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This compilation is in 2 volumes

Volume 1: sections 1**–**106ZR

**Volume 2: sections 124B–133  
 Endnotes**

Each volume has its own contents

**About this compilation**

**This compilation**

This is a compilation of the *Health Insurance Act 1973* that shows the text of the law as amended and in force on 25 November 2023 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part VB—Medicare Participation Review Committees

124B Interpretation

(1) In this Part, unless the contrary intention appears:

***Chairperson*** means a Chairperson of Medicare Participation Review Committees appointed under section 124C.

***Committee*** means a Medicare Participation Review Committee established under section 124E.

***determination*** means a determination made under subsection 124F(1), (2) or (6), 124FB(1), 124FC(1) or 124FF(1), (2) or (5).

***hearing*** means a hearing conducted by a Committee under subsection 124G(1).

***legal practitioner*** means a person who is enrolled as a legal practitioner of the High Court, of another federal court or of the Supreme Court of a State or Territory.

***member***, in relation to a Committee, includes the Chairperson.

***officer***, in relation to a body corporate, means a director, secretary, manager or employee of the body corporate.

***practitioner*** means:

(a) a medical practitioner; or

(b) a dental practitioner; or

(d) an optometrist; or

(da) a midwife; or

(db) a nurse practitioner; or

(e) a chiropractor; or

(f) a physiotherapist; or

(g) a podiatrist; or

(h) an osteopath; or

(i) a health professional of a kind determined by the Minister under subsection (7) to be a practitioner for the purposes of this Part.

***professional organisation*** means an organisation or association declared by the regulations to be a professional organisation for the purposes of this definition.

***relevant civil contravention*** means a contravention of a civil penalty provision in Division 2 of Part IIBA.

***relevant offence*** means:

(a) an offence against section 128A, 128B, 129 or 129AA of this Act, being an offence that is committed after the commencement of this Part; or

(aa) an offence against section 128C that is committed after the commencement of this paragraph; or

(ab) an offence against section 23DR or 23DS that is committed after the commencement of this paragraph; or

(ac) an offence against Division 3 of Part IIBA that is committed after the commencement of this paragraph; or

(b) an offence against section 129, 129AA or 129AAA of this Act as in force before the commencement of this Part, being an offence of which a person has been convicted after the commencement of this Part; or

(c) an offence against:

(i) section 6 of the *Crimes Act 1914*; or

(ii) section 11.1, 11.4 or 11.5 of the *Criminal Code*;

being an offence that:

(iii) relates to an offence referred to in paragraph (a) and is committed after the commencement of this Part; or

(iiia) relates to an offence referred to in paragraph (aa) or (ac); or

(iv) relates to an offence referred to in paragraph (b) and is an offence of which a person has been convicted after the commencement of this Part; or

(d) an offence against section 134.1, 134.2, 135.1, 135.2, 135.4, 136.1, 137.1, 144.1, 145.1, 145.4 or 145.5 of the *Criminal Code*, being an offence relating to a claim for payment in respect of the rendering of a professional service; or

(f) an offence against section 136.1, 137.1 or 137.2 of the *Criminal Code* that is committed after the commencement of this paragraph and that relates to:

(i) an application under section 5 or 5B; or

(ii) a statement or report under section 130A; or

(iii) a notification under section 130B.

(2) A reference in this Part to a conviction of an offence includes a reference to the making of an order under section 19B of the *Crimes Act 1914* in relation to the offence.

(3) In this Part, a reference to an appeal against a conviction or pecuniary penalty order includes a reference to:

(a) an appeal against a decision of a court wholly or partly dismissing an appeal against the conviction or order; or

(b) where an appeal lies only by leave or special leave—an application for leave or special leave to appeal; or

(c) any proceedings in which the validity of the conviction or order is in question;

and a reference to a right to appeal against a conviction or pecuniary penalty order shall be construed accordingly.

(4) A reference in this Part to an approved pathology practitioner includes a reference to a person who has been an approved pathology practitioner.

(5) A reference in this Part to an approved pathology authority includes a reference to a person who has been an approved pathology authority.

(6) A reference in this Part to a practitioner includes a reference to a person who has been a practitioner.

(7) The Minister may, by legislative instrument, determine that a health professional of a particular kind (being a health professional who provides a health service within the meaning of subsection 3C(8)) is a practitioner for the purposes of this Part.

124BA Application of Part to providers who are not practitioners

(1) This Part applies to a provider (within the meaning of section 23DZZID) of one or more kinds of pathology services or diagnostic imaging services (being a provider who is not a practitioner) as if a reference in this Part to a practitioner were a reference to the provider.

(2) In applying this Part to such a provider, subsections 124F(2) and 124FF(2) apply as if the following paragraph were added at the end of the subsections:

“(g) in relation to a provider (who is not a practitioner) of one or more kinds of pathology services or diagnostic imaging services—medicare benefits are not payable, during the period specified in the determination (being a period ending no later than 5 years after the day on which the determination takes effect), in respect of kinds of pathology services or diagnostic imaging services that are specified in the determination and rendered by or on behalf of the provider.”

124C Chairpersons

(1) The Minister shall appoint such number of persons to be the Chairpersons of Medicare Participation Review Committees as the Minister thinks necessary.

(2) A Chairperson may be appointed on a full‑time or a part‑time basis.

(3) The Minister shall not appoint a person as a Chairperson unless that person is a legal practitioner and has been a legal practitioner for not less than 5 years.

(4) Subject to this section, a Chairperson holds office for such period, not exceeding 5 years, as is specified in the instrument of appointment, but is eligible for re‑appointment.

(5) A Chairperson may resign from office by writing signed by the Chairperson and delivered to the Minister.

(6) The Minister may terminate the appointment of a Chairperson because of misbehaviour or physical or mental incapacity.

124D Chairperson etc. to be notified if practitioner convicted of relevant offence or civil contravention

(1) This section applies in relation to a conviction of a practitioner where:

(a) the practitioner has been convicted of a relevant offence;

(b) all the rights of the practitioner to appeal against the conviction (other than the right to apply for an extension of the time for instituting such an appeal) have been exhausted or have expired; and

(c) the conviction has not been wholly set aside.

(1A) This section also applies in relation to a pecuniary penalty order made against a practitioner if:

(a) the order was made in respect of a relevant civil contravention; and

(b) all the rights of the practitioner to appeal against the order (other than the right to apply for an extension of the time for instituting such an appeal) have been exhausted or have expired; and

(c) the order has not been wholly set aside.

(2) Within 28 days after this section commences to apply in relation to the conviction or order, the Minister must, if an appeal, or an application for an extension of the time for instituting an appeal, against the conviction or order is not pending, give to the Chairperson a notice in writing setting out the details of the conviction or order and, at or about the same time, give to the practitioner a copy of the notice.

(3) Where:

(a) a practitioner is subject to a period of disqualification by virtue of having been convicted of offences before the commencement of this Part; and

(b) no appeal against any of the convictions is pending;

the practitioner may apply in writing to the Minister for the disqualification to be reviewed by a Committee, and, upon receiving such an application, the Minister shall give to a Chairperson a notice in writing setting out the details of the convictions and, at or about the same time, give to the practitioner a copy of the notice.

(4) In subsection (3), ***disqualification*** has the same meaning as it had in section 19B before the commencement of this Part.

(5) Where a notice is given to a Chairperson under subsection (3), the offences in respect of which details of convictions are set out in the notice shall, for the purposes of sections 124E and 124F, be deemed to be relevant offences.

124E Chairperson to establish Medicare Participation Review Committee

(1) Except where subsection (2) or (5) applies, where:

(a) a Chairperson receives a notice under section 124D in relation to a conviction or pecuniary penalty order; and

(b) an appeal, or an application for an extension of the time for instituting an appeal, against the conviction or order, is not pending;

the Chairperson must establish a Medicare Participation Review Committee.

(2) Where:

(a) a Chairperson receives a notice under section 124D in relation to a practitioner; and

(b) a Medicare Participation Review Committee has already been established under subsection (1) in relation to the practitioner; and

(c) the Committee has yet to make a determination in relation to the practitioner;

the Chairperson must, as soon as practicable, bring the notice to the attention of the Committee.

(3) Subject to subsection (5), upon receiving a notice under subsection 23DL(4) in relation to an approved pathology practitioner or an approved pathology authority, a Chairperson must establish a Medicare Participation Review Committee.

(5) Where a Chairperson who is given a notice under section 124D or subsection 23DL(4) has a direct or indirect interest (whether pecuniary or otherwise) in a matter that is about to be the subject of proceedings before a Committee that the Chairperson would, but for this subsection, be required to establish under subsection (1) or (3):

(a) the Chairperson must immediately inform the Minister of that interest; and

(b) the Chairperson must not establish the Committee; and

(c) the Minister must give another notice in the same terms to another Chairperson.

124EA Membership of Committees

(1) A Committee established under subsection 124E(1) or (3) consists of the following members:

(a) the Chairperson;

(b) subject to subsections (6), (7) and (8) and section 124EB, one person selected by the Chairperson from a list submitted under subsection (2);

(c) subject to subsection (8) and section 124EB, one person selected by the Chairperson from persons nominated under subsection (3).

(2) A professional organisation may submit to the Minister a list of names of persons nominated for the purposes of paragraph (1)(b).

(3) The Minister may nominate persons for the purposes of paragraph (1)(c).

(4) The nomination of a person under subsection (2) or (3) may be revoked at any time:

(a) by the person nominated—by writing signed by that person and delivered to the Minister; or

(b) by the Minister—by writing signed by the Minister and delivered to the person.

(5) The Minister must keep each Chairperson informed in writing:

(a) of the persons nominated under subsections (2) and (3); and

(b) of any revocation of a nomination under subsection (4).

(6) Where no person is available for a Chairperson to select under paragraph (1)(b) in constituting a Committee, the Minister must, in place of each person to be so selected, appoint to the Committee a person whom the Minister considers to be the most appropriate person to be appointed to the Committee.

(7) For the purposes of this Part, a person appointed under subsection (6) is taken to have been selected in accordance with paragraph (1)(b).

(8) Where a member of a Committee selected under paragraph (1)(b) or (c) has a direct or indirect interest (whether pecuniary or otherwise) in a matter that is, or is about to be, the subject of proceedings before the Committee:

(a) the member must immediately inform the Chairperson of that interest; and

(b) the member is taken to be disqualified from membership of the Committee; and

(c) another selection is to be made under paragraph (1)(b) or (c), as the case requires.

124EB Qualification of members

(1) Subject to subsection (2), each person selected by the Chairperson under paragraph 124EA(1)(b) or (c) must be a medical practitioner.

(2) A person selected by the Chairperson under paragraph 124EA(1)(b) or (c) must be:

(a) if the Committee is convened in relation to an approved pathology practitioner or an approved pathology authority—an approved pathology practitioner; or

(ab) if the Committee is convened in relation to a provider (within the meaning of section 23DZZID) of a kind of diagnostic imaging service—a medical practitioner experienced in the rendering of diagnostic imaging services; or

(b) if the Committee is convened in relation to a dental practitioner—a dental practitioner; or

(ba) if the Committee is convened in relation to a midwife—a midwife; or

(bb) if the Committee is convened in relation to a nurse practitioner—a nurse practitioner; or

(c) if the Committee is convened in relation to an optometrist—an optometrist; or

(d) if the Committee is convened in relation to a chiropractor—a chiropractor; or

(e) if the Committee is convened in relation to a physiotherapist—a physiotherapist; or

(f) if the Committee is convened in relation to a podiatrist—a podiatrist; or

(g) if the Committee is convened in relation to an osteopath—an osteopath; or

(h) if the Committee is convened in relation to a person who is a health professional of a kind covered by paragraph (i) of the definition of ***practitioner*** in subsection 124B(1)—a health professional of the same kind as the person.

124EC Provision of information to the person in relation to whom a Committee is convened

Where:

(a) a Committee has been established under section 124E; and

(b) a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*) gives to the Committee, or to the Chairperson, information for the purpose of assisting the Committee in making a determination in relation to a person;

the Chief Executive Medicare must, at or about the same time, give to the person a copy of the information.

