



Health Legislation Amendment Bill (No. 3) 2025



Queensland

Health Legislation Amendment Bill (No. 3) 2025

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2025

A Bill

for

An Act to amend the *Assisted Reproductive Technology Act 2024*, the *Health and Wellbeing Queensland Act 2019*, the *Health Legislation Amendment Act 2025*, the *Hospital and Health Boards Act 2011*, the *Hospital Foundations Act 2018*, the *Pharmacy Business Ownership Act 2024*, the *Private Health Facilities Act 1999*, the *Public Health Act 2005* and the *Transplantation and Anatomy Act 1979* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Health Legislation Amendment Act (No. 3) 2025*. 4 5

Clause 2 Commencement 6

(1) The following sections commence immediately after the 7
commencement of the *Assisted Reproductive Technology Act* 8
2024, section 12— 9

(a) sections 4 to 14; 10

(b) sections 21 to 25; 11

(c) sections 28 to 32; 12

(d) sections 34 to 45; 13

(e) section 46(1) and (2). 14

(2) Sections 15(2) and 16 to 20 commence immediately after the 15
commencement of the *Assisted Reproductive Technology Act* 16
2024, section 42. 17

(3) Sections 77 and 78 commence on a day to be fixed by 18
proclamation. 19

Part 2	Amendment of Assisted Reproductive Technology Act 2024	1 2 3
Clause 3	Act amended	4
	This part amends the <i>Assisted Reproductive Technology Act 2024</i> .	5 6
Clause 4	Amendment of s 15 (Counselling services for persons provided with ART services)	7 8
	(1) Section 15(2)(a), ‘and to any spouse of that person’— <i>omit.</i>	9 10
	(2) Section 15(2), after paragraph (a)— <i>insert—</i>	11 12
	(aa) to a spouse of the person, other than a spouse from whom the person is separated and is living separately and apart; and	13 14 15
	(3) Section 15(2)(aa) and (b)— <i>renumber</i> as section 15(2)(b) and (c).	16 17
	(4) Section 15(3)— <i>omit, insert—</i>	18 19
	(3) An ART provider must make counselling services available under this section to—	20 21
	(a) a person who proposes to undergo an ART procedure that does not use donated gametes or a donated embryo; and	22 23 24
	(b) a spouse of the person, other than a spouse from whom the person is separated and is living separately and apart.	25 26 27
	Maximum penalty—25 penalty units.	28

[s 5]

Clause 5	Insertion of new s 16A	1
	After section 16—	2
	<i>insert—</i>	3
	16A Consent required for obtaining, or attempting to obtain, gamete	4
		5
	(1) The consent of a gamete provider is required for obtaining, or attempting to obtain, a gamete from the gamete provider for use in an ART procedure or for storage for use in an ART procedure.	6 7 8 9
	(2) The consent of a gamete provider is not required for anything authorised under division 5.	10 11
	(3) The consent of a child includes the consent of a parent of the child or a person with parental responsibility for the child.	12 13 14
	(4) A reference in this section to a gamete provider includes, in relation to an attempt to obtain a gamete, a reference to the individual who would have been the gamete provider had the attempt been successful.	15 16 17 18 19
Clause 6	Amendment of s 18 (Consent of gamete provider in case of donated gametes or donated embryos)	20 21
	(1) Section 18(2)(b), from ‘for which’—	22
	<i>omit, insert—</i>	23
	during which the donated gametes or donated embryos may be used in an ART procedure; and	24 25
	(2) Section 18—	26
	<i>insert—</i>	27
	(3A) Subsection (1) does not apply to the extent a donated gamete or donated embryo is used in an ART procedure under an approval of the chief executive given, for the purpose of section 25(2) or 27(1), under section 39B.	28 29 30 31 32

- (3) Section 18(3A) and (4)— 1
renumber as section 18(4) and (5). 2

Clause 7 Amendment of s 25 (Limit on number of donor-related Australian families) 3
4

- (1) Section 25— 5
insert— 6
(1A) Subsection (1) does not apply if the ART provider 7
has the approval of the chief executive given, for 8
the purpose of this subsection, under section 39B 9
to use the donated gamete or donated embryo in 10
the ART procedure. 11
(2) Section 25(1A) to (6)— 12
renumber as section 25(2) to (7). 13

Clause 8 Amendment of s 27 (Time limit on use of donated gametes or embryos and their disposal) 14
15

- (1) Section 27(1), ‘written approval of the chief executive’— 16
omit, insert— 17
approval of the chief executive given, for the 18
purpose of this subsection, under section 39B 19
(2) Section 27(2) and (3)— 20
omit, insert— 21
(2) The ART provider must dispose of the donated 22
gamete or donated embryo, within the period 23
mentioned in subsection (3), if— 24
(a) the chief executive has decided under 25
section 39B(2) to refuse to approve the use 26
of the donated gamete or donated embryo in 27
the ART procedure (the *refusal decision*); 28
and 29
(b) either— 30

- | | | |
|-----------------|---|----------------|
| Clause 9 | Amendment of s 33 (Information to be collected about gamete providers) | 25
26 |
| (1) | Section 33(1)(a)(ii), from ‘residential’ to ‘email address’—
<i>omit, insert—</i>
contact information | 27
28
29 |
| (2) | Section 33(3)—
<i>omit.</i> | 30
31 |
| (3) | Section 33(5), from ‘unless’ to ‘under’—
<i>omit, insert—</i> | 32
33 |

	for an ART procedure unless the provider has collected the information mentioned in	1 2
(4)	Section 33— <i>insert—</i>	3 4
(6)	Subsection (4) does not apply if the ART provider has the approval of the chief executive given under section 39C to use the gamete or embryo for the ART procedure.	5 6 7 8
(7)	This section is not limited by, and does not limit, section 34.	9 10
	<i>Note—</i>	11
	See section 149 for the application of this section in relation to gametes obtained before 19 September 2024.	12 13
(5)	Section 33(4) to (7)— <i>renumber</i> as section 33(3) to (6).	14 15
Clause 10	Amendment of s 34 (Transfer between ART providers of information about gametes or embryos)	16 17
(1)	Section 34(2)(a) and (b), ‘consents and other information’— <i>omit, insert—</i>	18 19
	information mentioned in subsection (3)	20
(2)	Section 34— <i>insert—</i>	21 22
(3)	For subsection (2)(a) and (b), the information is—	23
(a)	the information mentioned in section 33(1) in relation to the gametes or gametes used to create the embryos; and	24 25 26
(b)	any other consents or information in relation to the gametes or embryos.	27 28

