

Queensland



Health Services Act 1991

HEALTH SERVICES REGULATION 1992

**Reprinted as in force on 30 August 2002
(includes amendments up to SL No. 156 of 2002)**

This is the reprint current on the repeal date

Reprint No. 8G

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The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Queensland



HEALTH SERVICES REGULATION 1992

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	5
3	Definitions	5
3A	Meaning of “residential care facility”	8
3B	Chief executive may approve forms	8
3C	Additional payment if GST applies	8
PART 2—PUBLIC HOSPITALS FEES AND CHARGES		
4	Accommodation etc. charges	9
4A	Accommodation etc. charges—nursing home type patients	12
6	Pharmaceutical charges	13
7	Outpatient services charges	15
PART 2A—RESIDENTIAL CARE FACILITIES FEES		
8A	Residents of residential care facilities	15
8B	Occupiers of places under Aged Care Act 1997 (Cwlth)	16
8C	Occupiers of hostel places	16
8D	Waiver of fee	17
PART 2B—EXTENDED TREATMENT FACILITIES AND PSYCHOGERIATRIC UNIT FEES		
<i>Division 1—General</i>		
9	Application of certain sections	17
9A	Patient with acute care certificate	17
9B	Fees not payable for first 35 days	17
9C	Fees not payable for last 30 days	18
9D	Waiver of fee	18

Health Services Regulation 1992

<i>Division 2—Extended treatment facilities fees</i>	
9E	Extended treatment facilities fees other than psychogeriatric unit 18
<i>Division 3—Psychogeriatric unit fees</i>	
9F	Psychogeriatric unit fees 19
PART 3—FEES FOR MEDICAL RECORDS	
10	Fees for medical records 19
PART 5—HEALTH SERVICE EMPLOYEES	
12	Parts of department to which the Act, s 24(1) does not apply 20
PART 6—CONFIDENTIAL INFORMATION	
13	Giving of information—Act, s 63(2)(g) 20
PART 6A—QUALITY ASSURANCE COMMITTEES	
<i>Division 1—Preliminary</i>	
13A	Definitions for pt 6A 20
<i>Division 2—Procedures of committees</i>	
13B	Election of chairperson 21
13C	Times and places of meetings 21
13D	Quorum 21
13E	Presiding at meetings 21
13F	Conduct of meetings 21
13G	Minutes 22
13H	Other procedures 22
<i>Division 3—Privacy policies</i>	
13I	A committee must adopt a privacy policy 22
13J	Contents of a privacy policy 22
<i>Division 4—Information to be made available by committees</i>	
13K	Specified information to be made available to the public 23
13L	Certain information to be given to the chief health officer 24
PART 7—TRANSITIONAL PROVISIONS	
14	Fees for certain patients in psychogeriatric units 24
SCHEDULE 4 26	
PARTS OF DEPARTMENT TO WHICH SECTION 24(1) OF THE ACT DOES NOT APPLY	

SCHEDULE 5 27**AGREEMENTS****ENDNOTES**

1	Index to endnotes.....	29
2	Date to which amendments incorporated.....	29
3	Key.....	29
4	Table of earlier reprints.....	30
5	Tables in earlier reprints.....	30
6	List of legislation.....	31
7	List of annotations.....	34

HEALTH SERVICES REGULATION 1992

[as amended by all amendments that commenced on or before 30 August 2002]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Health Services Regulation 1992*.

3 Definitions

In this regulation—

“acute care certificate” means a certificate that—

- (a) is issued by a doctor treating a patient in an extended treatment facility; and
- (b) states the patient is in need of acute care for the period stated in the certificate; and
- (c) is in a form approved by the chief executive.

“basic age pension amount” means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1064-B1 applying to a person who is not a member of a couple within the meaning of that section.

“Commonwealth benefit” has the meaning given by section 46 of the *National Health Act 1953* (Cwlth).

“Commonwealth extensive care benefit” has the meaning given by section 46 of the *National Health Act 1953* (Cwlth).

“day” means the 24 hour period between midnight on one day and midnight on the following day.

“day benefit patient” means a patient on whom a procedure, mentioned in the schedule to the determination made by the Commonwealth Minister for the purposes of paragraph (db) of the definition of “basic

private table” under the *National Health Act 1953* (Cwlth), is carried out in a recognised hospital in 1 day.

“eligible person” means an eligible person for the purposes of the Australian Health Care Agreement.

“extended treatment facility” means a facility that provides specialised extended in-patient treatment and rehabilitation to persons with a mental illness.

“hostel place” means a place in Eventide Charters Towers, Eventide Rockhampton or Eventide Sandgate, other than a place allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1.

“ineligible person” means a person who is not an eligible person.

“nursing home type patient” has the meaning given by section 3 of the *Health Insurance Act 1973* (Cwlth).

“pensioner” has the meaning given by section 4(1) of the *National Health Act 1953* (Cwlth).

“place” has the meaning given by the *Aged Care Act 1997* (Cwlth), schedule 1.

