestinal endoscopy procedures, non-surgical procedures that do not usually require an anaesthetic, diagnostic and minor surgical procedures.....	176.00
(ii) band 2—procedures that take less than 1 hour carried out under local anaesthetic	197.00
(iii) band 3—procedures that take less than 1 hour carried out under general or regional anaesthetic	217.00
(iv) band 4—procedures that take longer than 1 hour carried out under general or regional anaesthetic	242.00

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- | | |
|---|---|
| (e) eligible person who is accommodated in a standard ward or treated in another area of a hospital as a public patient | no charge |
| (f) workers' compensation patient (other than a patient covered by WorkCover Queensland)— | |
| (i) for a period that does not include a whole day | 706.00 |
| (ii) for a period of 1 day or longer—the total of | 706.00
plus
706.00
for each
day |
| (g) third party patient— | |
| (i) for a period that does not include a whole day | 706.00 |
| (ii) for a period of 1 day or longer—the total of | 706.00
plus
706.00
for each
day |
| (h) workers' compensation patient (covered by WorkCover Queensland) who is a patient of a private medical practitioner, accommodated in either a single room or shared accommodation with the approval of WorkCover Queensland— | |
| (i) for a period that does not include a whole day | 706.00 |
| (ii) for a period of 1 day or longer—the total of | 706.00
plus
706.00
for each
day |
| (i) ineligible person accommodated in an intensive care unit— | |

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(i)	for a period that does not include a whole day	1 867.00
(ii)	for a period of 1 day or longer—the total of	1 867.00 plus 1 867.00 for each day
(j)	ineligible person accommodated in a coronary care unit—	
(i)	for a period that does not include a whole day	872.00
(ii)	for a period of 1 day or longer—the total of	872.00 plus 872.00 for each day
(k)	ineligible person accommodated in a part of a hospital other than a unit mentioned in paragraph (i) or (j)—	
(i)	for a period that does not include a whole day	759.00
(ii)	for a period of 1 day or longer—the total of	759.00 plus 759.00 for each day
(l)	a person not included in another classification—	
(i)	for a period that does not include a whole day	759.00
(ii)	for a period of 1 day or longer—the total of	759.00 plus 759.00 for each day
(m)	ineligible person treated in an operating theatre—	

- | | |
|--|-----------|
| (i) whose treatment involves undergoing procedures that take longer than 1 hour carried out under general or regional anaesthetic or intravenous sedation—for each treatment | 1 381.00 |
| (ii) whose treatment involves undergoing procedures, other than the procedures mentioned in subparagraph (i)—for each treatment | 529.00.’. |

(2) Section 4(2), ‘subsection (1)(e)’—

omit, insert—

‘subsection (1)(d)’.

23 Amendment of s 7 (Outpatient services charges)

(1) Section 7(a), ‘76.00’—

omit, insert—

‘77.00’.

(2) Section 7(b), ‘59.00’—

omit, insert—

‘60.00’.

24 Amendment of sch 5 (Agreements)

Schedule 5—

insert—

- ‘11. Agreement between Queensland and Northern Territory for the funding of admitted patient services provided to residents of Northern Territory by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.
12. Agreement between Queensland and Tasmania for the funding of admitted patient services provided to residents of Tasmania by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.’.

**PART 6—AMENDMENT OF RADIATION SAFETY
REGULATION 1999**

25 Regulation amended in pt 6

This part amends the *Radiation Safety Regulation 1999*.

26 Replacement of sch 5 (Fees)

Schedule 5—

omit, insert—

‘SCHEDULE 5

‘FEES

section 54

PART 1—POSSESSION LICENCES

Division 1—Radiation practices carried out with radioactive substances

	\$
1. Application fee for a possession licence	107.00
2. Possession licence—	
(a) 1 year or less—	
(i) base fee	129.00
(ii) for each sealed radioactive substance or type of unsealed radioactive substance	10.00
(b) more than 1 year but not more than 2 years—	
(i) base fee	258.00
(ii) for each sealed radioactive substance or type of unsealed radioactive substance	21.00
(c) more than 2 years but not more than 3 years—	
(i) base fee	387.00
(ii) for each sealed radioactive substance or type of unsealed radioactive substance	31.00

Division 2—Radiation practices carried out with ionising radiation apparatus

	\$
3. Application fee for a possession licence	107.00
4. Possession licence—	
(a) 1 year or less—	
(i) base fee	129.00
(ii) for each ionising radiation apparatus	21.00
(b) more than 1 year but not more than 2 years—	
(i) base fee	258.00
(ii) for each ionising radiation apparatus	41.00
(c) more than 2 years but not more than 3 years—	
(i) base fee	387.00
(ii) for each ionising radiation apparatus	62.00

Division 3—Radiation practices carried out with non-ionising radiation apparatus

	\$
5. Application fee for a possession licence	107.00
6. Possession licence—	
(a) 1 year or less—	
(i) base fee	129.00
(ii) for each non-ionising radiation apparatus	10.00
(b) more than 1 year but not more than 2 years—	
(i) base fee	258.00
(ii) for each non-ionising radiation apparatus	21.00
(c) more than 2 years but not more than 3 years—	
(i) base fee	387.00
(ii) for each non-ionising radiation apparatus	31.00

PART 2—USE AND TRANSPORT LICENCES

	\$
7. Application fee for a use or transport licence	54.00
8. Use or transport licence—	
(a) 1 year or less	37.00
(b) more than 1 year but not more than 2 years.	74.00
(c) more than 2 years but not more than 3 years.	112.00

PART 3—OTHER ACT INSTRUMENTS

	\$
9. Approval to dispose	54.00
10. Application fee for an accreditation certificate	107.00
11. Accreditation certificate—	
(a) 1 year or less	54.00
(b) more than 1 year but not more than 2 years.	107.00
(c) more than 2 years but not more than 3 years.	161.00
12. Application fee for a radiation safety officer certificate	37.00
13. Radiation safety officer certificate—	
(a) 1 year or less	37.00
(b) more than 1 year but not more than 2 years.	74.00
(c) more than 2 years but not more than 3 years.	112.00

PART 4—OTHER FEES

	\$
14. Application by the holder of a conditional Act instrument to change the conditions of the instrument imposed by the chief executive	107.00
15. Application by a possession licensee to change the licensee's approved radiation safety and protection plan for a radiation practice.	54.00
16. Issue of another Act instrument to replace a lost, stolen, destroyed or damaged Act instrument	10.00
17. Copy of the register or a part of it (for each page)	1.00 ⁷ .

27 Amendment of sch 6 (Dictionary)

Schedule 6, definition "AS"—

omit.

ENDNOTES

1. Made by the Governor in Council on 27 June 2002.
2. Notified in the gazette on 28 June 2002.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.