[s 11]

Clause 11	Amendment of s 35 (Information to be collected about persons who undergo ART procedures)	1
		2
	(1) Section 35(1)(b), from ‘residential address’ to ‘email address’—	3
		4
	<i>omit, insert—</i>	5
	contact information	6
	(2) Section 35(1)(d), from ‘any’—	7
	<i>omit, insert—</i>	8
	a spouse of the person at the time of the procedure, other than a spouse from whom, at that time, the person is separated and is living separately and apart.	9
		10
		11
		12
Clause 12	Amendment of s 36 (Keeping of records)	13
	(1) Section 36—	14
	<i>insert—</i>	15
	(2A) An ART provider must keep a record of—	16
	(a) each consent of a person under section 16A for attempting to obtain a gamete from the person; and	17
		18
		19
	(b) a notice given to the ART provider by a gamete provider under section 20(2) modifying or withdrawing a consent of the gamete provider under division 3.	20
		21
		22
		23
	(2) Section 36(3)—	24
	<i>insert—</i>	25
	(c) each consent of a person under division 3 undergoing the ART procedures mentioned in that division.	26
		27
		28
	(3) Section 36(4)(b), from ‘name’ to ‘email address’—	29
	<i>omit, insert—</i>	30

	name and contact information	1
(4)	Section 36—	2
	<i>insert—</i>	3
(7)	A reference in this section to an ART provider includes a reference to a person who was an ART provider.	4 5 6
(5)	Section 36(2A) to (7)—	7
	<i>renumber</i> as section 36(3) to (8).	8
Clause 13	Amendment of s 37 (Destruction of records prohibited)	9
(1)	Section 37(2), from ‘that’ to ‘authorises’—	10
	<i>omit, insert—</i>	11
	for which the chief executive gives approval	12
(2)	Section 37(3), ‘authorise’—	13
	<i>omit, insert—</i>	14
	give approval for	15
(3)	Section 37—	16
	<i>insert—</i>	17
(4)	If the chief executive decides to refuse to approve an application for approval to destroy a record under subsection (3), the chief executive must, as soon as practicable after the decision is made, give the applicant an information notice for the decision.	18 19 20 21 22 23
(5)	A reference in this section to an ART provider includes a reference to a person who was an ART provider.	24 25 26
Clause 14	Insertion of new pt 2, div 8	27
	Part 2—	28

[s 14]

insert—

**Division 8 Chief executive’s approval
to use particular gametes
or embryos**

39A Purpose of division

The purpose of this division is to enable the chief executive to give an ART provider approval to use a gamete or embryo in an ART procedure even though—

- (a) for a donated gamete or donated embryo—
 - (i) the use of the donated gamete or donated embryo would result in more than 10 donor-related Australian families; or
 - (ii) the donated gamete, or a gamete used to create the donated embryo, was obtained from the gamete provider more than 15 years before the ART procedure; or
- (b) for any gamete or embryo—the ART provider has not collected the information mentioned in section 33(1) in relation to the gamete or a gamete used to create the embryo.

**39B Chief executive may approve use of particular
donated gamete or donated embryo—ss 25
and 27**

- (1) This section applies for the purposes of section 25(2) or 27(1).
- (2) The chief executive may, on application by an ART provider, approve the use of a donated gamete or donated embryo in an ART procedure

-
- if the chief executive is satisfied— 1
- (a) either— 2
- (i) the gamete provider, or the gamete 3
provider from whom a gamete used to 4
create the embryo was obtained, has 5
consented to the making of the 6
application by the ART provider; or 7
- (ii) the ART provider has been unable to 8
contact the gamete provider mentioned 9
in subparagraph (i) despite taking 10
reasonable steps to do so; and 11
- (b) there are reasonable grounds for using the 12
donated gamete or donated embryo in the 13
ART procedure, having regard to— 14
- (i) the terms of the consent given by the 15
gamete provider for the use of the 16
gamete, to the extent the consent 17
relates to the provision mentioned in 18
subsection (1) that is the subject of the 19
application; and 20
- (ii) whether, in the circumstances, the 21
consequences of giving, or refusing to 22
give, the approval would be unfairly 23
harsh for any person. 24
- (3) If the chief executive decides to refuse to approve 25
an application under subsection (2), the chief 26
executive must, as soon as practicable after the 27
decision is made, give the applicant an 28
information notice for the decision. 29

**39C Chief executive may approve use of other 30
particular gamete or embryo—s 33 31**

- (1) This section applies for the purposes of section 32
33(5). 33
- (2) The chief executive may, on application by an 34

[s 15]

- ART provider, approve the use of a gamete or embryo in an ART procedure if the chief executive is satisfied—
- (a) the ART provider has taken reasonable steps to collect the information mentioned in section 33(1) in relation to the gamete or a gamete used to create the embryo; and
 - (b) there are reasonable grounds for using the gamete or embryo, having regard to—
 - (i) the information the ART provider has collected; and
 - (ii) whether, in the circumstances, the consequences of giving, or refusing to give, the approval would be unfairly harsh for any person.
- (3) If the chief executive decides to approve an application under subsection (2), the applicant and any other ART provider to whom the gamete or embryo is supplied—
- (a) may use the gamete or embryo despite section 33(4); and
 - (b) is taken to have complied with section 33(1) in relation to the gamete, or a gamete used to create the embryo.
- (4) If the chief executive decides to refuse to approve an application under subsection (2), the chief executive must, as soon as practicable after the decision is made, give the applicant an information notice for the decision.

- Clause 15 Amendment of s 40 (Definitions for part)**
- (1) Section 40, definition *contact information*—
omit.
 - (2) Section 40, definition *relevant information*, from ‘, relating’—

omit, insert— 1
see section 44(1). 2

Clause 16 Amendment of s 41 (Information relating to donor-conceived persons to which part applies) 3
4

- (1) Section 41, heading, ‘relating to donor-conceived persons’— 5
omit. 6
(2) Section 41, from ‘relating’— 7
omit, insert— 8
in relation to a donor-conceived person. 9

Clause 17 Amendment of s 44 (Relevant information to be included in register) 10
11

- (1) Section 44(1)— 12
omit, insert— 13
(1) The information mentioned in subsection (2) (the 14
relevant information), in relation to a 15
donor-conceived person, that is provided to the 16
registrar is the information that is to be included 17
in the register. 18
(2) Section 44(2)(i)— 19
omit, insert— 20
(i) the full name and date of birth of— 21
(i) the person who gave birth to the 22
donor-conceived person as a result of 23
the procedure; and 24
(ii) a spouse of the person at the time of the 25
procedure, other than a spouse from 26
whom, at that time, the person was 27
separated and was living separately and 28
apart; 29