124F Determinations in relation to relevant offences and relevant civil contraventions

Determinations

(1) Subject to subsections 124J(8) and 124T(3), a Committee established under subsection 124E(1) in relation to a practitioner shall make a determination in relation to the practitioner in respect of the commission by the practitioner of any relevant offence or relevant civil contravention that is the subject of a notice under section 124D and has not been the subject of a previous determination by a Committee.

(2) A Committee established under subsection 124E(1) in relation to a practitioner shall, in making a determination in relation to the practitioner, determine that:

(a) no action should be taken against the practitioner;

(b) it should counsel the practitioner;

(c) it should reprimand the practitioner;

(d) the practitioner is disqualified in respect of one or more of the services mentioned in subsection (4A); or

(e) the practitioner is fully disqualified; or

(f) in relation to a practitioner who has engaged in a relevant offence or a relevant civil contravention under Division 2 or 3 of Part IIBA:

(i) any other practitioner who is employed, or engaged under a contract for services, by the practitioner is taken to be disqualified while so employed or so engaged; or

(ii) if the practitioner is an officer of a body corporate—any other practitioner who is employed, or engaged under a contract for services, by the body corporate is taken to be disqualified while so employed or so engaged and while the first‑mentioned practitioner is an officer of the corporation.

(3) In making a determination under subsection (2) in relation to a practitioner, a Committee shall:

(a) without limiting the generality of the matters to which it may have regard in making the determination, have regard to the nature of, and the circumstances concerning the commission of:

(i) each relevant offence of which the practitioner has been convicted; and

(ii) each offence of which the practitioner has been convicted before the commencement of this Part, being an offence that would have been a relevant offence if the conviction had occurred after that commencement; and

(iii) each relevant civil contravention for which a pecuniary penalty order has been made against the practitioner; and

(b) comply with guidelines in force under section 124H.

(4) A determination under subsection (2) shall be made in writing.

Disqualification

(4A) If a Committee determines under paragraph (2)(d) or (f) that a practitioner is, or is taken to be, disqualified, it must specify in the determination whether the practitioner is fully disqualified or disqualified in respect of one or more of the following:

(a) the provision of specified professional services, or the provision of professional services other than specified professional services;

(b) the provision of professional services to a specified class of persons, or the provision of professional services to persons other than a specified class of persons;

(c) the provision of professional services within a specified location, or the provision of professional services otherwise than within a specified location.

Note: For specification by class, see subsection 33(3AB) of the *Acts Interpretation Act 1901*.

(5) Where a Committee determines under paragraph (2)(d) or (e) that a practitioner is disqualified, the Committee shall specify in the determination the period over which the disqualification is to have effect, being a period that ends:

(a) where the determination is a review of a period of disqualification referred to in subsection 124D(3)—on or before the day on which that period of disqualification is to come to an end; or

(b) in any other case—within 5 years after the day on which the determination comes into effect.

Medicare benefits

(6) If, in making a determination under subsection (2) in relation to a practitioner, a Committee:

(a) is satisfied that the practitioner engaged in a relevant offence or a relevant civil contravention under Division 2 or 3 of Part IIBA; and

(b) determines that pathology services or diagnostic images were rendered as a result of the relevant offence or relevant civil contravention;

the Committee must, in its determination:

(c) identify the services; and

(d) if medicare benefit has been paid, or is payable, in respect of the services—determine that:

(i) if the medicare benefit is payable to the practitioner, but has not been paid—the medicare benefit or a specified part of it ceases to be payable; or

(ii) if the medicare benefit has been paid to the practitioner, or has been paid or is payable to a person other than the practitioner—the medicare benefit or a specified part of it be payable by the practitioner to the Commonwealth.

Remote area exemptions

(7) If:

(a) a person (the ***practitioner***) is a medical practitioner who has been granted a remote area exemption that is in force under section 23DX or 23DXA; and

(b) a Committee determines that the practitioner engaged in a relevant offence or a relevant civil contravention under Division 2 or 3 of Part IIBA in relation to diagnostic imaging services;

the Committee must include in its determination under subsection (2) an advice to the Minister as to whether the remote area exemption should be revoked, and its reasons for so advising.

124FA Committee may add parties to proceedings in relation to breach of undertaking by approved pathology practitioner or approved pathology authority

(1) Where:

(a) a Committee is established under subsection 124E(3) in relation to an approved pathology practitioner; and

(b) the Committee has reasonable grounds to believe that an approved pathology authority that employs or employed the approved pathology practitioner has breached an undertaking given by the approved pathology authority under section 23DF;

the Committee may determine, in writing, that the Committee should consider whether the approved pathology authority has breached that undertaking.

(2) Where:

(a) a Committee is established under subsection 124E(3) in relation to an approved pathology authority; and

(b) the Committee has reasonable grounds to believe that an approved pathology practitioner who is or was employed by the authority has breached an undertaking given by the approved pathology practitioner under section 23DC;

the Committee may determine, in writing, that the Committee should consider whether the approved pathology practitioner has breached that undertaking.

(3) Where a Committee makes a determination under subsection (1) or (2) in relation to an approved pathology authority or an approved pathology practitioner, the Committee shall give the authority or the practitioner notice in writing of the determination.

124FB Determinations in relation to breach of undertaking by approved pathology practitioner

(1) Subject to subsection 124J(8), where:

(a) a Committee is established under subsection 124E(3) in relation to an approved pathology practitioner; or

(b) a Committee has made a determination, under subsection 124FA(2), that the Committee should consider whether an approved pathology practitioner has breached an undertaking;

the Committee shall:

(c) determine whether the practitioner has breached the undertaking given by the practitioner;

(d) if the Committee determines that the practitioner has breached the undertaking given by the practitioner by reason of having rendered excessive pathology services—identify those services; and

(e) if the Committee determines that the practitioner has breached the undertaking given by the practitioner—make one or more of the following determinations:

(i) that no action should be taken against the practitioner;

(ii) that it should counsel the practitioner;

(iii) that it should reprimand the practitioner;

(iv) that the undertaking given by the practitioner should be revoked;

(v) that no undertaking given by the practitioner should be accepted by the Minister under section 23DC during the period specified in the determination (being a period expiring not later than 5 years after the day on which the determination takes effect);

(vi) that medicare benefits should not be payable, during the period specified in the determination (being a period expiring not later than 5 years after the day on which the determination takes effect), in respect of pathology services, being pathology services of a kind specified in the determination, that are rendered by or on behalf of the practitioner;

(vii) where a medicare benefit is payable, but has not been paid, to the practitioner in respect of a pathology service and the Committee is of the opinion that the practitioner failed to comply with the undertaking in relation to that service—that the medicare benefit or a specified part of the medicare benefit cease to be payable;

(viii) where a medicare benefit has been paid to the practitioner, or has been paid, or is payable, to a person other than the practitioner, in respect of a pathology service and the Committee is of the opinion that the practitioner failed to comply with the undertaking in relation to that service—that the amount of the medicare benefit or a specified part of that amount be payable by the practitioner to the Commonwealth.

(2) In making a determination under subsection (1) in relation to a practitioner, the Committee shall comply with guidelines in force under section 124H.

(3) A determination under subsection (1) shall be made in writing.

124FC Determinations in relation to breach of undertaking by approved pathology authority

(1) Subject to subsection 124J(8), where:

(a) a Committee is established under subsection 124E(3) in relation to an approved pathology authority; or

(b) a Committee has made a determination, under subsection 124FA(1), that the Committee should consider whether an approved pathology authority has breached an undertaking;

the Committee shall:

(c) determine whether the authority has breached the undertaking given by the authority;

(d) if the Committee determines that the authority has breached the undertaking given by the authority by reason of having permitted the rendering of excessive pathology services at an accredited pathology laboratory of which the authority is the proprietor—identify those services; and

(e) if the Committee determines that the authority has breached the undertaking given by the authority—make one or more of the following determinations:

(i) that no action should be taken against the authority;

(ii) that it should counsel one or more of the following persons:

(A) the authority;

(B) an employee of the authority;

(C) where the authority is a body corporate—an officer of the authority;

(iii) that it should reprimand one or more of the following persons:

(A) the authority;

(B) an employee of the authority;

(C) where the authority is a body corporate—an officer of the authority;

(iv) that the undertaking should be revoked;

(v) that no undertaking given by the authority should be accepted by the Minister under section 23DF during the period specified in the determination (being a period expiring not later than 5 years after the day on which the determination takes effect);

(vi) where a medicare benefit has been paid, or is payable, to a person other than the authority, in respect of a pathology service and the Committee is of the opinion that the authority failed to comply with the undertaking in relation to that service—that the amount of the medicare benefit or a specified part of that amount be payable by the authority to the Commonwealth.

(2) In making a determination under subsection (1) in relation to an authority, the Committee shall comply with guidelines in force under section 124H.

(3) A determination under subsection (1) shall be made in writing.

124FD Committee may be established and proceedings may continue after undertaking ceases to be in force

Where:

(a) the Minister gives a Chairperson notice under subsection 23DL(4) in relation to an undertaking; and

(b) the undertaking ceases to be in force:

(i) before the Chairperson establishes a Committee pursuant to the notice; or

(ii) before a Committee established pursuant to the notice makes a determination under section 124FB or 124FC;

then, notwithstanding that the undertaking has ceased to be in force, the Chairperson may establish a Committee pursuant to the notice and a Committee so established may make a determination under section 124FB or 124FC pursuant to the notice.

124FE Committee may add parties to proceedings in relation to pathology and diagnostic imaging offences and contraventions

(1) Where:

(a) a Committee is established under subsection 124E(1) in relation to a practitioner; and

(b) the Committee has reasonable grounds to believe that a person who:

(i) employs or employed the practitioner; or

(ii) is or was an officer of a body corporate that employs or employed the person;

may have caused or permitted the practitioner or any other person to engage in a relevant offence or relevant civil contravention under Division 2 or 3 of Part IIBA that is specified in the notice given to the Chairperson concerned under subsection 124D(2);

the Committee may determine, in writing, that the Committee should consider whether the person caused or permitted the practitioner or other person to engage in the offence or contravention.

(2) Where:

(a) a Committee is established under subsection 124E(1) in relation to a body corporate that employs or employed a practitioner; and

(b) the Committee has reasonable grounds to believe that a person who is or was an officer of the body corporate may have caused or permitted the practitioner to engage in a relevant offence or relevant civil contravention under Division 2 or 3 of Part IIBA that is specified in the notice given to the Chairperson concerned under subsection 124D(2);

the Committee may determine, in writing, that the Committee should consider whether the officer caused or permitted the practitioner to engage in the offence or contravention.

(3) Where a Committee makes a determination under subsection (1) or (2) in relation to a person, the Committee must give the person written notice of the determination.

124FF Determinations in relation to pathology and diagnostic imaging offences and contraventions

(1) Subject to subsection 124J(8), where a Committee has determined, under subsection 124FE(1) or (2), that the Committee should consider whether a person caused or permitted a relevant offence or relevant civil contravention under Division 2 or 3 of Part IIBA to be engaged in by another person, the Committee must determine whether the person caused or permitted the offence or contravention to be engaged in by the other person.

(2) Where the Committee determines that a person caused or permitted another person to engage in a relevant offence or relevant civil contravention under Division 2 or 3 of Part IIBA, it must make one of the following determinations:

(a) that no action should be taken against the person;

(b) that it should counsel the person;

(c) that it should reprimand the person;

(d) where the person is a practitioner—that the person is disqualified;

(e) where the person employs, or has employed, a practitioner—that any practitioner who is employed by the person is, while so employed, taken to be disqualified;

(f) where the person is or has been an officer of a body corporate that employs, or has employed, a practitioner—that any practitioner who is employed by a body corporate of which the person is an officer is, while so employed at a time when the person is such an officer, taken to be disqualified.

(3) Where the Committee determines under paragraph (2)(d), (e) or (f) that a practitioner is disqualified, or is taken to be disqualified in certain circumstances, it must specify in the determination whether the practitioner is, or is taken to be, fully disqualified or disqualified in respect of one or more of the following:

(a) the provision of specified professional services, or the provision of professional services other than specified professional services;

(b) the provision of professional services to a specified class of persons, or the provision of professional services to persons other than a specified class of persons;

(c) the provision of professional services within a specified location, or the provision of professional services otherwise than within a specified location.