“psychogeriatric unit” means a part of an extended treatment facility that provides specialised extended in-patient treatment and rehabilitation to persons with a mental illness who also suffer an age-related condition.

“recognised hospital” has the meaning given by section 3 of the *Health Insurance Act 1973* (Cwlth).

“rent assistance amount” means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1064-D5 applying to a person who, within the meaning of that section, is not a member of a couple.

“residential care facility” see section 3A.

“third party day benefit patient” means a patient who is—

- (a) a third party patient; and
- (b) a day benefit patient.

“third party patient” means a patient who—

Health Services Regulation 1992

- (a) receives care and treatment for an injury (other than an injury to which the *Motor Accident Insurance Act 1994* applies), illness or disease; and
- (b) receives, or establishes a right to receive, for the injury, illness or disease—
 - (i) compensation, or payment in settlement of a claim for compensation, other than compensation under the *Criminal Offence Victims Act 1995*, *Penalties and Sentences Act 1992* or *Juvenile Justice Act 1992*;¹ or
 - (ii) damages or payment in settlement of a claim for damages.

“under 18 disability support pension amount” means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1066A-B1 applying to a person who, within the meaning of that section, is—

- (a) not a member of a couple; and
- (b) under 18 years; and
- (c) living away from the person’s parental home because of a medical condition of the person; and
- (d) without a dependent child.

“under 18 rent assistance amount” means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1066A-EA12 applying to a person who, within the meaning of that section, is—

- (a) not a member of a couple; and
- (b) in disability accommodation.

“under 21 disability support pension amount” means the annual maximum basic rate under the *Social Security Act 1991* (Cwlth), section 1066A-B1 applying to a person who, within the meaning of that section, is—

- (a) not a member of a couple; and
- (b) 18 years or more; and

¹ See *Criminal Offence Victims Act 1995*, part 3 (Compensation for personal injury from indictable offences), *Penalties and Sentences Act 1992*, section 35 (Order for restitution or compensation), and *Juvenile Justice Act 1992*, section 192 (Restitution, compensation).

- (c) not living at a home of a parent of the person; and
- (d) without a dependent child.

“under 21 rent assistance amount” means the annual maximum rent assistance rate under the *Social Security Act 1991* (Cwlth), section 1066A-EB13 applying to a person who, within the meaning of that section, is—

- (a) not a member of a couple; and
- (b) in disability accommodation.

“WorkCover Queensland” has the meaning given by the *WorkCover Queensland Act 1996*.

“workers’ compensation day benefit patient” means a patient who is—

- (a) a workers’ compensation patient; and
- (b) a day benefit patient.

“workers’ compensation patient” means a patient who is a third party patient who is receiving, or is entitled to receive, compensation under the *WorkCover Queensland Act 1996* or a similar or equivalent law of another State or Territory.

3A Meaning of “residential care facility”

(1) A **“residential care facility”** is a nursing home, hostel or other facility operated by the State at which accommodation, and nursing or personal care, is provided to persons who, because of infirmity, illness, disease, incapacity or disability, have a continuing need for nursing or personal care.

(2) However, a residential care facility does not include a public sector hospital.

3B Chief executive may approve forms

The chief executive may approve forms for use under the Act.

3C Additional payment if GST applies

(1) This section applies if GST is payable in relation to a supply under this regulation.

(2) A person liable to pay a fee or charge under this regulation for the supply must, in addition to the fee or charge and at the same time as the fee or charge is paid, pay an amount equal to 10% of the fee or charge.

PART 2—PUBLIC HOSPITALS FEES AND CHARGES

4 Accommodation etc. charges

(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
(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

Health Services Regulation 1992

(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
(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

Health Services Regulation 1992

(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—	
(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

Health Services Regulation 1992

(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) For the purposes of subsection (1)(d), the band into which a particular treatment is classified is determined by the Commonwealth Minister administering the *National Health Act 1953* (Cwlth).

4A Accommodation etc. charges—nursing home type patients

(1) This section specifies the fees payable by nursing home type patients for each day of residence at a public sector hospital.

(2) The fee payable by a patient who is 16 years or more but under 18 years is the amount worked out using the following formula—

87.5 % x U18 DSPA + U18 RAA**NDY.**

(3) The fee payable by a patient who is 18 years or more but under 21 years is the amount worked out using the following formula—

87.5 % x U21 DSPA + U21 RAA**NDY.**

(4) The fee payable by a patient who is 21 years or more is the amount worked out using the following formula—

87.5 % x BAPA + RAA**NDY.**

(5) If the patient is a patient of a private medical practitioner, the patient must, in addition to the amount worked out under subsections (2) to (4), pay the relevant amount specified in schedule 4 of the determination made under the *National Health Act 1953* (Cwlth), schedule 1, paragraph (bj).

(6) However, the chief executive may waive, wholly or partially, payment of a fee mentioned in subsections (2) to (5) if the chief executive is satisfied payment of the fee would cause the patient financial hardship.

(7) In this section—

“**BAPA**” means basic age pension amount.

“**NDY**” means number of days in the year.

“**RAA**” means rent assistance amount.

“**U18 DSPA**” means under 18 disability support pension amount.