[s 18]

Clause 18	Amendment of s 45 (Mandatory provision of information by ART providers)		1
			2
		Section 45(1), ‘relating to the birth of a donor-conceived person’—	3
			4
		<i>omit, insert—</i>	5
		in relation to a donor-conceived person born	6
Clause 19	Amendment of s 46 (Mandatory provision of historical information)		7
			8
		Section 46(1)(a), ‘relates to the birth of a donor-conceived person’—	9
			10
		<i>omit, insert—</i>	11
		is information in relation to a donor-conceived person born	12
Clause 20	Amendment of s 47 (Voluntary provision of information by parties to private donor conception procedures)		14
			15
		Section 47(1), ‘relating to the birth of a donor-conceived person’—	16
			17
		<i>omit, insert—</i>	18
		in relation to a donor-conceived person born	19
Clause 21	Insertion of new s 56A		20
		Before section 57—	21
		<i>insert—</i>	22
		56A Meaning of <i>accreditation standard</i>	23
		(1) The <i>accreditation standard</i> is a document that—	24
		(a) provides for matters in relation to prescribed accreditation; and	25
			26
		(b) is approved by regulation for this paragraph, with or without modifications.	27
			28

[s 22]

	(2) The Minister may recommend to the Governor in Council the making of a regulation under subsection (1) only if the Minister is satisfied the document, including any modifications, provides for the following matters—	1 2 3 4 5
	(a) persons who are personnel for sections 57(2)(b)(iv), 61(1) and 65(2)(d);	6 7
	(b) events that are serious adverse events for section 61.	8 9
Clause 22	Amendment of s 57 (Application for licence)	10
	(1) Section 57(1)(a), ‘RTAC accreditation’—	11
	<i>omit, insert—</i>	12
	prescribed accreditation	13
	(2) Section 57(2)(b)(iv), from ‘any’ to ‘regulation’—	14
	<i>omit, insert—</i>	15
	the name of each of the personnel, within the meaning of the accreditation standard,	16 17
Clause 23	Amendment of s 61 (Chief executive to be notified of certain events)	18 19
	(1) Section 61(1), table, items 2 and 3, column 1, ‘RTAC accreditation’—	20 21
	<i>omit, insert—</i>	22
	prescribed accreditation	23
	(2) Section 61(1), table, item 8, column 1, from ‘any’ to ‘regulation’—	24 25
	<i>omit, insert—</i>	26
	any of the personnel, within the meaning of the accreditation standard,	27 28

[s 24]

(3)	Section 61(3), definition <i>serious adverse event</i> , ‘prescribed by regulation’—	1
		2
	<i>omit, insert</i> —	3
	identified in the accreditation standard	4

Clause 24	Amendment of s 64 (Cancellation or suspension of licence)	5
		6
	Section 64(1)(a), ‘RTAC accreditation’—	7
	<i>omit, insert</i> —	8
	prescribed accreditation	9

Clause 25	Amendment of s 65 (Public register of licensed providers)	10
(1)	Section 65(2)(d), from ‘names’ to ‘regulation’—	11
	<i>omit, insert</i> —	12
	name of each of the personnel, within the meaning of the accreditation standard,	13
		14
(2)	Section 65(2)(e)—	15
	<i>omit, insert</i> —	16
	(e) the date of expiry of the prescribed accreditation of the licensed provider;	17
		18

Clause 26	Amendment of s 111 (Power to require information)	19
(1)	Section 111—	20
	<i>insert</i> —	21
	(1A) This section also applies if an inspector reasonably believes—	22
		23
	(a) a person may be able to give information (<i>compliance information</i>) about a licensed provider's compliance with this Act; and	24
		25
		26

[s 27]

- (b) the compliance information is necessary for the inspector to perform the inspector's function mentioned in section 69(a).
- (2) Section 111(2)(a)—
omit, insert—
 - (a) either—
 - (i) information related to the offence mentioned in subsection (1); or
 - (ii) the compliance information mentioned in subsection (2)(a); or
- (3) Section 111(2)(b), 'paragraph (a)'—
omit, insert—
paragraph (a)(i) or (ii)
- (4) Section 111(1A) to (3)—
renumber as section 111(2) to (4).

Clause 27 Amendment of s 112 (Offence to contravene information requirement)
 Section 112(1), 'section 111(2)'—
 omit, insert—
 section 111(3)

Clause 28 Amendment of s 119 (Definitions for part)
 (1) Section 119—
 insert—
 part 2 decision means—
 (a) a decision to refuse to approve an application for approval to use a gamete or embryo under section 39B(2) or 39C(2); or

[s 29]

- (b) a decision to refuse to approve an application for approval to destroy a record under section 37(3). 1
2
3
- (2) Section 119, definition *reviewable decision*, before paragraph (a)— 4
5
insert— 6
- (aa) a part 2 decision; 7
- (3) Section 119, definition *reviewable decision*, paragraphs (aa) to (e)— 8
9
renumber as paragraphs (a) to (f). 10

- Clause 29 Replacement of s 120 (Review process must start with internal review)** 11
12
- Section 120— 13
- omit, insert*— 14
- 120 Review process for reviewable decisions** 15
- (1) For a reviewable decision that is a part 2 decision, review under this part is internal review under division 2 only. 16
17
18
 - (2) For any other reviewable decision, review under this part is— 19
20
 - (a) internal review under division 2; and 21
 - (b) if a decision on an application for internal review of the reviewable decision has been made, or is taken to have been made, under division 2—external review by QCAT under division 4. 22
23
24
25
26

- Clause 30 Amendment of s 123 (Internal review)** 27
- (1) Section 123(1)(a) to (c)— 28
omit, insert— 29

-
- (a) review the reviewable decision; and 1
 - (b) decide to— 2
 - (i) confirm the reviewable decision; or 3
 - (ii) amend the reviewable decision; or 4
 - (iii) substitute another decision for the 5
reviewable decision; and 6
 - (c) give the affected person for the reviewable 7
decision— 8
 - (i) if the reviewable decision is a part 2 9
decision—notice of the chief 10
executive’s decision under paragraph 11
(b); or 12
 - (ii) otherwise—a QCAT information 13
notice for the chief executive’s decision 14
under paragraph (b). 15
 - (2) Section 123(3), (4) and (5), ‘original’— 16
omit. 17