(4) Where the Committee determines under paragraph (2)(d), (e) or (f) that a practitioner is disqualified, or is taken to be disqualified in certain circumstances, the Committee must specify in the determination the period over which the disqualification is to have effect, being a period that ends within 5 years after the day on which the determination takes effect.

(5) Where the Committee determines that pathology services or diagnostic imaging services were rendered as a result of the offence or contravention being engaged in by a person, it must:

(a) identify those services; and

(b) if medicare benefit has been paid, or is payable, in respect of the rendering of services identified by the Committee—make one of the following determinations:

(i) where medicare benefit is payable, but has not been paid to a practitioner—that the medicare benefit or a specified part of it cease to be payable;

(ii) where medicare benefit has been paid to the practitioner, or has been paid or is payable to a person other than the practitioner—that the medicare benefit or a specified part of it be payable by the practitioner to the Commonwealth.

(6) Where:

(a) the Committee determines that a person caused or permitted another person to engage in a relevant offence or relevant civil contravention under Division 2 or 3 of Part IIBA; and

(b) the first‑mentioned person is a medical practitioner who has been granted a remote area exemption either under section 23DX or section 23DXA that is in force;

the Committee must include in its determination under subsection (2) an advice to the Minister as to whether the remote area exemption should be revoked, and its reasons for so advising.

(7) In making a determination, the Committee must comply with guidelines in force under section 124H.

(8) A determination must be in writing.

124G Hearings

(1) Subject to subsection (2) and to subsection 124J(8), a Committee shall not make a determination in relation to a person unless it has conducted a hearing.

(2) In accordance with guidelines (if any) in force under section 124H relating to this subsection, a Committee established in relation to a person may, if it is satisfied, upon the evidence or other material available to it, that no action should be taken against the person, determine that subsection (1) of this section does not apply in relation to the making of a determination in relation to the person.

(3) A person in relation to whom a Committee is established may make a written submission to the Committee requesting that the Committee make a determination under subsection (2).

124H Guidelines relating to making a determination

(1) The Minister may, by legislative instrument, make guidelines to be applied by Committees with respect to the making of relevant determinations.

(2) Without limiting the generality of the matters to which guidelines made under subsection (1) may relate, guidelines may specify circumstances in which relevant determinations may be made.

(7) In this section, ***relevant determination*** means a determination under subsection 124F(1), (2) or (6), 124FA(1) or (2), 124FB(1), 124FC(1), 124FE(1) or (2), 124FF(1), (2) or (5) or 124G(2).

124J Procedure of hearings

(1) A hearing by a Committee shall be convened by, and shall be held at a place determined by, the Chairperson.

(2) Subject to subsection (2A), the Chairperson shall, at least 28 days before the commencement of a proposed hearing in relation to a person, give a notice in writing to the person setting out:

(a) the time and place of the proposed hearing; and

(b) particulars of the matter to which the proposed hearing relates.

(2A) Where a Committee makes a determination, under subsection 124FA(1) or (2) or 124FE(1) or (2), that the Committee should consider a matter in relation to a person, the Chairperson shall, at least 28 days before the commencement of a proposed hearing in relation to that matter, give a notice in writing to the person setting out:

(a) the time and place of the proposed hearing; and

(b) particulars of the matter to which the proposed hearing relates.

(3) At a hearing by a Committee, the Chairperson or, in the absence of the Chairperson as described by subsection (7), another member of the Committee nominated by the Minister shall preside.

(4) Where a Committee conducts a hearing in relation to a person:

(a) a relevant party may attend the hearing in person, and may be represented at the hearing by another person; and

(b) where the relevant party so attends the hearing or is so represented at the hearing—the relevant party or the representative, as the case requires, shall be given the opportunity to give evidence, and to call witnesses, on behalf of the relevant party, to examine other witnesses appearing at the hearing and to address the Committee.

(5) At a hearing conducted by a Committee:

(a) the procedure of the hearing is, subject to this Act and the regulations, within the discretion of the Committee;

(b) the hearing shall be conducted with as little formality and technicality, and with as much expedition, as requirements of this Act, and a proper consideration of the matter before the Committee, permit; and

(c) the Committee is not bound by the rules of evidence and may inform itself on any matter in such manner as it thinks appropriate.

(5A) A Committee may:

(a) conduct simultaneously a hearing pursuant to a notice under subsection 23DL(4) and a hearing or hearings pursuant to a determination or determinations made under subsection 124FA(1) or (2) in the course of proceedings in relation to that notice; and

(b) conduct simultaneously a hearing pursuant to a notice under subsection 124D(2) and a hearing or hearings pursuant to a determination or determinations made under subsection 124FE(1) or (2) in the course of proceedings pursuant to that notice.

(5B) The regulations may make provision in relation to the procedure to be followed in conducting a hearing by a Committee pursuant to a determination under subsection 124FA(1) or (2) or 124FE(1) or (2).

(6) A Committee may take evidence at a hearing on oath or affirmation, and any member may administer an oath or affirmation for that purpose.

(7) Where a Committee has commenced a hearing in relation to a practitioner and, before the Committee makes a determination, a member of the Committee has ceased to be such a member or, for any other reason, is unable to take any further part in the hearing or in the making of the determination, the remaining members of the Committee may, if the practitioner consents, constitute the Committee for the purpose:

(a) if the hearing has not been completed—of completing the hearing; and

(b) if a majority of the remaining members agree as to what determination should be made—of making the determination.

(8) If, for any reason, after a Committee has been established under subsection 124E(1) or (3), it is not reasonably practicable for the Committee to continue to perform its functions, the Chairperson shall establish another Committee under that subsection to make the determination, and that Committee:

(a) may have regard to any evidence and other material given to, and arguments adduced before, the first‑mentioned Committee and the reasons for any decision made by the first‑mentioned Committee; and

(b) if the first‑mentioned Committee has completed a hearing in relation to the person—notwithstanding subsection 124G(1), is not required to conduct a hearing in relation to the person.

(9) A Committee is not empowered to order the payment of costs.

(10) In this section, ***relevant party***, in relation to a hearing by a Committee in relation to a person, means the person and:

(a) in the case of a hearing pursuant to a notice under subsection 23DL(4)—any person in relation to whom the Committee makes a determination under subsection 124FA(1) or (2) in the course of the proceedings pursuant to that notice; and

(b) in the case of a hearing pursuant to a determination made under subsection 124FA(1) or (2) in the course of proceedings pursuant to a notice under subsection 23DL(4):

(i) the person to whom the notice under subsection 23DL(4) relates; and

(ii) any other person in relation to whom the Committee makes a determination under subsection 124FA(1) or (2) in the course of those proceedings; and

(c) in the case of a hearing pursuant to a notice under subsection 124D(2) in respect of a relevant offence or a relevant civil contravention under Division 2 or 3 of Part IIBA—any person in relation to whom the Committee makes a determination under subsection 124FE(1) or (2) in the course of proceedings pursuant to that notice; and

(d) in the case of a hearing pursuant to a determination made under subsection 124FE(1) or (2) in the course of proceedings pursuant to a notice under subsection 124D(2):

(i) the person to whom the notice under subsection 124D(2) relates; and

(ii) any other person in relation to whom the Committee makes a determination under subsection 124FE(1) or (2) in the course of those proceedings.

124K Hearings to be in public except in special circumstances

(1) Subject to this section, all hearings of Committees shall be conducted in public.

(2) Where a Committee is satisfied that it is desirable to do so because of the confidential nature of any evidence or matter or for any other reason, the Committee may, by order:

(a) direct that a hearing or part of a hearing take place in private, and give directions as to the persons who may be present; and

(b) give directions prohibiting or restricting the publication of evidence given at a hearing, whether in public or in private, or of matters contained in documents received in evidence or otherwise obtained by the Committee.

(3) In considering whether to make an order under subsection (2), the Committee shall take as the basis of its consideration the principle that it is desirable that a hearing should be conducted in public and that evidence given at a hearing and the contents of documents received in evidence or otherwise obtained by a Committee should be made available to the public, but shall pay due regard to any reasons given to the Committee why such an order should be made.

124L Summons to give evidence etc.

(1) A Committee that is conducting, or that proposes to conduct, a hearing may, by writing signed by the Chairperson, summon a person to appear at the hearing and to produce such documents (if any) as are referred to in the summons, and a person so summoned shall not:

(a) fail to appear as required by the summons; or

(b) fail to appear and report from day to day unless excused, or released from further attendance, by the Chairperson.

Penalty: 10 penalty units.

(2) Subsection (1) does not apply if the person has a reasonable excuse.

Note: The defendant bears an evidential burden in relation to the matter in subsection (2). See subsection 13.3(3) of the *Criminal Code*.

(3) An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

124M Refusal to be sworn etc.

(1) A person appearing as a witness at a hearing conducted by a Committee (whether summoned to appear or not) shall not:

(a) refuse or fail to be sworn or to make an affirmation;

(b) refuse or fail to answer a question that the person is required by a member of the Committee to answer; or

(c) refuse or fail to produce a document that the person is required to produce by a summons under section 124L.

Penalty: 10 penalty units.

(1A) Subsection (1) does not apply if the person has a reasonable excuse.

Note: The defendant bears an evidential burden in relation to the matter in subsection (1A). See subsection 13.3(3) of the *Criminal Code*.

(2) It is a reasonable excuse for the purposes of subsection (1A) for a person to refuse or fail to answer a question or to refuse or fail to produce a document that the answer to the question or the production of the document might tend to incriminate the person.

(3) An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

124N Protection of members of Committees etc.

(1) A member of a Committee has, in the performance of the duties of a member of the Committee at a hearing conducted by the Committee, the same protection and immunity as a Justice of the High Court.

(2) A person appearing on behalf of a practitioner at a hearing conducted by a Committee, a person entitled to appear before the Committee and a person authorised by the Committee to appear before it have the same protection and immunity as a barrister has in appearing for a party in proceedings in the High Court.

124P Contempt

(1) A person shall not:

(a) obstruct or hinder a Committee or a member of a Committee in the performance of the functions of a Committee;

(b) disrupt a hearing before a Committee; or

(c) contravene an order made under subsection 124K(2).

Penalty: Imprisonment for 12 months or 20 penalty units.

(2) An offence against subsection (1) is punishable on summary conviction.

124Q Chairperson to give notice of determinations by Committee

(1) Where a Committee has made a determination in relation to a person, the Chairperson shall, as soon as practicable:

(a) give to the Minister a notice in writing informing the Minister of the terms of the determination and setting out the reasons for the determination; and

(b) give to the person a copy of the notice.

(2) A copy of a notice given to a person under subsection (1) shall be accompanied by a statement in writing to the effect that a person whose interests are affected by the determination may, subject to the *Administrative Appeals Tribunal Act 1975*, make application to the Administrative Appeals Tribunal for review of the determination.

(3) Any failure to comply with the requirements of this section in relation to a determination does not affect the validity of the determination.

124R Review by Administrative Appeals Tribunal

Where a Committee has made a determination in relation to a person, an application may be made to the Administrative Appeals Tribunal for review of the determination.

124S Giving effect to determinations

(1) Subject to any order by the Administrative Appeals Tribunal or by a court, a determination takes effect upon:

(a) the twenty‑eighth day after the day on which a copy of a notice of the determination is served under section 124Q on the person concerned; or

(b) if a later day is specified in the determination—the day so specified.

(2) Where a Committee has made a determination to the effect that it should counsel or reprimand a person, it shall, as soon as practicable after the determination takes effect, counsel or reprimand the person, as the case requires.

(3) Where a Committee determines that an undertaking given by an approved pathology practitioner or an approved pathology authority should be revoked, the Minister shall revoke the undertaking as soon as practicable after the determination takes effect.

(4) Where a Committee gives to the Minister a notice under paragraph 124Q(1)(a), in relation to a determination under section 124FB or 124FC, the Minister:

(a) may, if the Minister thinks fit, publish a copy of the notice in the *Gazette*; and

(b) shall cause a copy of the notice to be laid before each House of the Parliament within 15 sitting days of that House after the notice has been given to the Minister.