“**U18 RAA**” means under 18 rent assistance amount.

“**U21 DSPA**” means under 21 disability support pension amount.

“**U21 RAA**” means under 21 rent assistance amount.

6 Pharmaceutical charges

(1) This section applies subject to the provisions of Part VII of the *National Health Act 1953* (Cwlth).

Health Services Regulation 1992

(2) The maximum amounts that may be charged for pharmaceuticals supplied by a public hospital to the following people, who are not in-patients of that hospital, are—

\$

- (a) a holder, or a dependant of a holder, of a—
 - (i) Pensioner Health Benefits Card; or
 - (ii) Health Care Card; or
 - (iii) Health Benefits Card; or
 - (iv) Pharmaceutical Benefits Concession Card (Part Pensioner); or
 - (v) Personal Treatment Entitlement Card (PTEC); or
 - (vi) Special Treatment Entitlement Card (STEC)—
per item 3.60
- (b) a person, other than a child under the guardianship or temporary custody of the Department of Family Services and Aboriginal and Islander Affairs or a person specified in paragraph (a), is to pay—
 - (i) the maximum patient payment, for the item, specified in the Queensland Hospitals Non-Inpatient Dispensed Drug Price Catalogue; or
 - (ii) \$22.40;
 whichever is the lesser amount but if no maximum patient payment is specified in the catalogue for the item—
per item 22.40.

(3) The maximum amount that may be charged for pharmaceuticals for a single visit to a public hospital by a person who is not an in-patient is the total for 4 items at the maximum charge rate specified in subsection (2)(a) or (b).

7 Outpatient services charges

The fees for outpatient services that may be charged are stated opposite the following classes of patients—

	\$
(a) ineligible person—per service	77.00
(b) workers' compensation patient (other than an outpatient covered by WorkCover Queensland)—per service	60.00.

PART 2A—RESIDENTIAL CARE FACILITIES FEES

8A Residents of residential care facilities

(1) This section specifies the fees payable by residents of residential care facilities for each day of residence at a residential care facility, other than—

- (a) residents occupying places allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1;² and
- (b) residents occupying hostel places.³

(2) The fee payable by a resident who is 16 years or more but under 18 years is the amount worked out using the following formula—

$$87.5 \% \times \underline{\text{U18 DSPA} + \text{U18 RAA}}$$

NDY.

(3) The fee payable by a resident who is 18 years or more but under 21 years is the amount worked out using the following formula—

$$87.5 \% \times \underline{\text{U21 DSPA} + \text{U21 RAA}}$$

NDY.

² These residents pay the fees stated in section 8B.

³ These residents pay the fees stated in section 8C.

(4) The fee payable by a resident who is 21 years or more is the amount worked out using the following formula—

$$87.5 \% \times \mathbf{BAPA + RAA}$$

NDY.

(5) In this section—

“**BAPA**” means basic age pension amount.

“**NDY**” means number of days in the year.

“**RAA**” means rent assistance amount.

“**U18 DSPA**” means under 18 disability support pension amount.

“**U18 RAA**” means under 18 rent assistance amount.

“**U21 DSPA**” means under 21 disability support pension amount.

“**U21 RAA**” means under 21 rent assistance amount.

8B Occupiers of places under Aged Care Act 1997 (Cwlth)

(1) This section applies to residents of residential care facilities occupying places allocated by the Commonwealth to the State under the *Aged Care Act 1997* (Cwlth), section 14-1.

(2) The fee payable by a resident for each day of residence at a residential care facility is the maximum daily amount of resident fees for the resident worked out under the *Aged Care Act 1997* (Cwlth), section 58-2.

8C Occupiers of hostel places

(1) This section applies to persons occupying hostel places.

(2) The fee payable by a person occupying a hostel place for each day of residence at Eventide Charters Towers, Eventide Rockhampton or Eventide Sandgate is the amount worked out using the following formula—

$$66.67 \% \times \mathbf{BAPA + RAA}$$

NDY.

(3) In subsection (2)—

“**BAPA**” means basic age pension amount.

“NDY” means number of days in the year.

“RAA” means rent assistance amount.

8D Waiver of fee

The chief executive may waive, wholly or partially, payment of a fee mentioned in sections 8A to 8C if the chief executive is satisfied payment of the fee would cause the resident financial hardship.

PART 2B—EXTENDED TREATMENT FACILITIES AND PSYCHOGERIATRIC UNIT FEES

Division 1—General

9 Application of certain sections

Subject to section 9F, sections 4, 4A and 8A⁴ do not apply to patients in extended treatment facilities.

9A Patient with acute care certificate

The fees mentioned in this part are not payable by a patient in an extended treatment facility who holds an acute care certificate.

9B Fees not payable for first 35 days

(1) The fees mentioned in this part are not payable by a patient for the first 35 days the patient is a patient in an extended treatment facility.

(2) Subsection (1) does not apply if the patient has been a resident of a residential care facility immediately before becoming a patient.