- Clause 31 Amendment of s 124 (QCAT may stay operation of** 18
reviewable decision) 19
- (1) Section 124(1)— 20
omit, insert— 21
 - (1) This section applies in relation to a reviewable 22
decision, other than a part 2 decision. 23
 - (1A) An affected person for the reviewable decision 24
may apply to QCAT, as provided under the 25
QCAT Act, for a stay of the operation of the 26
decision. 27
 - (2) Section 124(1A) to (5)— 28
renumber as section 124(2) to (6). 29

[s 32]

Clause 32	Replacement of s 125 (Applying for QCAT external review)	1 2
	Section 125—	3
	<i>omit, insert—</i>	4
	125 Applying for QCAT external review	5
	(1) This section applies if an affected person for a reviewable decision is required to be given a QCAT information notice under section 123(1)(c)(ii) for an internal review decision.	6 7 8 9
	(2) The affected person may apply to QCAT, as provided under the QCAT Act, for a review of the internal review decision.	10 11 12
	<i>Note—</i>	13
	Section 56 also provides for a QCAT external review of certain decisions of the registrar under part 3.	14 15
 Clause 33	 Amendment of s 138 (Executive officer may be taken to have committed offence against deemed executive liability provision)	 16 17 18
	Section 138(4), definition <i>deemed executive liability provision</i> , paragraph (c), ‘section 139(2)’—	19 20
	<i>omit, insert—</i>	21
	section 139(1)	22
 Clause 34	 Insertion of new pt 9, div 1, hdg	 23
	Before section 144—	24
	<i>insert—</i>	25
	Division 1	26
	Transitional provisions commencing on 19 September 2024	27 28

Clause	35	Insertion of new pt 9, div 2, hdg	1
		After section 144—	2
		<i>insert—</i>	3
		Division 2	4
		Other transitional	5
		provisions for Act No. 46 of	6
		2024	
Clause	36	Insertion of new pt 9, div 2, sdiv 1	7
		Before section 145—	8
		<i>insert—</i>	9
		Subdivision 1 Preliminary	10
		144B Definitions for division	11
		In this division—	12
		<i>future ART procedure</i> , for a person mentioned in	13
		new section 146(1)(a)(i) or 147(1)(a), means an	14
		ART procedure carried out after the	15
		commencement of this section for any of the	16
		following persons—	17
		(a) the person;	18
		(b) a person who, at the relevant time, was the	19
		person’s spouse;	20
		(c) a surrogate of the person;	21
		(d) a surrogate of a person who, at the relevant	22
		time, was the person’s spouse.	23
		<i>new</i> , in relation to a provision of this Act, means	24
		the provision as in force from the commencement.	25
		<i>relevant time</i> see section 144C(3).	26

[s 37]

144C Particular references to spouses	1
(1) This section applies in relation to a person mentioned in new section 146(1)(a)(i) or 147(1)(a) if, at the relevant time, the person and the person’s spouse were separated and were living separately and apart.	2 3 4 5 6
(2) For this division, the spouse is taken not to have been a spouse of the person at the relevant time.	7 8
(3) For subsection (1), the <i>relevant time</i> is—	9
(a) for a person mentioned in new section 146(1)(a)(i)—the time when an ART provider allocated donated gametes for use by the person in ART procedures as mentioned in that section; or	10 11 12 13 14
(b) for a person mentioned in new section 147(1)(a)—the time when an ART provider allocated a donated embryo for use by the person in ART procedures as mentioned in that section.	15 16 17 18 19

Clause 37	Insertion of new pt 9, div 2, sdiv 2, hdg	20
	After section 144C, as inserted by this Act—	21
	<i>insert—</i>	22

Subdivision 2 Licensing	23
--------------------------------	----

Clause 38	Amendment of s 145 (Licensing of existing ART providers)	24 25
	Section 145(2)—	26
	<i>omit, insert—</i>	27
	(2) Subsection (3) applies to an ART provider if—	28
	(a) the ART provider provided ART services immediately before the commencement of section 12; and	29 30 31

[s 39]

- (b) the ART provider has prescribed accreditation during the initial licensing assessment period. 1
2
3
- (3) During the initial licensing assessment period, the ART provider is taken to be a licensed provider for sections 12, 61, 77 and 145A. 4
5
6

Clause 39 Insertion of new s 145A 7

After section 145— 8

insert— 9

145A Licensed providers' notification of particular events that happened before commencement—new s 61 10
11
12

- (1) This section applies in relation to a licensed provider if— 13
14
 - (a) an event happened before the commencement of new section 61; and 15
16
 - (b) the event would have been a serious adverse event for the licensed provider had new section 61 been in force when the event happened; and 17
18
19
20
 - (c) the licensed provider becomes aware of the event after the commencement of new section 61. 21
22
23
- (2) New section 61 applies as if the event were a serious adverse event within the meaning of that section. 24
25
26

Clause 40 Insertion of new pt 9, div 2, sdiv 3 27

After section 145A, as inserted by this Act— 28

insert— 29

Subdivision 3 Provisions for general operation of part 2 30
31

[s 40]

145B Donor-related Australian families—new s 25	1
For working out the number of donor-related	2
Australian families for new section 25, it does not	3
matter whether a person or a child mentioned in	4
that section was born before or after the	5
commencement of this section.	6
145C Time limits on use of existing donated	7
gametes and embryos—new s 27	8
(1) Subject to new sections 146 to 148, new section	9
27 applies in relation to the use of a donated	10
gamete or donated embryo in an ART procedure	11
carried out after the commencement of this	12
section.	13
(2) Subsection (1) applies—	14
(a) whether or not the donated gamete was	15
obtained, or the donated embryo was	16
created, before the commencement of this	17
section; and	18
(b) even if the period mentioned in new section	19
27(1) during which the donated gamete or	20
donated embryo may be used in an ART	21
procedure ended before the commencement	22
of this section.	23
145D Record-keeping—s 36	24
(1) Subsection (2) applies if, before 19 September	25
2024, an ART provider collected information of a	26
type mentioned in a provision of part 2, division 6.	27
(2) A reference in section 36 to information an ART	28
provider is required to collect under part 2,	29
division 6 includes, and is taken to have always	30
included, a reference to the information	31
mentioned in subsection (1).	32

145E Disclosure of health information—s 38

- (1) This section applies to a reference in section 38 to—
 - (a) a donor-conceived person born as a result of an ART procedure; or
 - (b) a donor-conceived sibling of a person mentioned in paragraph (a).
- (2) The reference includes, and is taken to have always included, a reference to a donor-conceived person, or donor-conceived sibling, born as a result of an ART procedure that was carried out before the commencement of section 38.