(5) An action or proceeding, civil or criminal, does not lie against a person for publishing in good faith a copy of, a fair extract from or a fair abstract of a publication made in accordance with this section.

(6) For the purposes of subsection (5), a publication shall be deemed to be made in good faith if the person by whom it is made is not actuated by ill will to the person affected by the publication or by any other improper motive.

(7) Nothing in subsection (5) or (6) limits or prevents the operation of any rule of absolute privilege relating to the publication by either House of the Parliament of any document laid before it.

(8) Nothing in this section authorizes the publication of the name of a patient or particulars that would enable a patient to be identified.

(9) Where a determination of the kind referred to in paragraph 124F(2)(d) or (e) or subparagraph 124FC(1)(e)(iv) or (v) takes effect, the Minister must publish particulars of the determination in accordance with the regulations.

124T Chairperson to abolish Committee

(1) Where:

(a) a Committee has been established under subsection 124E(1) in relation to the conviction of a practitioner, or the making of a pecuniary penalty order against a practitioner; and

(b) an appeal, or an application for extension of the time for instituting an appeal, against the conviction or order is pending;

the Chairperson shall abolish the Committee.

(2) Where:

(a) a determination made by a Committee has taken effect; and

(b) in the case of a determination of a kind referred to in paragraph 124F(2)(b) or (c), subparagraph 124FB(1)(e)(ii) or (iii) or 124FC(1)(e)(ii) or (iii) or paragraph 124FF(2)(b) or (c)—the person concerned has been counselled or reprimanded, as the case may be;

the Chairperson shall abolish the Committee.

(3) Where, after a Committee that has made a determination has been abolished under subsection (2), the Administrative Appeals Tribunal or a court decides that the Committee should reconsider the determination, the Chairperson shall re‑establish the Committee or, if it is not reasonably practicable to do so, establish another Committee, in accordance with section 124E, and the Committee as so re‑established or established, as the case may be, shall proceed to make a new determination in relation to the practitioner in accordance with this Part.

124U Fees and allowances

(1) A Chairperson and a member of a Committee other than a Chairperson shall be paid such fees and allowances as the Remuneration Tribunal determines.

(2) The appointment of the holder of a prescribed office as a Chairperson or as a member of a Committee other than a Chairperson, or service by the holder of a prescribed office as a Chairperson or such a member, does not affect the holder’s tenure of that prescribed office or the holder’s rank, title, status, precedence, salary, annual or other allowances or other rights or privileges as the holder of that prescribed office and, for all purposes, the holder’s service as a Chairperson or such a member shall be taken to be service as the holder of the prescribed office.

(3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

(4) In this section, ***prescribed office*** means an office, appointment or other employment which is:

(a) referred to in subsection 7(11) of the *Remuneration Tribunal Act 1973* as an office, appointment or other employment on a full‑time basis; or

(b) a judicial office referred to in subsection 7(12) of that Act.

Part VC—Quality assurance confidentiality

124V Object of this Part

(1) The object of this Part is to encourage efficient quality assurance activities in connection with the provision of certain health services.

(2) For the purpose of achieving that object, this Part contains provisions:

(a) prohibiting:

(i) the disclosure of information that became known solely as a result of those activities; or

(ii) the production to a court of a document that was brought into existence solely for the purposes of those activities; and

(b) protecting certain persons engaging in those activities in good faith from civil liability in respect of the activities.

124W Interpretation

(1) In this Part, unless the contrary intention appears:

***authority***, in relation to the disclosure of information, means an authority given by the Minister under section 124Z that is in force when the disclosure takes place.

***court*** includes a tribunal, authority or person having power to require the production of documents or the answering of questions.

***declared quality assurance activity*** means a quality assurance activity in respect of which a declaration by the Minister under section 124X is in force when the activity is engaged in.

***disclose***, in relation to information, means give, reveal, or communicate in any way.

***health service*** includes any administrative or other service related to a health service.

***person***, except in the reference to another person in section 124ZB, includes a committee or other body of persons, whether incorporated or unincorporated, and includes a member of such a committee or other body.

***produce*** includes permit access to.

***quality***, in relation to health services provided by a person, includes the practices of the person in providing the services or the competence of the person to provide the services.

***quality assurance activity*** means:

(a) an assessment or evaluation of the quality, or a study of the incidence or causes of conditions or circumstances that may affect the quality, of health services provided by a person, whether before or after the commencement of this Part, being:

(i) services in respect of which payments were made, or that are or would be eligible for payments, under Part II or IV; or

(ii) services relating to the prescribing of pharmaceutical products in respect of which payments were made, or that are or would be eligible for payments, under Division 3 of Part VII of the *National Health Act 1953*; or

(iii) services in respect of which payments were made, or that are or would be eligible for payments, under Part 3A of the *Federal Financial Relations Act 2009*; or

(b) the making of a recommendation about the provision of those services as a result of such an assessment, evaluation or study; or

(c) the monitoring of the implementation of such a recommendation.

***serious offence*** means an offence punishable by imprisonment for a period of more than one year.

(2) For the purposes of this Part:

(a) information about a matter is not taken to have become known merely because of the existence or dissemination of suspicions, allegations or rumours about that matter; and

(b) information may be taken to have become known solely as a result of a declared quality assurance activity even though it was previously known to a person whose actions have been or are being investigated by the persons engaging in the quality assurance activity.

124X Minister may declare quality assurance activity to be an activity to which this Part applies

(1) The Minister may, by legislative instrument, declare a quality assurance activity described in the declaration to be a quality assurance activity to which this Part applies.

(2) A declaration may describe a quality assurance activity in any way, including any one or more of the following ways:

(a) by reference to the nature of the activity;

(b) by reference to a person who is engaging or proposes to engage in the activity;

(c) by reference to circumstances in which the activity is being, or is proposed to be, engaged in.

(3) The Minister must not make a declaration in respect of a quality assurance activity unless the Minister is satisfied that:

(a) any person who is engaging, or proposes to engage, in the activity is authorised to do so:

(i) under a law of the Commonwealth, of a State or of a Territory; or

(ii) by, or by an authority of, the Commonwealth, a State or a Territory; or

(iii) by a body that provides health care; or

(iv) by an educational institution; or

(v) by a body established wholly or partly for the purposes of research; or

(vi) by an association of health professionals; or

(vii) by any other prescribed body; and

(b) it is in the public interest, having regard to such criteria as are prescribed by the regulations, that this Part should apply to the activity.

(4) A declaration, unless sooner revoked, ceases to be in force at the end of 5 years after the instrument of declaration was signed, but this subsection does not prevent the Minister from making a further declaration in respect of the same activity.

124Y Information about declared quality assurance activity not to be disclosed

(1) Subject to this section, a person who acquires any information that became known solely as a result of a declared quality assurance activity, whether the person acquired the information in the course of engaging in that activity, as a result of a disclosure under section 124Z or in any other way, must not, except for the purposes of that activity or in accordance with an authority given by the Minister, directly or indirectly make a record of that information or disclose that information to another person or to a court.

Penalty: Imprisonment for 2 years.

(2) Subject to this section, a person cannot be required:

(a) to produce to a court a document that was brought into existence solely for the purposes of a declared quality assurance activity; or

(b) to disclose to a court any information that became known solely as a result of such an activity;

except when it is necessary to produce the document or disclose the information for the purposes of this Part.

(3) Subsections (1) and (2) do not apply to information that does not identify, either expressly or by implication, a particular individual or particular individuals.

(4) Subsection (2) does not apply to a document that does not identify, either expressly or by implication, a particular individual or particular individuals.

(5) This section does not prohibit a disclosure of information if the person, or each of the persons, who would be directly or indirectly identified by the disclosure consents to that disclosure of the information.

(6) This section does not prohibit the disclosure of information to the Minister for the purpose of enabling the Minister to decide whether to authorise the disclosure of the information under section 124Z.

(7) If a quality assurance activity ceases to be a declared quality assurance activity, this section nevertheless continues to apply in respect of information that became known, or a document that was brought into existence, at a time when the activity was a declared quality assurance activity.

124Z Minister may authorise disclosure of information about a serious offence

(1) If it appears to the Minister that information that became known after the commencement of this Part solely as a result of a declared quality assurance activity relates to conduct, whether the conduct took place before or after that commencement, that may have been a serious offence against a law (whether written or unwritten) in force in any State or Territory, the Minister may, by signed writing, authorise the information to be disclosed in a way stated in the instrument of authority for the purposes of law enforcement, a Royal Commission or any other prescribed purpose.

(2) Subsection (1) does not permit the Minister to authorise the disclosure of information of a non‑factual nature (such as statements of opinion) unless the information consists only of matter contained in a report prepared by a person who engaged in the quality assurance activity.

124ZB Immunity from suit of members of assessment or evaluation committees

(1) If:

(a) a person (***the relevant person***) engages in any conduct in good faith in connection with a declared quality assurance activity; and

(b) the conduct adversely affects any right or interest of another person, being a person who provides health services; and

(c) the relevant person engages in the conduct as a member of a committee for the purposes of the making of an assessment or evaluation of services provided by that other person; and

(d) all or a majority of the members of the committee are health professionals belonging to the same health profession as that other person;

no action, suit or other civil proceeding, other than a proceeding in respect of a breach of the rules of law relating to procedural fairness that is alleged to have occurred in the course of that conduct, may be brought by the other person against the relevant person in respect of that conduct.

(2) If, after the conduct ceased to be engaged in, the relevant quality assurance activity ceases to be a declared quality assurance activity, this section nevertheless continues to apply in respect of the conduct.

124ZC This Part is to complement corresponding State and Territory laws

If:

(a) a committee of persons is authorised by a law of a State or Territory to engage in a quality assurance activity; and

(b) a law of that State or Territory (***the relevant State or Territory law***) that has the same general purpose as this Part would, if this Part had not been enacted, apply to the persons who are members of that committee in respect of that activity;

it is the intention of the Parliament that this Part is not to exclude or affect the operation of the relevant State or Territory law and this Part applies to those persons in respect of that activity only to the extent to which the relevant State or Territory law would not otherwise apply.

Part VD—Bonded Medical Program

Division 1—Bonded Medical Program

Subdivision A—Introduction

124ZD Bonded Medical Program

The ***Bonded Medical Program*** is a statutory scheme provided for by this Part that requires bonded participants to complete a return of service obligation in return for a Commonwealth funded place in a course of study in medicine at an Australian university, which is provided as a benefit to bonded participants as students.

124ZE Bonded participants

Bonded Medical Program participants

(1) If:

(a) a person resides in Australia; and

(b) the person:

(i) is an Australian citizen; or

(ii) holds a permanent visa; and

(c) the person has been offered a place in a course of study in medicine at an Australian university; and

(d) the offer is subject to the person participating in the Bonded Medical Program; and

(e) the person has accepted that offer and is enrolled in the course of study in medicine at that Australian university; and

(f) the person has voluntarily agreed to participate in the Bonded Medical Program using a web portal maintained by the Department;

the person is a ***bonded participant*** in the Bonded Medical Program on and after the day the person agrees to participate in the Program until an event mentioned in subsection (4) applies in relation to the person.

Former Bonded Medical Places Scheme participants

(2) If:

(a) a person was a party to a deed of agreement with the Commonwealth (as represented by the Department) for funding of a place in the Bonded Medical Places Scheme, including a deed of agreement as varied; and

(b) the person advises the Department that the person wishes to opt in to the Bonded Medical Program under section 124ZU; and

(c) the Secretary agrees, in writing, to the person’s participation in the Bonded Medical Program;

the person is a ***bonded participant*** in the Bonded Medical Program on and after the day after the day the Secretary agrees, in writing, to the person’s participation in the Program until an event mentioned in subsection (4) applies in relation to the person.

