

HE304\*

Health Services Act 2016

## **Health Services (Consequential Amendments) Regulations 2016**

Made by the deputy of the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Health Services (Consequential Amendments) Regulations 2016*.

**2. Commencement**

These regulations come into operation on the day on which the *Health Services Act 2016* section 234 comes into operation.

**Part 2 — *Food Regulations 2009* amended****3. Regulations amended**

This Part amends the *Food Regulations 2009*.

**4. Regulation 4 amended**

In regulation 4(1) delete the definition of *public hospital* and insert:

*public hospital* has the meaning given in the *Health Services Act 2016* section 8(6);

**Part 3 — *Health (Rheumatic Heart Disease Register of Western Australia) Regulations 2015* amended****5. Regulations amended**

This Part amends the *Health (Rheumatic Heart Disease Register of Western Australia) Regulations 2015*.

**6. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

*health service provider* has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of *Aboriginal health worker* paragraph (a) after “by” insert:

or in

- (3) In regulation 3 in the definition of *chief executive officer* paragraph (a) delete “board or” and insert:

health service provider for the hospital or the

- (4) In regulation 3 in the definition of *hospital* delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);

- (5) In regulation 3 in the definition of *medical centre*:
- (a) in paragraph (a) delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:
- Health Services Act 2016* section 6;
- (b) delete paragraph (b) and insert:
- (b) a health service provider;

#### **Part 4 — *Health (Western Australian Cancer Register) Regulations 2011* amended**

##### **7. Regulations amended**

This Part amends the *Health (Western Australian Cancer Register) Regulations 2011*.

##### **8. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

*health service provider* has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of *chief executive officer* paragraph (a) delete “board or licence holder” and insert:

the health service provider for the hospital or the licence holder

- (3) In regulation 3 in the definition of *hospital* delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);

#### **Part 5 — *Health (Western Australian Register of Developmental Anomalies) Regulations 2010* amended**

##### **9. Regulations amended**

This Part amends the *Health (Western Australian Register of Developmental Anomalies) Regulations 2010*.

**10. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

*health service provider* has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of *chief executive officer* paragraph (a) delete “board or” and insert:

health service provider for the hospital or the

- (3) In regulation 3 in the definition of *hospital* delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);

**Part 6 — Health and Disability Services (Complaints)  
Regulations 2010 amended****11. Regulations amended**

This Part amends the *Health and Disability Services (Complaints) Regulations 2010*.

**12. Regulation 4 amended**

Delete regulation 4(2)(a) and insert:

- (a) the class comprising health service providers established by order under the *Health Services Act 2016* section 32(1);

**Part 7 — Poisons Regulations 1965 amended****13. Regulations amended**

This Part amends the *Poisons Regulations 1965*.

**14. Regulation 2 amended**

In regulation 2(1) in the definition of *public hospital* delete “as defined in the *Hospitals and Health Services Act 1927*;” and insert:

within the meaning given in the *Health Services Act 2016* section 8(6);

**15. Regulation 37A amended**

Delete regulation 37A(1)(a)(i) and (ii) and insert:

- (i) in the Department (as defined in the *Health Services Act 2016* section 6); or
- (ii) in a health service provider (as defined in the *Health Services Act 2016* section 6);

**16. Regulation 37B amended**

Delete regulation 37B(1)(b)(i) and (ii) and insert:

- (i) in the Department (as defined in the *Health Services Act 2016* section 6); or
- (ii) in a health service provider (as defined in the *Health Services Act 2016* section 6);

**17. Regulation 40 amended**

Delete regulation 40(1)(f) and insert:

- (f) the Director of Nursing of a public hospital or of a private hospital as defined in the *Private Hospitals and Health Services Act 1927* section 2(1);

**18. Regulation 51FB amended**

In regulation 51FB(5)(b)(i) delete “as defined in the *Hospitals and Health Services Act 1927* section 2(1); or” and insert:

within the meaning given in the *Health Services Act 2016* section 8(4); or

N. HAGLEY, Clerk of the Executive Council.

---