Clause 41 Insertion of new pt 9, div 2, sdiv 4, hdg

After section 145E, as inserted by this Act—
insert—

Subdivision 4 Provisions about use of particular gametes and embryos obtained before 19 September 2024

Clause 42 Replacement of ss 146–149

Sections 146 to 149—
omit, insert—

146 Donated gametes previously allocated to person for ART procedures

- (1) This section applies if—
 - (a) before 19 September 2024—
 - (i) an ART provider allocated donated gametes for use by a person in ART procedures; and

[s 42]

- (ii) the person, or a surrogate of the person, became pregnant as a result of the use of some of those donated gametes in an ART procedure; and
 - (b) after the commencement of this section, an ART provider proposes to use the remaining donated gametes in future ART procedures for the person.
- (2) The ART provider may use the remaining donated gametes in future ART procedures for the person despite the donor's consent to the use of the remaining gametes in an ART procedure—
 - (a) not complying with a requirement for consent mentioned in new section 18(2); or
 - (b) not being in writing.
- (3) However, subsection (2) does not apply in relation to the use of a gamete if—
 - (a) the donor had previously consented to the use of the gamete in an ART procedure; and
 - (b) since giving the consent, the donor has—
 - (i) withdrawn the consent under section 20; or
 - (ii) otherwise clearly communicated the withdrawal of the consent to the ART provider, whether or not in writing.
- (4) The following limitations under part 2 do not apply to the use of the remaining donated gametes in future ART procedures for the person—
 - (a) any limit on the period within which the gametes may be used;
 - (b) any limit on the number of donor-related Australian families who may use the gametes.
- (5) Also, new section 33(4) does not apply in relation

to the use of the remaining donated gametes in 1
future ART procedures for the person. 2

**147 Donated embryo previously allocated to a 3
person for ART procedures 4**

- (1) This section applies if— 5
- (a) before 19 September 2024, an ART provider 6
allocated a donated embryo for use by a 7
person in an ART procedure; and 8
- (b) after the commencement of this section, an 9
ART provider proposes to use the donated 10
embryo in a future ART procedure for the 11
person. 12
- (2) The ART provider may use the donated embryo in 13
the future ART procedure for the person despite 14
the donor’s consent to the use of the embryo in an 15
ART procedure— 16
- (a) not complying with a requirement for 17
consent mentioned in new section 18(2); or 18
- (b) not being in writing. 19
- (3) However, subsection (2) does not apply in 20
relation to the use of the donated embryo if— 21
- (a) the donor had previously consented to the 22
use of the embryo in an ART procedure; and 23
- (b) since giving the consent, the donor has— 24
- (i) withdrawn the consent under section 25
20; or 26
- (ii) otherwise clearly communicated the 27
withdrawal of the consent to the ART 28
provider, whether or not in writing. 29
- (4) The following limitations under part 2 do not 30
apply to the use of the donated embryo in the 31
future ART procedure for the person— 32

[s 42]

(a)	any limit on the period within which the embryo may be used;	1 2
(b)	any limit on the number of donor-related Australian families who may use the embryo.	3 4 5
(5)	Also, new section 33(4) does not apply in relation to the use of the donated embryo in the future ART procedure for the person.	6 7 8
148	Embryo created with donated gamete not yet used for ART procedure	9 10
(1)	This section applies if—	11
(a)	before 19 September 2024, an embryo was created with a donated gamete; and	12 13
(b)	after the commencement of this section, an ART provider proposes to use the embryo in an ART procedure for a person.	14 15 16
(2)	The chief executive may, on application by the ART provider, approve the use of the embryo in the ART procedure for the person if satisfied there are reasonable grounds for using the embryo, having regard to the following matters—	17 18 19 20 21
(a)	when the embryo was created;	22
(b)	whether, when the embryo was created, there was a reasonable expectation that it would be used in an ART procedure for a person;	23 24 25 26
(c)	any other relevant matter.	27
(3)	If an approval is given under subsection (2) to the ART provider, the ART provider may use the embryo in the ART procedure despite—	28 29 30
(a)	new section 25, 27 or 33; or	31
(b)	the consent of the donor to the use of the embryo in an ART procedure—	32 33

-
- (i) not complying with a requirement for consent mentioned in new section 18(2); or
 - (ii) not being in writing.
 - (4) However, subsection (3)(b) does not apply in relation to the use of an embryo if—
 - (a) the donor had previously consented to the use of the embryo in an ART procedure; and
 - (b) since giving the consent, the donor has—
 - (i) withdrawn the consent under section 20; or
 - (ii) otherwise clearly communicated the withdrawal of the consent to the ART provider, whether or not in writing.
 - (5) If the chief executive decides to refuse to give an approval under subsection (2), the chief executive must, as soon as practicable after the decision is made, give the applicant an information notice for the decision.
 - (6) A decision of the chief executive mentioned in subsection (5) is taken to be a part 2 decision within the meaning of section 119.
 - (7) New part 2, division 8 does not apply in relation to the use of the embryo in the ART procedure for the person.

149 Use of particular gametes obtained before 19 September 2024—collection of information

- (1) This section applies if—
 - (a) an ART provider obtained a gamete before 19 September 2024 for use in an ART procedure or for storage for use in an ART procedure; and

[s 43]

	(b)	immediately before the commencement of this section, the gamete had not been used in an ART procedure; and	1 2 3
	(c)	new sections 146 and 147 do not apply in relation to the use of the gamete in an ART procedure.	4 5 6
	(2)	New section 33(4) does not prevent the use of the gamete, or an embryo created using the gamete, in an ART procedure if—	7 8 9
	(a)	the ART provider collected the information mentioned in new section 33(1) in relation to the gamete before the gamete was obtained; or	10 11 12 13
	(b)	the ART provider collects the information mentioned in new section 33(1) in relation to the gamete before the gamete or embryo is used in the ART procedure; or	14 15 16 17
	(c)	the chief executive approves the use of the gamete or embryo in the ART procedure under new section 39C.	18 19 20
Clause 43		Renumbering and relocation of s 150 (Time within which information about pregnancies and births to be collected by ART providers)	21 22 23
		Section 150—	24
		<i>renumber</i> as section 144A and <i>relocate</i> to part 9, division 1, as numbered by this Act.	25 26
Clause 44		Insertion of new pt 9, div 2, sdiv 5, hdg	27
		Before section 151—	28
		<i>insert</i> —	29
		Subdivision 5 Miscellaneous	30