Former Medical Rural Bonded Scholarship participants

(3) If:

(a) a person was a party to a contract with the Commonwealth (as represented by the Department) for a Medical Rural Bonded Scholarship, including a contract as varied; and

(b) the person advises the Department that the person wishes to opt in to the Bonded Medical Program under section 124ZU; and

(c) the Secretary agrees, in writing, to the person’s participation in the Bonded Medical Program;

the person is a ***bonded participant*** in the Bonded Medical Program on and after the day after the day the Secretary agrees, in writing, to the person’s participation in the Program until an event mentioned in subsection (4) applies in relation to the person.

When a person ceases to be a bonded participant

(4) If:

(a) a person is a bonded participant; and

(b) any of the following events occur:

(i) the person completes their return of service obligation;

(ii) the person withdraws from, or is barred from, a course of study in medicine at an Australian university;

(iii) the person breaches the condition mentioned in paragraph 124ZG(1)(c);

(iv) the person withdraws from the Bonded Medical Program in accordance with section 124ZP;

(v) the person dies;

(vi) the Secretary makes a determination under subsection 124ZEA(3) that exceptional circumstances apply in relation to the person;

the person ceases to be a ***bonded participant*** immediately after the first of those events occurs.

124ZEA Determination that exceptional circumstances apply in relation to a person

(1) If:

(a) a person (the ***affected person***) is or was a bonded participant; or

(b) a person is a legal personal representative of an affected person who:

(i) is deceased; or

(ii) lacks capacity to make an application under this section;

the affected person, or the legal personal representative, may apply to the Secretary for a determination that exceptional circumstances apply in relation to the affected person.

(2) The application must:

(a) be made in writing; and

(b) set out the exceptional circumstances that apply in relation to the affected person; and

(c) set out any other information specified in the Bonded Medical Program rules; and

(d) be accompanied by any documents specified in the Bonded Medical Program rules.

(3) If an applicant makes an application under subsection (1), the Secretary may determine that exceptional circumstances apply in relation to the affected person.

(4) In determining whether exceptional circumstances apply in relation to the affected person, the Secretary must have regard to any matter specified in the Bonded Medical Program rules.

(5) If the Secretary makes the determination under subsection (3) that exceptional circumstances apply in relation to the affected person, the Secretary must:

(a) give the applicant written notice of the determination; and

(b) state in the notice that the Secretary is satisfied that:

(i) the exceptional circumstances will prevent the affected person from complying with the condition mentioned in paragraph 124ZG(1)(a) or (c); or

(ii) the affected person breached a condition mentioned in paragraph 124ZG(1)(a) or (c) as a result of the exceptional circumstances; or

(iii) the affected person withdrew from the Bonded Medical Program under section 124ZP as a result of the exceptional circumstances; and

(c) set out, in the notice, the effect of subparagraph 124ZE(4)(b)(vi) and whichever of the following provisions is applicable in relation to the affected person:

(i) subsection 124ZH(4);

(ii) subsection 124ZJ(4);

(iii) subsection 124ZQ(6).

(6) A statement under subparagraph (5)(b)(ii) or (iii) may relate to a breach of a condition or a withdrawal (as the case may be) that occurs before or after the commencement of this section.

(7) If the Secretary refuses to make the determination under subsection (3) in relation to the affected person, the Secretary must give the applicant written notice of the following:

(a) the decision to refuse to make the determination;

(b) the reasons for the decision;

(c) how the applicant may apply for review of the decision.

124ZEB Secretary may request further information

(1) If:

(a) a person makes an application under subsection 124ZEA(1); and

(b) the Secretary needs further information to make a decision on the application;

the Secretary may, by written notice, request the person to give further information to the Secretary within a specified period.

(2) The specified period must not be shorter than 28 days after the notice is given.

(3) The Secretary may, at the person’s request, extend the specified period. The request must be made in writing and before that period ends.

(4) If the person does not give the requested further information within:

(a) in a case in which the specified period has been extended under subsection (3)—the period as so extended; or

(b) otherwise—the specified period;

the application is taken to be withdrawn at the end of the period.

(5) A notice given under subsection (1) must set out the effect of subsection (4).

Subdivision B—Conditions of Bonded Medical Program

124ZF Return of service obligation

(1) A bonded participant must work as a medical practitioner in an eligible location for a period of 156 weeks (the bonded participant’s ***return of service obligation***).

(2) The return of service obligation:

(a) must be completed within 18 years of the day on which a bonded participant completes their course of study in medicine at an Australian university; and

(b) must be completed in accordance with any requirements set out in the Bonded Medical Program rules; and

(c) may be completed by a series of periods; and

(d) in relation to a bonded participant covered by subsection 124ZE(2)—is to be reduced in accordance with paragraph 124ZV(2)(a), if applicable; and

(e) in relation to a bonded participant covered by subsection 124ZE(3)—is to be reduced in accordance with paragraph 124ZW(2)(a), if applicable.

(3) A bonded participant may, before the end of the 18 year period, apply to the Secretary for an extension of time to complete their return of service obligation if the bonded participant, or a member of the bonded participant’s family, has a medical condition that prevents the bonded participant from completing their return of service obligation within the 18 year period required by paragraph (2)(a).

(4) If:

(a) a bonded participant makes an application before the end of the 18 year period; and

(b) the Secretary is satisfied that the bonded participant is unable to complete their return of service obligation within the 18 year period required by paragraph (2)(a);

the Secretary may, in writing, extend the time within which the return of service obligation may be completed.

124ZG Conditions of Bonded Medical Program

(1) As a bonded participant receiving a Commonwealth funded place, provided as a benefit to students, the bonded participant is subject to the following conditions:

(a) that, within the period prescribed by the Bonded Medical Program rules, the bonded participant complete their course of study in medicine at an Australian university;

(b) that, to complete the bonded participant’s return of service obligation, the participant work, in accordance with the requirements set out in the Bonded Medical Program rules, as a medical practitioner in an eligible location;

(c) that the bonded participant complete their return of service obligation within the period allowed by section 124ZF;

(d) that the bonded participant give information or documents to the Department:

(i) in the circumstances prescribed by the Bonded Medical Program rules; and

(ii) in accordance with any requirements set out in those rules;

(e) if the Secretary requests information or documents from the bonded participant for the purpose of administering this Part—that the bonded participant give such information or documents to the Department in response to the request by the end of the period specified in the request or, if that period is extended under subsection (4), by the end of the extended period;

(f) that the bonded participant comply with any other condition set out in the Bonded Medical Program rules.

(2) To avoid doubt, a breach of the requirements set out in the Bonded Medical Program rules, as mentioned in paragraph 124ZF(2)(b), is a breach of the condition mentioned in paragraph (1)(b) of this section.

(3) For the purposes of paragraph (1)(e):

(a) the request must be made in writing; and

(b) the specified period must not end sooner than 14 days after the day the request is made.

(4) The Secretary may, by written notice given to the bonded participant, extend the period specified in a request made as mentioned in paragraph (1)(e).

124ZH Breach of condition of Bonded Medical Program—repayment of education costs

(1) This section applies if, when a person is a bonded participant:

(a) both:

(i) the person breaches the condition mentioned in paragraph 124ZG(1)(a); and

(ii) the breach occurs after the person’s census date for the second year of the person’s course of study in medicine at an Australian university; or

(b) the person breaches the condition mentioned in paragraph 124ZG(1)(c).

(2) Subject to subsection (4), the person must pay:

(a) if the person is a bonded participant covered by subsection 124ZE(1) or (2)—both:

(i) 100% of the cost of the person’s course of study in medicine at an Australian university, as funded by the Commonwealth as a benefit to the person as a student, less a pro‑rata proportion based on any proportion of return of service obligation completed; and

(ii) interest on the amount worked out under subparagraph (i) and applied in accordance with the Bonded Medical Program rules; and

(b) if the person is a bonded participant covered by subsection 124ZE(3)—both:

(i) 100% of the Commonwealth funded scholarship provided to the person in relation to their course of study in medicine at an Australian university as a benefit to the person as a student, less a pro‑rata proportion based on any proportion of return of service obligation completed; and

(ii) interest on the amount worked out under subparagraph (i) and applied in accordance with the Bonded Medical Program rules.

(3) The amounts mentioned in subsection (2) are recoverable as a debt due to the Commonwealth from the person or the estate of the person.

(4) Subsection (2) does not apply to a person if:

(a) a determination is made under subsection 124ZEA(3) that exceptional circumstances apply in relation to the person; and

(b) the written notice of the determination includes a statement that the Secretary is satisfied that the person breached the condition mentioned in paragraph 124ZG(1)(a) or (c) (as applicable) as a result of those exceptional circumstances.

124ZJ Breach of condition of Bonded Medical Program—medicare benefits not payable

(1) Subject to subsection (4), a medicare benefit is not payable in respect of a professional service rendered by, or on behalf of, a medical practitioner who:

(a) was a bonded participant covered by subsection 124ZE(3); and

(b) breached the condition mentioned in paragraph 124ZG(1)(c) when the medical practitioner was a bonded participant.

(2) The period during which medicare benefits are not payable under subsection (1) is a period of 6 years from the day the breach occurs (even if this period extends beyond the 18 year period mentioned in paragraph 124ZF(2)(a)).

(3) This section applies whether or not the medical practitioner was a medical practitioner at the time the breach occurred.

(4) This section does not apply to a person who is a medical practitioner if:

(a) a determination is made under subsection 124ZEA(3) that exceptional circumstances apply in relation to the person; and

(b) the written notice of the determination includes a statement that the Secretary is satisfied that the person breached the condition mentioned in paragraph 124ZG(1)(c) as a result of those exceptional circumstances.

124ZK Breach of condition of Bonded Medical Program—administrative penalty

(1) A person is liable for an administrative penalty if:

(a) the person is a bonded participant; and

(b) the person breaches a condition mentioned in paragraph 124ZG(1)(e).

(2) The amount of the administrative penalty is $1,000.

(3) If subsection (1) applies to a person, the Secretary must give the person a written notice of the following:

(a) the person’s liability to pay an administrative penalty;

(b) the breach of condition to which the administrative penalty relates;

(c) if there is more than one breach of condition—the total of the administrative penalties;

(d) the day by which the penalty becomes due for payment (which must be at least 14 days after the day on which the notice is given).

(4) An administrative penalty payable under this section:

(a) is a debt due to the Commonwealth; and

(b) may be recovered by the Secretary, on behalf of the Commonwealth, by action in a court of competent jurisdiction.

Subdivision C—Review of decisions

124ZL Application for review

Application may be made

(1) A person may apply to the Secretary for review of a decision (the ***original decision***) of an APS employee in the Department made under this Part.

(2) An application must:

(a) be in writing; and

(b) set out the reasons for the application; and

(c) be made within:

(i) 14 days after the day the original decision was made; or

(ii) if the Secretary allows a longer period—that longer period.

(3) After receiving an application under subsection (2), the original decision must be reviewed by:

(a) the Secretary; or

(b) another person who:

(i) is a person to whom the power to review the original decision has been delegated; and

(ii) was not involved in the making of the original decision; and

(iii) occupies a position that is at least the same level as the person who made the original decision.

Decision on review

(4) The person reviewing the original decision must:

(a) affirm the original decision; or

(b) vary the original decision; or

(c) set aside the original decision and substitute a new decision.

Note: An application may be made to the Administrative Appeals Tribunal for a review of a decision on review under this subsection: see section 124ZN*.*

Withdrawal of application

(5) A person who has applied for a review of the original decision under subsection (2) may, in writing, withdraw that application at any time before the review has been completed.

(6) If the application is withdrawn, it is taken never to have been made.

124ZM Notice of decision on review

(1) The person reviewing the original decision must give the applicant written notice of the decision on review. The notice must include:

(a) the reasons for the decision on review; and

(b) any findings on material questions of fact, including references to evidence or other material on which those findings were based; and

(c) notice of any right to have the decision on review reviewed by the Administrative Appeals Tribunal.

(2) If:

(a) under subsection 124ZL(4), the person reviewing the decision decides to:

(i) vary an original decision; or

(ii) set aside an original decision and substitute a new decision; and

(b) the decision on review is made after a person has applied to the Administrative Appeals Tribunal for review in relation to the original decision;

the Secretary must give written notice of the decision on review to the Registrar of the Administrative Appeals Tribunal.