4 Sections 4 (Accommodation etc. charges), 4A (Accommodation etc. charges—nursing home type patients) and 8A (Residents of residential care facilities)

9C Fees not payable for last 30 days

(1) The fees mentioned in this part are not payable by a patient for the last 30 days the patient is a patient in an extended treatment facility.

(2) Subsection (1) does not apply if the patient is transferred to a public sector hospital or residential care facility.

9D Waiver of fee

The chief executive may waive, wholly or partially, payment of a fee mentioned in this part if the chief executive is satisfied payment of the fee would cause the patient financial hardship.

*Division 2—Extended treatment facilities fees***9E Extended treatment facilities fees other than psychogeriatric unit**

(1) This section states the daily fees payable by patients in extended treatment facilities, other than patients in a psychogeriatric unit.

(2) The fee payable by a patient who is 16 years or more but under 18 years is the amount worked out using the following formula—

$$66.67 \% \times \underline{U18 DSPA + U18 RAA}$$

NDY.

(3) The fee payable by a patient who is 18 years or more but under 21 years is the amount worked out using the following formula—

$$66.67 \% \times \underline{U21 DSPA + U21 RAA}$$

NDY.

(4) The fee payable by a patient who is 21 years or more is the amount worked out using the following formula—

$$66.67 \% \times \underline{BAPA + RAA}$$

NDY.

(5) In this section—

“**BAPA**” means basic age pension amount.

“**NDY**” means number of days in the year.

“**RAA**” means rent assistance amount.

“U18 DSPA” means under 18 disability support pension amount.

“U18 RAA” means under 18 rent assistance amount.

“U21 DSPA” means under 21 disability support pension amount.

“U21 RAA” means under 21 rent assistance amount.

Division 3—Psychogeriatric unit fees

9F Psychogeriatric unit fees

The fees payable by a patient in a psychogeriatric unit are the fees that would be payable under section 8A if the patient were a resident of a residential care facility.

PART 3—FEES FOR MEDICAL RECORDS

10 Fees for medical records

(1) A fee is payable in accordance with this section for the provision of a copy of a document containing medical records of a public sector health service relating to a person.

(2) The fee is as follows—

- (a) for a copy of an X-ray—\$10.00;
- (b) for a copy of a photograph—\$5.00;
- (c) for a copy of a videotape—\$12.00;
- (d) for a copy of an audiotape—\$5.00;
- (e) for a copy of a CD-ROM—\$12.00.

(3) The fee is payable to the organisation, body or person from the public sector providing the copy.

PART 5—HEALTH SERVICE EMPLOYEES

12 Parts of department to which the Act, s 24(1) does not apply

For section 24(2) of the Act, the parts of the department in which the chief executive may not appoint a person as a health service employee are the units or sections stated in schedule 4, column 2 of the branches stated in schedule 4, column 1.

PART 6—CONFIDENTIAL INFORMATION

13 Giving of information—Act, s 63(2)(g)

The agreements in schedule 5 are agreements for section 63(2)(g) of the Act.

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 30⁵ of the Act.

“**privacy policy**” see section 13I.

5 Section 30 (Definitions) of the Act

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.

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*.⁶

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;

⁶ Now see the *Public Records Act 2002*, section 6 (What is a public record).

(d) ask an individual for consent to disclose the individual's identity under section 32(2)⁷ 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.

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

⁷ Section 32 (Restrictions on committees) of the Act

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.

PART 7—TRANSITIONAL PROVISIONS

14 Fees for certain patients in psychogeriatric units

- (1) This section applies to a patient who—

Health Services Regulation 1992

- (a) immediately before the commencement of this section was—
 - (i) a patient in a facility which, on the commencement, is a psychogeriatric unit; and
 - (ii) paying the fees mentioned in the *Mental Health Regulation 1985*, section 63(1); and
- (b) on the commencement is a patient in the unit.

(2) The fees payable by the patient while the patient remains a patient in the unit are the fees that would be payable under part 2B if the patient were a patient in an extended treatment facility other than a psychogeriatric unit.

SCHEDULE 4**PARTS OF DEPARTMENT TO WHICH SECTION 24(1)
OF THE ACT DOES NOT APPLY**

section 12

Column 1	Column 2
Branch	Unit or section
Public Health Services	Planning and Research Communicable Diseases Women's Cancer Screening Services Environmental Health Radiation Health Specialised Health Services Oral Health Alcohol, Tobacco and Other Drugs Government Medical Office

SCHEDULE 5**AGREEMENTS**

section 13

1. Public Health Outcome Funding Agreement 1999/00–2003/04 between the Commonwealth of Australia and the State of Queensland made 1 February 2000.
2. Agreement between the State of Queensland and the Australian Institute of Health and Welfare for the giving of certain health information by the State to the Institute dated 4 May 1999.
3. Australian Health Care Agreement.
4. Agreement between the State of Queensland and the Commonwealth of Australia for exchanging and linking certain medical record data, made 21 August 2000.
5. Agreement between New South Wales and Queensland for the funding of inpatient public hospital services provided to residents of New South Wales by Queensland and vice versa during 1998/99.
6. Agreement between Victoria and Queensland for the funding of admitted patient services provided to residents of Victoria by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.
7. Agreement between Queensland and Western Australia for the funding of admitted patient services provided to residents of Western Australia by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.
8. Agreement between Queensland and the Australian Capital Territory for the funding of admitted patient services provided to residents of the Australian Capital Territory by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.
9. Agreement between Queensland and South Australia for the funding of admitted patient services provided to residents of South Australia by Queensland and vice versa, for the period 1 July 1998 to 30 June 2003.