Clause 45	Insertion of new ss 152 and 153	1
	After section 151—	2
	<i>insert—</i>	3
	152 Relationship of division with s 144	4
	To the extent of any inconsistency between a provision of this division and section 144(1)(a), (c) or (d), the provision of this division prevails.	5 6 7
	153 Transitional regulation-making power	8
	(1) A regulation (a <i>transitional regulation</i>) may make provision about a matter for which this Act does not provide or sufficiently provide.	9 10 11
	(2) A transitional regulation may have retrospective operation to a day not earlier than the day this section commences.	12 13 14
	(3) A transitional regulation must declare it is a transitional regulation.	15 16
	(4) This section and any transitional regulation expire on the day that is 2 years after the day this section commences.	17 18 19
Clause 46	Amendment of sch 1 (Dictionary)	20
	(1) Schedule 1, definition <i>RTAC accreditation</i> —	21
	<i>omit.</i>	22
	(2) Schedule 1—	23
	<i>insert—</i>	24
	<i>accreditation standard</i> , for part 4, see section 56A.	25 26
	<i>donor-related Australian families</i> see section 25(3).	27 28
	<i>part 2 decision</i> , for part 6, see section 119.	29

[s 47]

prescribed accreditation, in relation to a person, 1
means accreditation of the person, or of facilities 2
operated by the person, by an entity prescribed by 3
regulation. 4

(3) Schedule 1, definition *contact information*— 5
omit, insert— 6

contact information, for a person, means the 7
person’s residential address, phone number or 8
email address or any other way the person may be 9
contacted. 10

Part 3 **Amendment of Health and** 11
Wellbeing Queensland Act 2019 12

Clause 47 **Act amended** 13

This part amends the *Health and Wellbeing Queensland Act* 14
2019. 15

Clause 48 **Amendment of s 23 (Vacancy in office)** 16

(1) Section 23(c), ‘becomes’— 17
omit, insert— 18
is 19

(2) Section 23(d)— 20
omit, insert— 21
(d) is removed from office under subsection (2). 22

(3) Section 23— 23
insert— 24

(2) The Governor in Council may, at any time, 25
remove a board member from office for any 26
reason or none. 27

Clause 49	Amendment of s 24 (Acting board member)	1
	Section 24(5), ‘section 25(1)(b)(iv)’—	2
	<i>omit, insert</i> —	3
	section 25(1)(b)	4
Clause 50	Amendment of s 37 (Vacancy in office)	5
	(1) Section 37(1)(c), ‘becomes’—	6
	<i>omit, insert</i> —	7
	is	8
	(2) Section 37(1)(d)—	9
	<i>omit, insert</i> —	10
	(d) is removed from office under subsection (3).	11
	(3) Section 37—	12
	<i>insert</i> —	13
	(3) The Governor in Council may, at any time, remove the chief executive officer from office for any reason or none.	14 15 16
Clause 51	Amendment of s 38 (Acting chief executive officer)	17
	Section 38(5), ‘section 25(1)(b)(iv) or (v)’—	18
	<i>omit, insert</i> —	19
	section 25(1)(b)	20
Clause 52	Insertion of new pt 7	21
	After part 6—	22
	<i>insert</i> —	23

[s 53]

Part 7	Transitional provisions	1
	for Health Legislation	2
	Amendment Act (No. 3)	3
	2025	4

52	Vacancy in office of board member	5
	Section 23(2) applies to a board member whether	6
	the member is appointed before or after the	7
	commencement.	8

53	Vacancy in office of chief executive officer	9
	Section 37(3) applies to the chief executive	10
	officer whether the officer is appointed before or	11
	after the commencement.	12

Part 4	Amendment of Health	13
	Legislation Amendment Act	14
	2025	15

Clause 53	Act amended	16
	This part amends the <i>Health Legislation Amendment Act</i>	17
	<i>2025</i> .	18

Clause 54	Replacement of s 7 (Amendment of s 28 (Removal from	19
	office of board members))	20
	Section 7—	21
	<i>omit, insert—</i>	22
	7 Amendment of s 25A (Disqualification as	23
	board member)	24
	Section 25A—	25

insert—

- (d) was appointed because the person was a
HHS clinician and has stopped being a HHS
clinician.

Editor's note—

Legislation ultimately amended—

- *Hospital and Health Boards Act 2011*

Part 5 Amendment of Hospital and Health Boards Act 2011

Clause 55 Act amended

This part amends the *Hospital and Health Boards Act 2011*.

Clause 56 Insertion of new s 25A

After section 25—

insert—

25A Disqualification as board member

A person is disqualified from becoming, or
continuing as, a board member if the person—

- (a) is an insolvent under administration; or
- (b) is disqualified from managing corporations
because of the Corporations Act, part 2D.6;
or
- (c) has a conviction for an indictable offence or
an offence against this Act.

Clause 57 Amendment of s 27 (Vacation of office of board member)

- (1) Section 27(b)—

omit, insert—

[s 58]

- (b) completes a term of office and is not reappointed; or
 - (c) is disqualified from continuing as a member under section 25A; or
 - (d) is removed from office under subsection (2).
- (2) Section 27—
insert—
- (2) The Governor in Council may, at any time, remove a board member from office for any reason or none.

Clause 58 Amendment of s 27A (Suspension from office of Hospital and Health Board members)

(1) Section 27A(1)(b)—
omit.

(2) Section 27A(1)(c)—
renumber as section 27A(1)(b).

Clause 59 Omission of s 28 (Removal from office of board members)

Section 28—
omit.

Clause 60 Insertion of new pt 13, div 9

Part 13—
insert—

**Division 9 Transitional provision for
Health Legislation
Amendment Act (No. 3)
2025**

332 Vacancy in office of board member

Section 27(2) applies to a board member whether
the member is appointed before or after the
commencement.

Clause 61 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

conviction means a finding of guilt or acceptance
of a plea of guilty by a court, whether or not a
conviction is recorded.

Part 6 Amendment of Hospital Foundations Act 2018

Clause 62 Act amended

This part amends the *Hospital Foundations Act 2018*.

