



Queensland

Hospital and Health Boards Amendment Regulation (No. 2) 2014

Subordinate Legislation 2014 No. 99

made under the

Hospital and Health Boards Act 2011

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[s 1]

1 Short title

This regulation may be cited as the *Hospital and Health Boards Amendment Regulation (No. 2) 2014*.

2 Commencement

This regulation commences on 1 July 2014.

3 Regulation amended

This regulation amends the *Hospital and Health Boards Regulation 2012*.

4 Insertion of new pt 2, div 1A

Part 2—

insert—

Division 1A Powers of Services

3AA Employment power—Act, s 20(4)

For section 20(4) of the Act, a Service mentioned in schedule 1AA may employ health service employees.

3AB Power to take lease without Minister's and Treasurer's approval—Act, s 20A(2)

For section 20A(2) of the Act, a lease of a type mentioned in schedule 1AB, column 1, for a Service mentioned in column 2 opposite the lease, may be taken by the Service without the prior written approval of the Minister and Treasurer.

5 Insertion of new s 11B

Part 3—

insert—

11B Certain disclosure of personal information of health service employees and departmental public service employees

- (1) This section applies to a person's personal information held by a health system employer if the person—
 - (a) is or was a health service employee; or
 - (b) is or was a public service employee employed in the department (a *departmental public service employee*); or
 - (c) is being, or was, considered for appointment as a health service employee or departmental public service employee.
- (2) The health system employer (the *first health system employer*) may transfer or otherwise disclose the person's personal information to another health system employer (the *second health system employer*) if—
 - (a) the information was collected or held by the first health system employer in relation to the person's employment or appointment with the employer; and
 - (b) either—
 - (i) for a person mentioned in subsection (1)(c) whose suitability for employment has not been finally assessed by the first health system employer—the person is being considered for appointment, or is appointed, by the second health system employer; or
 - (ii) in any other case—the person transfers or moves to, or is appointed by, the second health system employer.
- (3) This section applies—

[s 6]

- (a) to personal information held by a health system employer before or after the commencement of this section; and
 - (b) to matters not dealt with in section 274 of the Act.
- (4) For this section, a person is *considered* for appointment as a health service employee or departmental public service employee if—
- (a) the person applied or otherwise expressed an interest in being appointed; and
 - (b) the person’s suitability for employment has not been finally assessed.
- (5) In this section—
- personal information* see the *Information Privacy Act 2009*, section 12.

6 Amendment of s 35 (Disclosure of confidential information for purposes relating to health services)

Section 35(1)—

insert—

- (e) the Australian Orthopaedic Association ACN 000 759 795 for collecting data about joint replacement surgery for use in the Australian Orthopaedic Association National Joint Replacement Registry.

7 Insertion of new schedules 1AA and 1AB

After schedule 1—

insert—

Schedule 1AA Services with employment power

section 3AA

- Children's Health Queensland
- Gold Coast
- Metro North
- Metro South
- North West
- Sunshine Coast
- Townsville
- West Moreton

Schedule 1AB Leases that may be taken without Minister's and Treasurer's approval

section 3AB

[s 7]

Column 1	Column 2
Type of lease	Service
<p>a lease or sublease of land or a building, or part of a building, used or intended for use as office accommodation if the annual rent payable under the lease or sublease is not more than \$100 000, but not including a lease or sublease to which the <i>Land Act 1994</i> applies</p>	<ul style="list-style-type: none"> • Cairns and Hinterland • Central Queensland • Central West • Children’s Health Queensland • Darling Downs • Mackay • North West • South West • Torres and Cape • Townsville • West Moreton • Wide Bay
<p>a lease or sublease of land or a building, or part of a building, used or intended for use as office accommodation if the annual rent payable under the lease or sublease is not more than \$250 000, but not including a lease or sublease to which the <i>Land Act 1994</i> applies</p>	<ul style="list-style-type: none"> • Gold Coast • Metro North • Metro South • Sunshine Coast

Column 1	Column 2
<p>a lease or sublease of land or a building, or part of a building, used or intended for use for a purpose other than office accommodation (for example, storage) if the annual rent payable under the lease or sublease is not more than \$100 000, but not including—</p> <ul style="list-style-type: none"> • a lease or sublease of residential premises; and • a lease or sublease to which the <i>Land Act 1994</i> applies 	a Service
a lease or sublease of residential premises if the annual rent payable under the lease or sublease is not more than \$100 000	a Service

8 Amendment of sch 3 (Agreements)

Schedule 3, part 1—

insert—

- 9A The agreement called ‘2014-2017 Agreement between The Health Authorities of the States and Territories of Australia and The Organ and Tissue Authority’.

9 Amendment of sch 6 (Dictionary)

Schedule 6—

insert—

residential premises see the *Residential Tenancies and Rooming Accommodation Act 2008*, section 10.

ENDNOTES

- 1 Made by the Governor in Council on 19 June 2014.
- 2 Notified on the Queensland legislation website on 20 June 2014.
- 3 The administering agency is Queensland Health.

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