SCHEDULE 5 (continued)

10. Hospital Services Arrangement between the Commonwealth of Australia and the Repatriation Commission and the State of Queensland for the treatment and care in Queensland Public Hospitals of persons eligible for treatment under Part V of the *Veterans' Entitlements Act 1986*, made 24 December 1998.
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.

ENDNOTES

1 Index to endnotes

		Page
2	Date to which amendments incorporated	29
3	Key	29
4	Table of earlier reprints	30
5	Tables in earlier reprints	30
6	List of legislation.....	31
7	List of annotations.....	34

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 30 August 2002.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 339 of 1992	1 December 1992
2	to SL No. 453 of 1992	21 April 1993
3	to SL No. 358 of 1993	8 October 1993
4	to SL No. 213 of 1994	2 September 1994
4A	to SL No. 14 of 1996	6 November 1996
5	to SL No. 17 of 1997	5 March 1997
5A	to SL No. 238 of 1997	26 August 1997
5B	to SL No. 337 of 1997	10 October 1997
6	to SL No. 461 of 1997	22 January 1998
6A	to SL No. 344 of 1998	19 January 1999
6B	to SL No. 174 of 1999	27 August 1999
6C	to SL No. 32 of 2000	17 March 2000
6D	to SL No. 59 of 2000	7 April 2000
7	to SL No. 88 of 2000	2 June 2000
7A	to SL No. 173 of 2000	24 July 2000
7B	to SL No. 276 of 2000	17 November 2000
7C	to SL No. 314 of 2000	22 December 2000
7D	to SL No. 13 of 2001	30 March 2001
7E	to SL No. 33 of 2001	11 May 2001
7F	to SL No. 59 of 2001	15 June 2001
7G	to SL No. 86 of 2001	13 July 2001
8	to SL No. 86 of 2001	7 September 2001
8A	to SL No. 192 of 2001	31 October 2001
8B	to SL No. 20 of 2002	22 February 2002
8C	to SL No. 48 of 2002	5 April 2002
8D	to SL No. 99 of 2002	24 May 2002
8E	to SL No. 156 of 2002	28 June 2002
8F	to SL No. 156 of 2002	1 July 2002

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	1, 5

6 List of legislation

Health Services Regulation 1992 SL No. 211 (prev Health Services (Public Hospitals Fees and Charges) Regulation 1992)

made by the Governor in Council on 2 July 1992
 notfd gaz 3 July 1992 pp 2245–7
 commenced on date of notification
 rep 30 August 2002 (2002 SL No. 221 s 39)

Note—This regulation contains provisions that were relocated from other regulations. A list of legislation for each of the relocated regulations appears below.

amending legislation—

Health Services (Public Hospitals) Fees and Charges Amendment Regulation (No. 1) 1992 SL No. 339

notfd gaz 6 November 1992 pp 1286–9
 commenced on date of notification

Health Services (Public Hospitals) Fees and Charges Amendment Regulation (No. 2) 1992 SL No. 453

notfd gaz 18 December 1992 pp 1988–96
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 January 1993 (see s 2)

Health Services (Public Hospitals Fees and Charges) Amendment Regulation (No. 1) 1993 SL No. 286

notfd gaz 30 July 1993 pp 1594–6
 ss 1–2 commenced on date of notification
 remaining provisions commenced 2 August 1993 (see s 2)

Health Services (Public Hospitals Fees and Charges) Amendment Regulation (No. 2) 1993 SL No. 358

notfd gaz 17 September 1993 pp 225–8
 commenced on date of notification

Health Legislation Amendment Regulation (No. 1) 1994 SL No. 213 pts 1, 4

notfd gaz 24 June 1994 pp 1058–61
 ss 1–2 commenced on date of notification
 s 9 commenced 1 September 1994 (see s 2(2))
 remaining provisions commenced 1 July 1994 (see s 2(1))

Health Services (Public Hospitals Fees and Charges) Amendment Regulation (No. 1) 1995 SL No. 202

notfd gaz 22 June 1995 pp 1281A–1281D
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1995 (see s 2)

Health Services Legislation Amendment Regulation (No. 1) 1995 SL No. 402 pts 1, 2

notfd gaz 22 December 1995 pp 1672–6
 ss 9–10 commenced 1 January 1996 (see s 2)
 remaining provisions commenced on date of notification

list of legislation to Health Services (Public Sector) Fees Regulation 1992 SL No. 386—before relocation of s 2 to Health Services Regulation 1992 SL No. 211 as pt 3 s 10 (see 1995 SL No. 402 s 12)