Clause 63 Amendment of s 33 (Disqualification from becoming member)

(1) Section 33, heading, ‘from becoming member’—

omit, insert—

as member

(2) Section 33, ‘becoming a member’—

omit, insert—

becoming, or continuing as, a member

(3) Section 33—

insert—

(f) consents to the borrowing of an amount that
the foundation is not lawfully authorised to

[s 64]

	borrow under the <i>Statutory Bodies Financial Arrangements Act 1982</i> .	1 2
Clause 64	Omission of s 34 (Removal from office)	3
	Section 34—	4
	<i>omit</i> .	5
Clause 65	Amendment of s 35 (Vacancy in office)	6
	(1) Section 35(b)—	7
	<i>omit, insert—</i>	8
	(b) is disqualified from continuing as a member under section 33; or	9 10
	(c) is removed from office under subsection (2).	11
	(2) Section 35—	12
	<i>insert—</i>	13
	(2) The Governor in Council may, at any time, remove a board member from office for any reason or none.	14 15 16
Clause 66	Insertion of new s 35A	17
	After section 35—	18
	<i>insert—</i>	19
	35A Acting board member	20
	(1) This section applies if the office of a member is vacant.	21 22
	(2) The Minister may appoint a person to act in the office for a period of not longer than 6 months.	23 24
	(3) However, the Minister may extend the appointment for a further period of not longer than 6 months.	25 26 27

[s 67]

	(4) A person can not be appointed to act in the office unless the Minister could recommend the person for appointment as a member under section 30.	1 2 3
	(5) This section does not limit the Governor in Council's power under the <i>Acts Interpretation Act 1954</i> , section 25(1)(b).	4 5 6
Clause 67	Amendment of s 36 (Criminal history report)	7
	Section 36(1), from 'person'—	8
	<i>omit, insert—</i>	9
	person is disqualified from becoming or continuing as a member under section 33.	10 11
Clause 68	Insertion of new pt 9, div 3	12
	Part 9—	13
	<i>insert—</i>	14
	Division 3	15
	Transitional provision for Health Legislation Amendment Act (No. 3) 2025	16 17 18
	93 Vacancy in office of board member	19
	Section 35(2) applies to a board member whether the member is appointed before or after the commencement.	20 21 22

[s 69]

Part 7	Amendment of Pharmacy Business Ownership Act 2024	1 2
Clause 69	Act amended	3
	This part amends the <i>Pharmacy Business Ownership Act 2024</i> .	4 5
Clause 70	Replacement of s 156 (Vacancy in office)	6
	Section 156—	7
	<i>omit, insert—</i>	8
	156 Vacancy in office	9
	(1) The office of a council member becomes vacant if the member—	10 11
	(a) completes the member’s term of office and is not reappointed; or	12 13
	(b) is disqualified from continuing as a member under section 151; or	14 15
	(c) resigns office as a council member under section 155; or	16 17
	(d) is absent, other than as approved under section 157, from 3 consecutive council meetings of which at least 21 days notice has been given; or	18 19 20 21
	(e) is removed from office under subsection (2).	22
	(2) The Governor in Council may, at any time, remove a council member from office for any reason or none.	23 24 25
	156A Acting council member	26
	(1) This section applies if the office of a council member is vacant.	27 28

	(2) The Minister may appoint a person to act in the office for a period of not longer than 6 months.	1 2
	(3) However, the Minister may extend the appointment for a further period of not longer than 6 months.	3 4 5
	(4) A person can not be appointed to act in the office unless the Minister could recommend the person for appointment as a council member under section 150(3).	6 7 8 9
	(5) This section does not limit the Governor in Council's power under the <i>Acts Interpretation Act 1954</i> , section 25(1)(b).	10 11 12
Clause 71	Amendment of s 171 (Vacancy in office)	13
	(1) Section 171(1)—	14
	<i>insert—</i>	15
	(d) is removed from office under subsection (2).	16
	(2) Section 171—	17
	<i>insert—</i>	18
	(2) The Governor in Council may, at any time, remove the chief executive officer from office for any reason or none.	19 20 21
Clause 72	Amendment of s 172 (Acting chief executive officer)	22
	Section 172(5), 'section 25(1)(b)(iv) or (v)'—	23
	<i>omit, insert—</i>	24
	section 25(1)(b)	25
Clause 73	Replacement of pt 14, hdg (Transitional provisions)	26
	Part 14, heading—	27
	<i>omit, insert—</i>	28

[s 74]

Part 14	Repeal and transitional provisions for Act No. 9 of 2024	1
		2
		3

Clause 74	Relocation and renumbering of pt 15, div 1 (Repeal)	4
	Part 15, division 1—	5
	<i>relocate</i> to part 14 and <i>renumber</i> as part 14, division 5.	6

Clause 75	Replacement of pt 15 (Repeal and amendments of legislation)	7
	Part 15—	8
	<i>omit, insert—</i>	9
		10

Part 15	Transitional provisions for Health Legislation Amendment Act (No. 3) 2025	11
		12
		13
		14

235 Vacancy in office of council member	15
Section 156(2) applies to a council member whether the member is appointed before or after the commencement.	16
	17
	18

236 Vacancy in office of chief executive officer	19
Section 171(2) applies to the chief executive officer whether the officer is appointed before or after the commencement.	20
	21
	22

Part 8	Amendment of Private Health Facilities Act 1999	1 2
Clause 76	Act amended	3
	This part amends the <i>Private Health Facilities Act 1999</i> .	4
Clause 77	Amendment of s 48 (Conditions of licence)	5
	Section 48(1)(b) and (c)—	6
	<i>omit, insert—</i>	7
	(b) the licensee must comply with a standard of accreditation prescribed for a type of health service, or all health services, provided at the facility;	8 9 10 11
	(c) the licensee must comply with the standards made under part 3 relevant to the facility;	12 13
Clause 78	Amendment of s 50 (Term of licences)	14
	Section 50(2)—	15
	<i>omit, insert—</i>	16
	(2) The stated term must not exceed—	17
	(a) if the licence is being renewed under division 5—3 years; or	18 19
	(b) otherwise—1 year.	20
Clause 79	Amendment of s 144 (Submission of reports)	21
	Section 144(2)(b)—	22
	<i>omit, insert—</i>	23
	(b) to enable the State to give information to a government entity in the circumstances mentioned in section 147(4)(c);	24 25 26

[s 80]

Clause 80	Amendment of s 147 (Confidentiality of information)	1
(1)	Section 147(4)(c)(i)—	2
	<i>omit, insert—</i>	3
	(i) the chief executive gives the information to	4
	a government entity under an agreement	5
	with the entity;	6
(2)	Section 147(7), ‘The Commonwealth, other State or entity’—	7
	<i>omit, insert—</i>	8
	A government entity	9
(3)	Section 147(11)—	10
	<i>insert—</i>	11
	agreement includes arrangement.	12
	government entity means—	13
	(a) the Commonwealth or another State; or	14
	(b) an entity of the Commonwealth or another	15
	State; or	16
	(c) an entity of the State.	17