124ZN Review by Administrative Appeals Tribunal

Application may be made to the Administrative Appeals Tribunal for review of the following decisions:

(aa) a decision of the Secretary, under subsection 124ZEA(3), to refuse to determine that exceptional circumstances apply in relation to a person;

(a) a decision of the Secretary, under subsection 124ZF(4), to refuse to extend the time within which a bonded participant’s return of service obligation may be completed;

(b) a decision under subsection 124ZL(4) by a person reviewing an original decision;

(ba) a decision of the Secretary, under subsection 124ZUA(3), to refuse to make an extended compliance determination in relation to a person;

(c) a decision of the Secretary, made under paragraph 124ZV(1)(c) or 124ZW(1)(c), to refuse to agree to a person’s participation in the Bonded Medical Program.

Subdivision D—Withdrawal from Bonded Medical Program

124ZP Withdrawal from Bonded Medical Program

(1) A bonded participant may withdraw from the Bonded Medical Program at any time.

(2) If a bonded participant wishes to so withdraw, the bonded participant must do so by notifying the Department using a web portal maintained by the Department.

124ZQ Consequences of withdrawal

Consequences for all participants

(1) Subject to subsection (6), if a person withdraws from the Bonded Medical Program after the person’s census date for the second year of the person’s course of study in medicine at an Australian university, the person must pay:

(a) if the person was a bonded participant covered by subsection 124ZE(1) or (2)—both:

(i) 100% of the cost of the person’s course of study in medicine at an Australian university, as funded by the Commonwealth as a benefit to the person as a student, less a pro‑rata proportion based on any proportion of return of service obligation completed; and

(ii) interest on the amount worked out under subparagraph (i) and applied in accordance with the Bonded Medical Program rules; and

(b) if the person was a bonded participant covered by subsection 124ZE(3)—both:

(i) 100% of the Commonwealth funded scholarship provided to the person in relation to their course of study in medicine at an Australian university as a benefit to the person as a student, less a pro‑rata proportion based on any proportion of return of service obligation completed; and

(ii) interest on the amount worked out under subparagraph (i) and applied in accordance with the Bonded Medical Program rules.

(2) The amounts mentioned in subsection (1) are recoverable as a debt due to the Commonwealth from the person or the estate of the person.

Additional consequences for former Medical Rural Bonded Scholarship participants

(3) Subject to subsection (6), a medicare benefit is not payable in respect of a professional service rendered by, or on behalf of, a medical practitioner who:

(a) was a bonded participant covered by subsection 124ZE(3); and

(b) withdraws from the Bonded Medical Program after the person’s census date for the second year of the person’s course of study in medicine at an Australian university.

(4) The period during which medicare benefits are not payable under subsection (3) is a period of 6 years from the day the person withdraws from the Bonded Medical Program (even if this period extends beyond the 18 year period mentioned in paragraph 124ZF(2)(a)).

(5) Subsection (3) applies whether or not the medical practitioner was a medical practitioner at the time the person withdrew from the Bonded Medical Program.

Exception

(6) This section does not apply to a person if:

(a) a determination is made under subsection 124ZEA(3) that exceptional circumstances apply in relation to the person; and

(b) the written notice of the determination includes a statement that the Secretary is satisfied that the person withdrew from the Bonded Medical Program under section 124ZP as a result of the exceptional circumstances.

Subdivision E—Information sharing

124ZR Authorised collection, use and disclosure

Administration or enforcement of Part

(1) The Secretary or an APS employee in the Department is authorised to collect, use and disclose information relating to a bonded participant, including personal information (within the meaning of the *Privacy Act 1988*), if the collection, use or disclosure is reasonably necessary for the purpose of administering or enforcing the provisions of this Part.

Note: If a person collects, uses or discloses information relating to a bonded participant otherwise than in accordance with this section, see section 130.

(2) Without limiting subsection (1), a collection, use or disclosure for any of the following purposes is taken to be reasonably necessary for the purpose of administering or enforcing the provisions of this Part:

(a) confirming whether a bonded participant is, or was during a particular period, an Australian citizen or holder of a permanent visa;

(b) monitoring a bonded participant’s compliance with the conditions of the Bonded Medical Program set out in section 124ZG;

(c) verifying the accuracy of notifications made, and information or documents provided by, a bonded participant in relation to their participation in the Bonded Medical Program;

(d) assisting a bonded participant’s participation in the Bonded Medical Program.

Compiling and reporting statistical information

(3) The Secretary or an APS employee in the Department is authorised to collect, use and disclose information relating to a bonded participant for the purposes of compiling and reporting statistical information relating to the operation of the Bonded Medical Program.

(4) Any reporting of statistical information must not identify, or be reasonably capable of being used to identify, an individual.

124ZS Interaction with the *Privacy Act 1988*

An authorisation to collect, use or disclose information relating to a bonded participant under this Part is also an authorisation to collect, use or disclose information relating to a bonded participant for the purposes of the *Privacy Act 1988*.

Subdivision F—Bonded Medical Program rules

124ZT Bonded Medical Program rules

Content of rules

(1) The Minister may, by legislative instrument, make rules (the ***Bonded Medical Program rules***) prescribing matters:

(a) required or permitted by this Part to be prescribed by the rules; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.

(2) For the purposes of the definition of ***eligible location***, the Bonded Medical Program rules:

(a) must prescribe either or both of the following:

(i) a regional, rural or remote area of Australia;

(ii) an area of workforce shortage; and

(b) may prescribe that an area is prescribed as an eligible location only in relation to a particular class of bonded participants.

(3) Without limiting subsection (1), the Bonded Medical Program rules may provide for any or all of the following matters:

(a) the events that a bonded participant must notify to evidence compliance with conditions of the Bonded Medical Program;

(b) the requirements for completing a return of service obligation;

(ba) how to calculate a week for the purposes of the 156 week period mentioned in subsection 124ZF(1), including when a week commences and the hours that constitute a week of work;

(c) the circumstances in which work which qualifies for completing a return of service obligation may be scaled;

(d) the circumstances in which work will qualify for completing a return of service obligation (even if there is a change in an eligible location);

(e) for the purposes of section 124ZF:

(i) who is a member of a bonded participant’s family; and

(ii) evidential requirements for establishing whether a bonded participant, or a member of the bonded participant’s family, has a medical condition; and

(iii) evidential requirements for establishing that such a medical condition prevents a bonded participant from completing their return of service obligation;

(f) in relation to a breach of the condition mentioned in paragraph 124ZG(1)(a) or (c)—the applicable rate of interest and how interest is to be applied;

(g) the form in which, and the way in which, information or documents are to be provided to the Department.

(4) The Bonded Medical Program rules may provide for any matter mentioned in subsection (3) only in relation to a particular class of bonded participants.

(5) To avoid doubt, the Bonded Medical Program rules may not do the following:

(a) create an offence or civil penalty;

(b) provide powers of:

(i) arrest or detention; or

(ii) entry, search or seizure;

(c) impose a tax;

(d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;

(e) directly amend the text of this Act.

Incorporation of other instruments

(6) For the purposes of subsection (2), the Bonded Medical Program rules may make provision in relation to a matter by applying, adopting or incorporating, with or without modification, any matter contained in an instrument or other writing:

(a) as in force or existing at a particular time; or

(b) as in force or existing from time to time.

(7) Subsection (6) has effect despite subsection 14(2) of the *Legislation Act 2003*.

Inconsistency of rules and regulations

(8) Bonded Medical Program rules that are inconsistent with the regulationshave no effect to the extent of the inconsistency, but the rulesare taken to be consistent with the regulationsto the extent that the rulesare capable of operating concurrently with the regulations.

Division 2—Transitional arrangements

124ZU Opt in process for participating in the Bonded Medical Program

(1) This section applies to a person who is:

(a) a party to a deed of agreement with the Commonwealth (as represented by the Department) for funding of a place in the Bonded Medical Places Scheme, including a deed of agreement as varied; or

(b) a party to a contract with the Commonwealth (as represented by the Department) for a Medical Rural Bonded Scholarship, including a contract as varied (an ***MRBS participant***).

(2) A person to whom subsection (1) applies may opt in to the Bonded Medical Program by advising the Department, in writing, that:

(a) the person voluntarily wishes to opt in to the Program; and

(b) the person voluntarily agrees to participate in the Program using a web portal maintained by the Department.

(3) Despite subsection (2), a person may not opt in to the Bonded Medical Program if:

(a) section 19ABA applies in relation to the person; or

(aa) both of the following apply:

(i) a determination has been made under subsection 19ABC(1) in relation to the person;

(ii) the period during which a medicare benefit is not payable to the person, as a result of the making of the determination, has not ended; or

(b) in the case of an MRBS participant—the person has not completed their course of study in medicine at an Australian university.

(4) If a person to whom subsection (1) applies makes an application under subsection 124ZUA(1), the person must not advise the Department of the matters mentioned in subsection (2) of this section until both of the following apply:

(a) a decision on the application has been made;

(b) any rights of review and appeal in relation to the decision have been exhausted.

124ZUA Extended compliance determination for certain BMP and MRBS participants

(1) If:

(a) a person is:

(i) a party to a deed of agreement with the Commonwealth (as represented by the Department) for funding of a place in the Bonded Medical Places Scheme, including a deed of agreement as varied; or

(ii) a party to a contract with the Commonwealth (as represented by the Department) for a Medical Rural Bonded Scholarship, including a contract as varied; and

(b) the person meets the requirements specified in the Bonded Medical Program rules;

the person may apply to the Secretary for a determination (the ***extended*** ***compliance determination***) that, if the person were to become a bonded participant, the person would be required to complete their return of service obligation within a period that is longer than the RoSO compliance period.

(2) The application must:

(a) be made in writing; and

(b) be made before the person advises the Department of the matters mentioned in subsection 124ZU(2); and

(c) be made within any period specified in the Bonded Medical Program rules that applies in relation to the person; and

(d) specify a period within which the person would be able to complete their return of service obligation (which must not be a period that would be more than 6 years longer than the RoSO compliance period); and

(e) be accompanied by a written plan that sets out:

(i) how the person proposes to complete their return of service obligation within the period specified under paragraph (d); and

(ii) any other matters specified in the Bonded Medical Program rules; and

(f) be accompanied by any other documents specified in the Bonded Medical Program rules; and

(g) set out any other information specified in the Bonded Medical Program rules.

(3) If the person makes an application under subsection (1), the Secretary may make the extended compliance determination in relation to the person if the Secretary is satisfied that:

(a) the person is a person of kind mentioned in subparagraph (1)(a)(i) or (ii); and

(b) the person meets the requirements specified in the Bonded Medical Program rules for the purposes of paragraph (1)(b); and

(c) if the person were to become a bonded participant, the plan referred to in paragraph (2)(e) sets out a reasonable proposal for the completion of their return of service obligation within a period that is longer than the RoSO compliance period.

(4) If the Secretary makes the extended compliance determination in relation to the person, the Secretary must:

(a) give the person written notice of the determination; and

(b) specify in the notice the period within which the person would, if the person were to become a bonded participant, be required to complete their return of service obligation.

(5) The period specified under paragraph (4)(b):

(a) must not be a period that would be more than 6 years longer than the RoSO compliance period; and

(b) may be the same as, or different from, the period specified in the application.

(6) If the Secretary refuses to make the extended compliance determination in relation to the person, the Secretary must give the person written notice of the following:

(a) the decision to refuse to make the determination;

(b) the reasons for the decision;

(c) how the person may apply for review of the decision.

124ZUB Secretary may request further information

(1) If:

(a) a person makes an application under subsection 124ZUA(1); and

(b) the Secretary needs further information to make a decision on the application;

the Secretary may, by written notice, request the person to give further information to the Secretary within a specified period.

(2) The specified period must not be shorter than 28 days after the notice is given.

(3) The Secretary may, at the person’s request, extend the specified period. The request must be made in writing and before that period ends.

(4) If the person does not give the requested further information within:

(a) in a case in which the specified period has been extended under subsection (3)—the period as so extended; or

(b) otherwise—the specified period;

the application is taken to be withdrawn at the end of the period.

(5) A notice given under subsection (1) must set out the effect of subsection (4).