Health Services (Public Sector) Fees Regulation 1992 SL No. 386

notfd gaz 4 December 1992 pp 1723–6

commenced on date of notification

amending legislation—

Health Services Legislation Amendment Regulation (No. 1) 1995 SL No. 402 pts 1, 3

notfd gaz 22 December 1995 pp 1672–6

commenced on date of notification

list of legislation to Public Hospitals (Dental Services Fees and Charges) Regulation 1991—before relocation of s3, sch to Health Services Regulation 1992 SL No. 211 as pt 4 s 11, sch 1 (see 1995 SL No. 402 s 16)

Public Hospitals (Dental Services Fees and Charges) Regulation 1991

pubd gaz 18 May 1991 pp 269–74

commenced on date of publication

Note—This regulation was made under the Hospitals Act 1936 and was saved by the Health Services Act 1991, section 8.12

amending legislation—

Health Services Legislation Amendment Regulation (No. 1) 1995 SL No. 402 pts 1, 4

notfd gaz 22 December 1995 pp 1672–6

commenced on date of notification

amending legislation to Health Services Regulation 1992 SL No. 211—after relocation of Health Services (Public Sector) Fees Regulation 1992 SL No. 386, s 2 and Public Hospitals (Dental Services Fees and Charges) Regulation 1991 s 3 sch

Health Services Legislation Amendment Regulation (No. 1) 1995 SL No. 402

notfd gaz 22 December 1995 pp 1672–6

ss 9–10 commenced 1 January 1996 (see s 2)

remaining provisions commenced on date of notification

Health Services Amendment Regulation (No. 1) 1996 SL No. 14

notfd gaz 2 February 1996 pp 488–90

commenced on date of notification

Regional Health Authorities (Consequential Amendments) Regulation 1996 SL No. 413 pts 1, 6

notfd gaz 20 December 1996 pp 1588–98

commenced on date of notification

WorkCover Queensland Regulation 1997 SL No. 17 ss 1–2, 47 sch 6

notfd gaz 31 January 1997 pp 376–8

ss 1–2 commenced on date of notification

remaining provisions commenced 1 February 1997 (see s 2)

- Health Services Amendment Regulation (No. 1) 1997 SL No. 164**
notfd gaz 4 July 1997 pp 1143–4
commenced on date of notification
- Health Services Amendment Regulation (No. 2) 1997 SL No. 238**
notfd gaz 1 August 1997 pp 1552–4
commenced on date of notification
- Health Services Amendment Regulation (No. 3) 1997 SL No. 311**
notfd gaz 26 September 1997 pp 354–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 1997 (see s 2)
- Health Services Amendment Regulation (No. 4) 1997 SL No. 337**
notfd gaz 10 October 1997 pp 586–7
commenced on date of notification
- Health Services Amendment Regulation (No. 5) 1997 SL No. 461**
notfd gaz 19 December 1997 pp 1770–7
commenced on date of notification
- Health Services Amendment Regulation (No. 1) 1998 SL No. 344**
notfd gaz 18 December 1998 pp 1551–7
commenced on date of notification
- Health Legislation Amendment Regulation (No. 1) 1999 SL No. 174 pts 1, 5**
notfd gaz 30 July 1999 pp 1905–6
commenced on date of notification
- Health Services Amendment Regulation (No. 1) 2000 SL No. 32**
notfd gaz 3 March 2000 pp 855–6
commenced on date of notification
- Health Services Amendment Regulation (No. 2) 2000 SL No. 48**
notfd gaz 24 March 2000 pp 1130–1
commenced on date of notification
- Health Services and Mental Health Amendment Regulation (No. 1) 2000 SL No. 59
pts 1–2**
notfd gaz 7 April 2000 pp 1312–13
commenced on date of notification
- Health Services Amendment Regulation (No. 3) 2000 SL No. 88**
notfd gaz 19 May 2000 pp 218–19
commenced on date of notification
- Health Legislation Amendment Regulation (No. 1) 2000 SL No. 148 pts 1, 4**
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)
- Health Services Amendment Regulation (No. 4) 2000 SL No. 173**
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)

- Health Services Amendment Regulation (No. 5) 2000 SL No. 276**
notfd gaz 3 November 2000 pp 811–12
commenced on date of notification
- Health Services Amendment Regulation (No. 6) 2000 SL No. 314**
notfd gaz 8 December 2000 pp 1374–7
commenced on date of notification
- Health Services Amendment Regulation (No. 1) 2001 SL No. 13**
notfd gaz 16 March 2001 pp 1184–5
commenced on date of notification
- Health Services Amendment Regulation (No. 2) 2001 SL No. 33**
notfd gaz 20 April 2001 pp 1610–11
commenced on date of notification
- Health Services Amendment Regulation (No. 3) 2001 SL No. 59**
notfd gaz 1 June 2001 pp 416–17
commenced on date of notification
- Health Services Amendment Regulation (No. 4) 2001 SL No. 86**
notfd gaz 29 June 2001 pp 822–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2001 (see s 2)
- Health Services Amendment Regulation (No. 5) 2001 SL No. 192**
notfd gaz 19 October 2001 pp 627–8
commenced on date of notification
- Health Legislation Amendment Regulation (No. 1) 2002 SL No. 20 pts 1, 5**
notfd gaz 15 February 2002 pp 618–19
commenced on date of notification
- Health Services Amendment Regulation (No. 1) 2002 SL No. 48**
notfd gaz 22 March 2002 pp 1112–13
commenced on date of notification
- Health Services Amendment Regulation (No. 2) 2002 SL No. 99**
notfd gaz 10 May 2002 pp 157–8
commenced on date of notification
- Health Legislation Amendment Regulation (No. 2) 2002 SL No. 156 pts 1, 5**
notfd gaz 28 June 2002 pp 876–83
ss 22, 23 commenced 1 July 2002 (see s 2)
remaining provisions commenced on date of notification