Part 9	Amendment of Transplantation and Anatomy Act 1979	18
		19

Clause 81	Act amended	20
	This part amends the <i>Transplantation and Anatomy Act 1979</i> .	21
	<i>Note—</i>	22
	See also the amendments in schedule 1.	23
Clause 82	Amendment of s 4 (Interpretation)	24
	Section 4—	25
	<i>insert—</i>	26

[s 83]

ante-mortem intervention, for part 3A, see 1
section 25A. 2
tissue donation viability means the viability of 3
tissue for transplanting from a person after death 4
to the body of another living person. 5

Clause 83 Replacement of pt 2, div 4, hdg (Blood transfusions) 6
Part 2, division 4, heading— 7
omit, insert— 8
Division 4 Removal of blood for 9
particular purposes 10

Clause 84 Amendment of s 17 (Consents by adults to removal of blood) 11
Section 17, before ‘or for any’— 12
insert— 14
(c) for the purpose of determining tissue 15
donation viability; 16

Clause 85 Amendment of s 18 (Consents to removal of blood from children) 17
(1) Section 18, heading, after ‘children’— 18
insert— 20
for particular purposes 21
(2) Section 18, ‘section 17’— 22
omit, insert— 23
section 17, other than for the purpose of 24
determining tissue donation viability, 25

[s 86]

Clause 86	Insertion of new s 18A	1
	After section 18—	2
	<i>insert—</i>	3
	18A Consents to removal of blood from children or adults with impaired capacity for determining tissue donation viability	4
		5
		6
	(1) This section applies in relation to a person who is—	7
		8
	(a) a child; or	9
	(b) an adult who does not have capacity to consent to the removal of blood from the person’s body.	10
		11
		12
	(2) The senior available next of kin of the person may consent in writing to the removal of blood from the body of the person for the purpose of determining tissue donation viability.	13
		14
		15
		16
Clause 87	Replacement of s 19 (Consent to be sufficient authority for removal of blood)	17
		18
	Section 19—	19
	<i>omit, insert—</i>	20
	19 Consent to be sufficient authority for removal of blood	21
		22
	A consent given by or for a person under this division is sufficient authority for the removal of blood from the body of the person.	23
		24
		25
Clause 88	Insertion of new pt 3A	26
	After section 25—	27
	<i>insert—</i>	28
	Part 3A	29
	Ante-mortem interventions	30

25A What is an *ante-mortem* intervention

- (1) An *ante-mortem intervention* is a medical procedure that is carried out on a living person to determine, maintain or improve the viability of tissue for transplanting, after the person's death, to the body of another living person.
- (2) However, removing blood from the body of a living person for the purpose of determining tissue donation viability is not an *ante-mortem intervention*.

Note—

See section 18A in relation to removing blood for determining tissue donation viability.

25B Authority for ante-mortem intervention—adult with capacity

- (1) A person who is an adult may consent to the carrying out of an ante-mortem intervention on the person.
- (2) A consent under subsection (1) is sufficient authority to carry out the ante-mortem intervention on the person.

25C Authority for ante-mortem intervention—child or adult with impaired capacity

- (1) This section applies if—
- (a) a person is in a hospital; and
- (b) the person is—
- (i) a child; or
- (ii) an adult who does not have capacity to consent to the carrying out of an ante-mortem intervention on the person; and

[s 88]

-
- | | | |
|-----|---|-----------------------|
| (c) | a decision or direction has been lawfully made to withhold or withdraw life-sustaining measures for the person; and | 1
2
3 |
| | <i>Note—</i> | 4 |
| | See the <i>Guardianship and Administration Act 2000</i> and the <i>Powers of Attorney Act 1998</i> in relation to withholding or withdrawing life-sustaining measures for an adult who has impaired capacity. | 5
6
7
8
9 |
| (d) | before the withholding or withdrawal of life-sustaining measures, a decision or direction mentioned in paragraph (c) has not been revoked. | 10
11
12
13 |
| (2) | A designated officer may, in writing, authorise the carrying out of an ante-mortem intervention on the person if— | 14
15
16 |
| (a) | the senior available next of kin of the person gives written consent for the carrying out of the ante-mortem intervention; and | 17
18
19 |
| (b) | the consent is not revoked before the ante-mortem intervention is carried out. | 20
21 |
| (3) | However, if it is not practicable for the consent to be given in writing, it may be given orally. | 22
23 |
| (4) | If the consent is given orally under subsection (3), the designated officer must ensure that, as soon as practicable— | 24
25
26 |
| (a) | the fact of the giving of the consent and the details of the consent are reduced to writing and placed on the person's hospital records; and | 27
28
29
30 |
| (b) | reasonable attempts are made to have the consent confirmed in writing by the senior available next of kin. | 31
32
33 |
| (5) | The designated officer must ensure that a written consent obtained under subsection (2)(a) or (4)(b) is placed on the person's hospital records as soon | 34
35
36 |
-

[s 89]

as practicable. 1

- (6) An authority under subsection (2) is sufficient 2
authority to carry out the ante-mortem 3
intervention on the person. 4

Part 10 Other amendments 5

Clause 89 Legislation amended 6

Schedule 1 amends the legislation it mentions. 7

Schedule 1 Other amendments 1

section 89 2

Public Health Act 2005 3

1 Section 279AA, definition *Commonwealth chief medical officer*— 4
5

omit. 6

2 Section 279AA— 7

insert— 8

relevant Commonwealth officer means the 9

person to whom notifications must be made under 10

the Commonwealth Act, section 14(1). 11

3 Section 279AB, heading, ‘Commonwealth chief medical’— 12
13

omit, insert— 14

relevant Commonwealth 15

4 Section 279AB(2), ‘Commonwealth chief medical’— 16

omit, insert— 17

relevant Commonwealth 18

5 Section 279AC(1)(a)(i), ‘Commonwealth chief medical’— 19

omit, insert— 20

relevant Commonwealth 21

6	Schedule 2, definition <i>Commonwealth chief medical officer</i>—	1
	<i>omit.</i>	2
		3
7	Schedule 2—	4
	<i>insert—</i>	5
	<i>relevant Commonwealth officer</i> , for chapter 6, part 3A, division 1, see section 279AA.	6
		7

Transplantation and Anatomy Act 1979 **8**

1	Section 9, heading, ‘Blood transfusions’—	9
	<i>omit, insert—</i>	10
	Particular blood removal	11
2	Section 12A, heading, from ‘Blood’ to ‘research’—	12
	<i>omit, insert—</i>	13
	Particular blood removal and donations	14