124ZV Effect of opting in to the Bonded Medical Program—BMP participants

(1) If:

(a) a person is a party to a deed of agreement with the Commonwealth (as represented by the Department) for funding of a place in the Bonded Medical Places Scheme (a ***BMP participant***), including a deed of agreement as varied; and

(b) the person advises the Department, in writing, that:

(i) the person wishes to opt in to the Bonded Medical Program, as mentioned in section 124ZU; and

(ii) the person voluntarily agrees to participate in the Program using a web portal maintained by the Department; and

(c) the Secretary agrees, in writing, to the person’s participation in the Program;

then:

(d) on the day the person becomes a bonded participant, the person’s deed of agreement ceases; and

(e) on and after that day, the person is subject to the provisions of this Part.

(2) For the purposes of paragraph (1)(e):

(a) the 156 week return of service obligation period is to be reduced by prior service completed in accordance with the provisions of the person’s deed of agreement; and

(b) if the person entered into the deed of agreement during the period beginning on 1 January 2016 and ending on 31 December 2019, then, for the purposes of section 124ZF, a reference to “156 weeks” is to be read as a reference to “52 weeks”; and

(c) paragraph 124ZG(1)(a) applies only if the person has not, on the day the person becomes a bonded participant, completed their course of study in medicine at an Australian university; and

(d) if an extended compliance determination has been made under subsection 124ZUA(3) in relation to the person—the person is to be taken, for the purposes of this Part, to be required to complete their return of service obligation within the period specified in the written notice of the determination given to the person.

124ZW Effect of opting in to the Bonded Medical Program—MRBS participants

(1) If:

(a) a person is a party to a contract with the Commonwealth (as represented by the Department) for a Medical Rural Bonded Scholarship (an ***MRBS participant***), including a contract as varied; and

(b) the person advises the Department, in writing, that:

(i) the person wishes to opt in to the Bonded Medical Program, as mentioned in section 124ZU; and

(ii) the person voluntarily agrees to participate in the Program using a web portal maintained by the Department; and

(c) the Secretary agrees, in writing, to the person’s participation in the Program;

then:

(d) on the day the person becomes a bonded participant, the person’s contract ceases; and

(e) on and after that day, the person is subject to the provisions of this Part.

(2) For the purposes of paragraph (1)(e):

(a) the 156 week return of service obligation period is to be reduced by prior service completed in accordance with the provisions of the person’s contract; and

(b) for the purposes of subparagraph 124ZH(2)(b)(i), the Commonwealth funded scholarship provided to the person is the scholarship amounts (as defined by the contract) paid to the person by the Commonwealth under the contract; and

(c) paragraph 124ZG(1)(a) applies only if the person has not, on the day the person becomes a bonded participant, completed their course of study in medicine at an Australian university; and

(d) if an extended compliance determination has been made under subsection 124ZUA(3) in relation to the person—the person is to be taken, for the purposes of this Part, to be required to complete their return of service obligation within the period specified in the written notice of the determination given to the person.

(3) To avoid doubt, nothing in this Part affects the application of section 19ABA or 19ABC in relation to a person if the person breached their contract before the day the Secretary agreed, in writing, to the person’s participation in the Bonded Medical Program, even if the breach is identified on or after that day.

Part VIA—Civil penalties

Division 1—Obtaining an order for a civil penalty

125A Federal Court may order person to pay pecuniary penalty for contravening civil penalty provision

Application for order

(1) Within 6 years of a person (the ***wrongdoer***) contravening a civil penalty provision, the Chief Executive Medicare may apply on behalf of the Commonwealth to the Federal Court of Australia for an order that the wrongdoer pay the Commonwealth a pecuniary penalty.

Court may order wrongdoer to pay pecuniary penalty

(2) If the Court is satisfied that the wrongdoer has contravened a civil penalty provision, the Court may order the wrongdoer to pay to the Commonwealth for each contravention the pecuniary penalty that the Court determines is appropriate (but not more than the maximum amount specified for the provision).

Determining amount of pecuniary penalty

(3) In determining the pecuniary penalty, the Court must have regard to all relevant matters, including:

(a) the nature and extent of the contravention; and

(b) the nature and extent of any loss or damage suffered as a result of the contravention; and

(c) the circumstances in which the contravention took place; and

(d) whether the person has previously been found by the Court in proceedings under this Act to have engaged in any similar conduct.

Civil evidence and procedure rules apply

(4) The Court must apply the rules of evidence and procedure for civil matters when hearing and determining an application for an order under this section.

Note: The standard of proof in civil proceedings is the balance of probabilities (see section 140 of the *Evidence Act 1995*).

Contravention of more than one civil penalty provision

(5) If an act or omission constitutes a contravention of 2 or more civil penalty provisions, proceedings may be instituted under this Act against a person in relation to the contravention of any one or more of those provisions. However, the person is not liable to more than one pecuniary penalty under this section in respect of the same act or omission.

125B What is a *civil penalty provision*?

A subsection of this Act (or a section of this Act that is not divided into subsections) is a ***civil penalty provision*** if the words “civil penalty” and one or more amounts in penalty units are set out at the foot of the subsection (or section).

125C Persons involved in contravening civil penalty provision

(1) A person must not:

(a) aid, abet, counsel or procure a contravention of a civil penalty provision; or

(b) induce (by threats, promises or otherwise) a contravention of a civil penalty provision; or

(c) conspire to contravene a civil penalty provision.

(2) A person who contravenes subsection (1) in relation to a civil penalty provision is taken to have contravened the civil penalty provision.

125D Recovery of a pecuniary penalty

If the Federal Court of Australia orders a person to pay a pecuniary penalty:

(a) the penalty is payable to the Commonwealth; and

(b) the Chief Executive Medicare may enforce the order as if it were a judgment of the Court.

Division 2—Civil penalty proceedings and criminal proceedings

125E Civil proceedings after criminal proceedings

The Federal Court of Australia must not make a pecuniary penalty order against a person for a contravention of a civil penalty provision if the person has been convicted of an offence constituted by conduct that is substantially the same as the conduct constituting the contravention.

125F Criminal proceedings during civil proceedings

(1) Proceedings for a pecuniary penalty order against a person for a contravention of a civil penalty provision are stayed if:

(a) criminal proceedings are started or have already been started against the person for an offence; and

(b) the offence is constituted by conduct that is substantially the same as the conduct alleged to constitute the contravention.

(2) The proceedings for the order may be resumed if the person is not convicted of the offence. Otherwise, the proceedings for the order are dismissed.

125G Criminal proceedings after civil proceedings

Criminal proceedings may not be started against a person for conduct that is substantially the same as conduct constituting a contravention of a civil penalty provision if a pecuniary penalty order has been made against the person in respect of that conduct.

125H Evidence given in proceedings for civil penalty not admissible in criminal proceedings

Evidence of information given or evidence of production of documents by an individual is not admissible in criminal proceedings against the individual if:

(a) the individual previously gave the evidence or produced the documents in proceedings for a pecuniary penalty order against the individual for a contravention of a civil penalty provision (whether or not the order was made); and

(b) the conduct alleged to constitute the offence is substantially the same as the conduct that was claimed to constitute the contravention.

However, this does not apply to a criminal proceeding in respect of the falsity of the evidence given by the individual in the proceedings for the pecuniary penalty order.

Part VII—Miscellaneous

126 Prohibition of certain medical insurance

(1) A person shall not make a contract of insurance with another person that contains a provision purporting to make the first‑mentioned person liable to make a payment in the event of the incurring by the other person of a liability to pay medical expenses in respect of the rendering in Australia of a professional service for which medicare benefit is payable.

Penalty: 10 penalty units.

(2) Where there is a contract of insurance (whether made before or after the commencement of this section) under which the insurer is liable to make a payment in the event of the incurring by that person of liability to pay medical expenses in respect of the rendering in Australia of a professional service, there is an implied condition in the contract that the insurer is not liable for loss arising out of the incurring of liability to pay medical expenses in respect of the rendering in Australia of a professional service in respect of which a medicare benefit is payable.

(3) Where:

(a) the proper law of a contract of insurance would, but for a term that it should be the law of some other country or a term to the like effect, be part of the law of any part of Australia; or

(b) a contract of insurance contains a term that purports to substitute, or has the effect of substituting, provisions of the law of some other country or of a State or Territory for all or any of the provisions of this section;

this section applies to the contract notwithstanding that term.

(4) Any term of a contract of insurance (including a term that is not set out in the contract but is incorporated in the contract by another term of the contract) that purports to exclude, restrict or modify or has the effect of excluding, restricting or modifying the application in relation to that contract of all or any of the provisions of this section is void.

(5) A term of a contract shall not be taken to exclude, restrict or modify the application of a provision of this section unless the term does so expressly or is inconsistent with that provision.

(5A) This section does not apply in relation to a contract of insurance entered into by a private health insurer in so far as the contract is a complying health insurance policy that covers hospital treatment or hospital‑substitute treatment.

(6) This section does not apply in relation to a contract of insurance in so far as it contains a provision making a person liable to make a payment if an eligible visitor incurs a liability of a kind referred to in subsection (1).

(7) In this section:

***cover*** has the meaning given by section 69‑5 of the *Private Health Insurance Act 2007*.

***eligible visitor*** means a person who is to be treated as an eligible person for the purposes of this Act during his or her stay in Australia solely because he or she is a person to whom an agreement under subsection 7(1) relates.

***insurance*** means insurance within the meaning of paragraph 51(xiv) of the Constitution.

127 Assignor of medicare benefit to be given copy of assignment etc.

(1) A person (in this section referred to as the ***practitioner***) shall not enter into an agreement under subsection 20A(1) with another person (in this section referred to as the ***patient***) for the assignment to the practitioner of the right to the payment of a medicare benefit in respect of a professional service (not being an agreement entered into by way of the acceptance of an offer to assign under subsection 20A(2)), unless the practitioner:

(a) causes the particulars relating to the professional service that are required by the form approved for the purposes of subsection 20A(1) to be set out in the agreement to be so set out in the agreement before the patient signs the agreement; and

(b) causes a copy of the agreement to be given to the patient as soon as practicable after the patient signs the agreement.

(2) A person who contravenes subsection (1), commits an offence punishable on conviction by imprisonment for a period not exceeding 3 months or a fine not exceeding 10 penalty units, or both.

(3) Subsection (2) does not apply if the person has a reasonable excuse.

Note: The defendant bears an evidential burden in relation to the matter in subsection (3). See subsection 13.3(3) of the *Criminal Code*.

(4) An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

128 Offences in relation to returns

(1) A person shall not fail or neglect duly to furnish a return or information that he or she is required under this Act or the regulations to furnish.

Penalty: 5 penalty units.

(2) An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

128A False statements relating to medicare benefits etc.

(1) A person shall not make, or authorise the making of, a statement (whether oral or in writing) that is:

(a) false or misleading in a material particular; and

(b) capable of being used in connection with a claim for a benefit or payment under this Act.

Penalty: 20 penalty units.

(2) Where:

(a) a person makes a statement (whether oral or in writing) that is false or misleading in a material particular;

(b) the statement is capable of being used in connection with a claim for a benefit or payment under this Act;

(c) the material particular in respect of which the statement is false or misleading is substantially based upon a statement made, either orally or in writing, to the person or to an agent of the person by another person who is an employee or agent of the first‑mentioned person; and

(d) the last‑mentioned statement is false or misleading in a material particular;

that other person commits an offence punishable on conviction by a fine not exceeding 20 penalty units.

(2A) An offence under subsection (1) or (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

(3) In subsection (2), a reference to an employee of a person shall, in a case where that person is a corporation, be read as a reference to:

(a) a director, secretary, manager or employee of the corporation;

(b) a receiver and manager of any part of the undertaking of the corporation appointed under a power contained in any instrument; or

(c) a liquidator of the corporation appointed in a voluntary winding up.

(4) A prosecution for an offence under this section may be commenced at any time within 3 years after the commission of the offence.

(5) It is a defence if a person charged with an offence under this section in relation to a statement made by the person did not know, and could not reasonably be expected to have known, that the statement was:

(a) false or misleading in a material particular; or

(b) capable of being used in connection with a claim for a benefit or payment under this Act.