7 List of annotations

PART 1—PRELIMINARY

pt hdg ins 1995 SL No. 402 s 4

Short title

s 1 sub 1992 SL No. 453 s 4; 1995 SL No. 402 s 5

Repeal of regulation

s 2 om R1 (see RA s 40)

Definitions

s 3 def “**acute care certificate**” ins 2000 SL No. 59 s 3
 def “**ancillary services**” om 1997 SL No. 164 s 3
 def “**basic age pension amount**” ins 1997 SL No. 311 s 4
 def “**eligible person**” sub 2000 SL No. 48 s 3
 def “**extended treatment facility**” ins 2000 SL No. 59 s 3
 def “**hostel place**” ins 1997 SL No. 311 s 4
 def “**ineligible person**” ins 2000 SL No. 88 s 3
 def “**Medicare Agreement**” om 2000 SL No. 48 s 3(1)
 def “**pensioner**” ins 1992 SL No. 339 s 3
 def “**place**” ins 1997 SL No. 311 s 4
 def “**psychogeriatric unit**” ins 2000 SL No. 59 s 3
 def “**rent assistance amount**” ins 1997 SL No. 311 s 4
 def “**residential care facility**” ins 1997 SL No. 311 s 4
 def “**special administrative arrangements**” om 2000 SL No. 48 s 3(1)
 def “**third party patient**” sub 1994 SL No. 213 s 9
 amd 1995 SL No. 402 s 6; 2001 SL No. 13 s 3
 def “**under 18 disability support pension amount**” ins 1997 SL No. 311 s 4
 def “**under 18 rent assistance amount**” ins 1997 SL No. 311 s 4
 def “**under 21 disability support pension amount**” ins 1997 SL No. 311 s 4
 def “**under 21 rent assistance amount**” ins 1997 SL No. 311 s 4
 def “**WorkCover Queensland**” ins 1997 SL No. 238 s 3
 def “**workers’ compensation patient**” sub 1997 SL No. 17 s 47 sch 6

Meaning of “residential care facility”

s 3A ins 1997 SL No. 311 s 5

Chief executive may approve forms

s 3B ins 2000 SL No. 59 s 4

Additional payment if GST applies

s 3C ins 2000 SL No. 148 s 8

PART 2—PUBLIC HOSPITALS FEES AND CHARGES

pt hdg ins 1995 SL No. 402 s 7

Accommodation etc. charges

s 4 amd 1992 SL No. 453 s 5; 1993 SL No. 286 s 4; 1994 SL No. 213 s 10; 1995 SL No. 202 s 4; 1996 SL No. 413 s 12; 1997 SL No. 238 ss 4–5; 1997 SL No. 311 s 6; 2000 SL No. 48 s 4; 2000 SL No. 88 s 4; 2000 SL No. 173 s 4; 2001 SL No. 86 s 4; 2002 SL No. 20 s 9; 2002 SL No. 48 s 3; 2002 SL No. 156 s 22

Accommodation etc. charges—nursing home type patients

s 4A ins 1997 SL No. 311 s 7

Administrative and facility charges

s 5 sub 1996 SL No. 413 s 13
 om 2000 SL No. 48 s 5

Pharmaceutical charges

s 6 amd 1992 SL No. 453 s 6; 1993 SL No. 358 s 3; 1994 SL No. 213 s 11; 1996 SL No. 413 s 14; 1997 SL No. 164 s 4; 2000 SL No. 32 s 3; 2001 SL No. 13 s 4; 2002 SL No. 20 s 10

Prosthesis charges

s 6A ins 1992 SL No. 339 s 4
amd 1996 SL No. 413 s 15; 1997 SL No. 164 s 5
om 2001 SL No. 13 s 5

Outpatient services charges

s 7 amd 1994 SL No. 213 s 12; 1995 SL No. 202 s 5; 1996 SL No. 413 s 16; 1997 SL No. 238 s 5
sub 2000 SL No. 88 s 5
amd 2002 SL No. 20 s 11; 2002 SL No. 156 s 23

Medical examinations and reports charges

s 8 amd 1994 SL No. 213 s 13; 1995 SL No. 202 s 6; 1996 SL No. 413 s 17; 1997 SL No. 238 s 5
om 1998 SL No. 344 s 3

