Western Australia

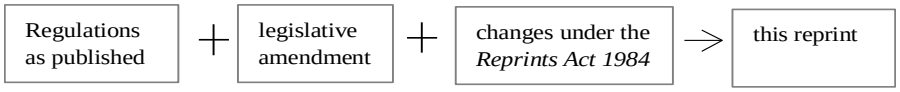
Health Act 1911

Health (Notification of Adverse Event After Immunization) Regulations 1995

Reprint 1: The regulations as at 5 March 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

   Notes of this kind may also be at the foot of Schedules or headings.
2. The other kind of editorial note shows something has been —
   - removed (because it was repealed or deleted from the law); or
   - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

   The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as "Reprint 3" would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the *Reprints Act 1984* as at 5 March 2004

Western Australia

Health (Notification of Adverse Event After Immunization) Regulations 1995

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1. Citation

These regulations may be cited as the *Health (Notification of Adverse Event After Immunization) Regulations 1995* [1].

2. Interpretation

In these regulations —

"adverse event after immunization" means an event that —

(a) is of a kind listed in Appendix 7 of the National Health and Medical Research Council publication "The Australian Immunisation Handbook 7th Edition"; and

(b) occurs following the administration of a vaccine to a person.

[Regulation 2 amended in Gazette 8 Aug 2000 p. 4549.]

3. Adverse event after immunization prescribed as condition of health

An adverse event after immunization is prescribed as a condition of health to which Part IXA of the Act applies.

4. Notification by medical practitioner

(1) A medical practitioner must notify the Executive Director, Public Health of an adverse event after immunization within 14 days of becoming aware of that adverse event.

(2) A notification under subregulation (1) must —

(a) be in writing in a form approved by the Executive Director, Public Health; and

(b) include the following information —

(i) a full description of the adverse event after immunization;

(ii) the full name of the person who suffered the adverse event after immunization and that person's address or telephone number;

(iii) where the adverse event after immunization is the death of a person, the full name, and the address or telephone number, of the next of kin or personal representative of the deceased person (if known);

(iv) the name, dose and batch number of the vaccine administered;

(v) the date on which the vaccine was administered;

(vi) the name and address of the place where the vaccine was administered; and

(vii) the full name, address and telephone number of the medical practitioner giving the notification.

(3) A medical practitioner who contravenes subregulation (1) commits an offence and is liable to a penalty which is not more than $1 000 and not less than —

(a) in the case of a first offence, $100;

(b) in the case of a second offence, $200; and

(c) in the case of a third or subsequent offence, $500.

5. Fee for notification

A fee of $5 is payable to a medical practitioner who gives notification under regulation 4 but this regulation does not apply to a medical practitioner who is employed in the Public Service of the State or the Commonwealth, or is employed by an agency or instrumentality of the State or the Commonwealth.

6. Executive Director, Public Health may request provision of information

(1) Where the Executive Director, Public Health —

(a) is notified of an adverse event after immunization; and

(b) has reasonable grounds to believe that a person is able to provide information relating to the adverse event,

the Executive Director, Public Health may request the person to provide such information relating to the adverse event as the Executive Director, Public Health considers necessary for the purpose of achieving the objects of Part IXA of the Act.

(2) A person to whom a request is made under subregulation (1) must comply with the request within 14 days of receiving the request.

(3) A person who, without reasonable excuse, contravenes subregulation (2) commits an offence and is liable to a penalty which is not more than $1 000 and not less than —

(a) in the case of a first offence, $100;

(b) in the case of a second offence, $200; and

(c) in the case of a third or subsequent offence, $500.

Notes

[1] This reprint is a compilation as at 5 March 2004 of the *Health (Notification of Adverse Event After Immunization) Regulations 1995* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
Health (Notification of Adverse Event After Immunization) Regulations 1995	14 Nov 1995 p. 5287-9	14 Nov 1995
Health (Notification of Adverse Event After Immunization) Amendment Regulations 2000	8 Aug 2000 p. 4549	8 Aug 2000
Reprint 1: The *Health (Notification of Adverse Event After Immunization) Regulations 1995* as at 5 Mar 2004 (includes amendments listed above)		

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