PART 2A—RESIDENTIAL CARE FACILITIES FEES

pt 2A (ss 8A–8D) ins 1997 SL No. 311 s 8

PART 2B—EXTENDED TREATMENT FACILITIES AND PSYCHOGERIATRIC UNIT FEES

pt hdg ins 2000 SL No. 59 s 5

Division 1—General

div hdg ins 2000 SL No. 59 s 5

Application of certain sections

s 9 prev s 9 amd 1996 SL No. 413 s 18
om 1997 SL No. 164 s 6
pres s 9 ins 2000 SL No. 59 s 5

Patient with acute care certificate

s 9A ins 2000 SL No. 59 s 5

Fees not payable for first 35 days

s 9B ins 2000 SL No. 59 s 5

Fees not payable for last 30 days

s 9C ins 2000 SL No. 59 s 5

Waiver of fee

s 9D ins 2000 SL No. 59 s 5

Division 2—Extended treatment facilities fees

div hdg ins 2000 SL No. 59 s 5

Extended treatment facilities fees other than psychogeriatric unit

s 9E ins 2000 SL No. 59 s 5

Division 3—Psychogeriatric unit fees

div hdg ins 2000 SL No. 59 s 5

Psychogeriatric unit fees

s 9F ins 2000 SL No. 59 s 5

PART 3—FEES FOR MEDICAL RECORDS

pt hdg ins 1995 SL No. 402 s 8

Fees for medical recordss 10 (prev 1992 SL No. 386 s 2)
reloc 1995 SL No. 402 s 12
amd 2002 SL No. 20 s 12**PART 4—DENTAL SERVICES FEES AND CHARGES**pt hdg ins 1995 SL No. 402 s 8
om 2001 SL No. 192 s 3**Fees and charges**s 11 (prev reg pubd gaz 18 May 1991 pp 269–74 s 3)
amd 1995 SL No. 402 s 14
reloc 1995 SL No. 402 s 16
amd 1996 SL No. 413 s 19
om 2001 SL No. 192 s 3**PART 5—HEALTH SERVICE EMPLOYEES**pt hdg ins 1995 SL No. 402 s 8
sub 1996 SL No. 413 s 20**Parts of department to which the Act, s 24(1) does not apply**prov hdg amd 2000 SL No. 314 s 3(1)
s 12 ins 1995 SL No. 402 s 8
amd 1996 SL No. 14 s 3
sub 1996 SL No. 413 s 20
amd 2000 SL No. 314 s 3(2)**PART 6—CONFIDENTIAL INFORMATION**pt hdg prev pt hdg ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)
pres pt hdg ins 1997 SL No. 337 s 3**Division 1—Transfer of officers**div hdg ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)**Giving of information—Act, s 63(2)(g)**s 13 prev s 13 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)
pres s 13 ins 1997 SL No. 337 s 3**PART 6A—QUALITY ASSURANCE COMMITTEES**

pt 6A (ss 13A–13L) ins 2001 SL No. 33 s 3

PART 7—TRANSITIONAL PROVISIONS

pt hdg ins 2000 SL No. 59 s 6

Fees for certain patients in psychogeriatric units

s 14 prev s 14 ins 1995 SL No. 402 s 9

exp 1 January 1996 (see s 21)
pres s 14 ins 2000 SL No. 59 s 6

Leave and superannuation entitlements

s 15 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Terms of employment

s 16 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Division 2—Transfer of health services and property

div hdg ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Sexual health clinic laboratory services

s 17 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Patron care responsible hospitality program

s 18 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Cytogenetics services

s 19 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Neonatal screening services

s 20 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

Expiry

s 21 ins 1995 SL No. 402 s 9
exp 1 January 1996 (see s 21)

SCHEDULE 1—DENTAL SERVICES FEES

(prev reg pubd gaz 18 May 1991 pp 269–74 sch)
amd 1995 SL No. 402 s 15
reloc 1995 SL No. 402 s 16
amd 1996 SL No. 413 s 21
om 2001 SL No. 192 s 4

SCHEDULE 2—TRANSFERRED OFFICERS

ins 1995 SL No. 402 s 10
exp 1 January 1996 (see s 21)

SCHEDULE 3—TRANSFERRED PROPERTY

ins 1995 SL No. 402 s 10
exp 1 January 1996 (see s 21)

SCHEDULE 4—PARTS OF DEPARTMENT TO WHICH SECTION 24(1) OF THE ACT DOES NOT APPLY

sch hdg amd 2000 SL No. 314 s 4
sch ins 1996 SL No. 413 s 22
amd 1997 SL No. 461 s 3

SCHEDULE 5—AGREEMENTS

ins 1997 SL No. 337 s 4

amd 1998 SL No. 344 s 4; 1999 SL No. 174 s 11; 2000 SL No. 48 s 6; 2000
SL No. 276 s 3; 2000 SL No. 314 s 5; 2001 SL No. 59 s 3; 2001
SL No. 192 s 5; 2002 SL No. 20 s 13; 2002 SL No. 99 s 3; 2002 SL
No. 156 s 24