(6) In this section, a reference to making a statement includes a reference to issuing or presenting a document, and a reference to a statement shall be construed accordingly.

128B Knowingly making false statements relating to medicare benefits etc.

(1) A person shall not make, or authorise the making of, a statement (whether oral or in writing) if the person knows that the statement is:

(a) false or misleading in a material particular; and

(b) capable of being used in connection with a claim for a benefit or payment under this Act.

Penalty: Imprisonment for 5 years or 100 penalty units, or both.

(2) Where:

(a) a person makes a statement (whether oral or in writing) that is false or misleading in a material particular;

(b) the statement is capable of being used in connection with a claim for a benefit or payment under this Act;

(c) the material particular in respect of which the statement is false or misleading is substantially based upon a statement made, either orally or in writing, to the person or to an agent of the person by another person who is an employee or agent of the first‑mentioned person;

(d) that other person knew that the last‑mentioned statement was false or misleading in a material particular; and

(e) that other person knew, or had reasonable grounds to suspect, that the last‑mentioned statement would be used in the preparation of a statement of the kind referred to in paragraph (b);

that other person commits an offence punishable on conviction by imprisonment for a period not exceeding 5 years or a fine not exceeding 100 penalty units, or both.

(3) In subsection (2), a reference to an employee of a person shall, in a case where that person is a corporation, be read as a reference to:

(a) a director, secretary, manager or employee of the corporation;

(b) a receiver and manager of any part of the undertaking of the corporation appointed under a power contained in any instrument; or

(c) a liquidator of the corporation appointed in a voluntary winding up.

(5) In this section, a reference to making a statement includes a reference to issuing or presenting a document, and a reference to a statement shall be construed accordingly.

128C Charging of fees for provision of public hospital services to public patients

(1) A person mentioned in subsection (2) must not, in circumstances set out in the regulations:

(a) charge a fee for the provision of a public hospital service; or

(b) receive any payment or other consideration from anyone in respect of the provision of a public hospital service;

if the person knows that the person to whom the service is, or is to be, provided is, or intends to be, a public patient in the hospital.

Penalty: 50 penalty units.

Note: For ***public hospital service*** see subsection 3(1).

(2) The persons are as follows:

(a) a medical practitioner;

(b) a participating midwife;

(c) a participating nurse practitioner;

(d) a person acting on behalf of a person mentioned in paragraph (a), (b) or (c).

129 False statements etc.

(2) A person shall not furnish, in pursuance of this Act or of the regulations, a return or information that is false or misleading in a material particular.

Penalty: Imprisonment for 5 years or 100 penalty units.

(3) In a prosecution of a person for an offence against this section, it is a defence if he or she did not know, and had no reason to suspect, that the statement, document, return or information, made, issued, presented or furnished by him or her was false or misleading, as the case may be.

Note: The defendant bears an evidential burden in relation to the matter in subsection (3). See subsection 13.3(3) of the *Criminal Code*.

129AA Private hospitals—bribery

(1A) A person who, being a practitioner, a participating midwife, a participating nurse practitioner or a medical entrepreneur, without reasonable excuse, asks, receives or obtains, or agrees to receive or obtain, any property, benefit or advantage of any kind for himself or herself or any other person from a proprietor of a private hospital or from a person acting on behalf of such a proprietor on the understanding that the first‑mentioned person will, in any manner, do any act or thing the purpose of which is, or the effect of which will be, to enable a person to be admitted as a patient in the hospital, being a patient in respect of whom a benefit is payable by a private health insurer, commits an offence against this section.

(1B) A person who, being a proprietor or one of the proprietors of a private hospital or a person acting on behalf of such a proprietor, in order to influence or affect a practitioner, a participating midwife or a participating nurse practitioner in the doing of any act or thing the purpose of which is, or the effect of which will be, to enable a person to be admitted as a patient in the hospital, being a patient in respect of whom a benefit is payable by a private health insurer, without reasonable excuse, gives or confers, or agrees to give or confer, to or on the practitioner, participating midwife, participating nurse practitioner or any other person any property, benefit or advantage of any kind, commits an offence against this section.

(4) A person who is convicted of an offence against this section is punishable by imprisonment for a period not exceeding 5 years.

(5) In a prosecution of a person for an offence against this section, it is a defence if the conduct in question was in accordance with the standards of professional conduct generally accepted by medical practitioners, midwives or nurse practitioners (as the case requires).

Note: The defendant bears an evidential burden in relation to the matter in subsection (5). See subsection 13.3(3) of the *Criminal Code*.

(5A) If a person is convicted of an offence against this section by virtue of subsection (1A) or (1B) in relation to the admission of a person as a patient in a hospital, the court may, in addition to imposing a penalty in respect of the offence, order the person to pay a private health insurer an amount equal to the sum of any benefits paid by the insurer in respect of that patient.

(6) In this section:

***proprietor***, in relation to a private hospital, means the proprietor, as defined by subsection 3(1), of the premises occupied by the hospital.

129AAB Offences against 2 or more provisions

(1) Where the act or omission of a person is an offence against a provision of this Act and is also an offence against another provision of this Act, the person may be prosecuted and convicted for either of those offences, but the person is not liable to be punished more than once in respect of the same act or omission.

(2) A reference in subsection (1) to an offence against a provision of this Act includes a reference to an offence against:

(a) section 6 of the *Crimes Act 1914*; or

(b) section 11.1, 11.4 or 11.5 of the *Criminal Code*;

being an offence that relates to an offence against a provision of this Act.

129AAC Statements inadmissible as evidence

(1) A statement made by a practitioner in the course of being counselled for the purposes of this Act by a person who at the time was both a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*) and a medical practitioner, a dental practitioner, an optometrist, a midwife or a nurse practitioner is inadmissible as evidence against the practitioner in proceedings against the practitioner for a relevant offence, relevant civil contravention or relevant dental benefits offence unless:

(a) the practitioner has consented to the admission of the statement as evidence in the proceedings; or

(b) evidence of the statement is adduced to refute evidence of another statement made by the practitioner in the course of being so counselled, where evidence of that other statement has been admitted in the proceedings on behalf of the practitioner.

(2) In subsection (1), ***practitioner***, ***relevant civil contravention*** and ***relevant offence*** have the same respective meanings as in section 124B.

129AAD Notice to produce documents

When section applies

(1) This section applies if the Chief Executive Medicare (the ***CEO***):

(a) has a reasonable concern that an amount paid, purportedly by way of benefit or payment under this Act, in respect of one or more professional services, may exceed the amount (if any) that should have been paid; and

(b) has taken into account advice given to him or her by a medical practitioner who is a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*) about the types of documents that contain information relevant to ascertaining whether amounts paid in respect of professional services of the same kind or kinds as the service or services referred to in paragraph (a) should have been paid.

Note: For the purposes of paragraph (a), the CEO may, for example, have a reasonable concern about benefits or payments made in respect of:

(a) professional services rendered by individual practitioners; or

(b) professional services rendered by particular kinds of practitioners; or

(c) the rendering of services to which specific items, or groups of items, relate.

CEO may require person to produce document etc.

(2) If the CEO believes on reasonable grounds that:

(a) a person:

(i) who rendered a professional service in respect of which an amount has been paid that is the subject of the CEO’s concern; or

(ii) on whose behalf such a professional service was rendered; or

(b) subject to subsection (7), another person;

has possession, custody or control of one or more documents relevant to ascertaining whether the amount paid in respect of the professional service should have been paid, or whether a determination under subsection 129ACA(2) should be made, the CEO may, by written notice given to the person, require the person to do any or all of the things mentioned in subsection (5) of this section.

(3) The CEO may give a notice to a person under subsection (2) in respect of a professional service only if the CEO has given the person a reasonable opportunity to respond to a written request to produce to the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), documents relevant to either or both of the following:

(a) ascertaining whether the amount paid, purportedly by way of benefit or payment under this Act, in respect of the service, should have been paid;

(b) whether the CEO should make a determination under subsection 129ACA(2) in relation to the amount paid, purportedly by way of benefit or payment under this Act, in respect of the service.

(4) A notice may only be given in respect of a professional service for which a claim for an amount to be paid under this Act in respect of the service was made during the period mentioned in subsection (4A).

(4A) The period is 2 years immediately before the day a written request under subsection (3) was first given to the person in relation to one or more professional services specified in the notice.

(5) The CEO may require the person, in relation to each professional service specified in the notice:

(a) subject to subsection (6), to produce to the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), any document, or extract of any document, that is relevant for a purpose set out in subsection (2); or

(b) to make a copy of any such document or extract and to produce that copy to the CEO or employee.

Note: For a person referred to in paragraph (2)(a), failure to comply with a notice may lead to recovery action (see sections 129AC and 129ACA) and an administrative penalty may be applied (see sections 129AEA, 129AEB and 129AEC). For a person referred to in paragraph (2)(b), failure to comply with a notice may lead to a civil penalty (see section 129AAE).

(6) If a document, extract or copy contains clinical details relating to an individual, the person to whom the notice is given is not required to produce the document, extract or copy to a person other than a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*) who is a medical practitioner.

CEO not to give notice to certain persons

(7) A person referred to in paragraph (2)(b) does not include:

(a) the person in respect of whom the professional service was rendered; or

(b) the person who incurred the medical expenses in respect of the service.

Content of notice

(8) The notice must:

(a) specify details of each professional service (including the item, date on which the service was rendered and medicare number of the person in respect of whom the service was rendered) in relation to which the document, extract or copy is to be produced; and

(b) specify the reason or reasons for the CEO’s concern that an amount paid, purportedly by way of benefit or payment under this Act, in respect of each such service may exceed the amount (if any) that should have been paid; and

(ba) specify the circumstances in which a determination may be made under subsection 129ACA(2) in relation to an amount; and

(bb) contain a statement that the person may provide a written response to the CEO which states:

(i) if the person considers a determination under subsection 129ACA(2) should, or should not, be made and the person’s reasons for this; and

(ii) the percentage that the person considers should be determined for the purposes of paragraph 129ACA(3)(b); and

(bc) specify any matter, or contain any statement, prescribed by the Minister under paragraph 129ACA(9)(d); and

(c) specify the information relevant to ascertaining whether amounts paid in respect of each such service should have been paid; and

(d) specify how the document, extract or copy is to be produced; and

(e) contain a statement to the effect that the person to whom the notice is given is not expected to produce a document, extract or copy containing clinical details relating to an individual unless the document, extract or copy is necessary to ascertaining whether the amount paid in respect of the service should have been paid; and

(f) specify the period within which, and place at which, the document, extract or copy is to be produced.

The period specified under paragraph (f) must be a period ending at least 21 days after the day on which the notice is given.

Note: For the purpose of paragraphs (8)(b) and (c) the notice will include the reason for the CEO’s concern about the payment and explain the factual issue that the person is required to substantiate.

Health information

(9) The power under this section to require a document, extract or copy to be produced includes the power to require the production of a document, extract or copy containing health information (within the meaning of the *Privacy Act 1988*) about an individual.

(9A) If requested to do so under subsection (3), a person is authorised to produce any document relevant to the request, including a document containing health information (within the meaning of the *Privacy Act 1988*) about an individual.

Clinical relevance of particular professional service not to be taken into account

(10) In forming a reasonable concern for the purposes of subsection (1), the CEO is not to take into account the clinical relevance of a particular professional service.

Giving notices to State and Territory Health Departments

(10A) If:

(a) either of the following is given to a person in relation to a professional service rendered by the person:

(i) a notice under subsection (2);

(ii) a written request mentioned in subsection (3); and

(b) the professional service was rendered, or purportedly rendered, in or at a hospital mentioned in subsection (10B) of a State or Territory;

then, a copy of the notice or request may be given to the head (however described) of the Health Department (within the meaning of the *National Health Reform Act 2011*) of that State or Territory.

(10B) For the purposes of subsection (10A), a hospital is a facility in that State or Territory for which:

(a) a declaration is in force under paragraph 121‑5(6)(a) of the *Private Health Insurance Act 2007*; and

(b) a statement is included in the declaration (as mentioned in subsection 121‑5(8) of that Act) that the hospital is a public hospital.

Section not limited

(11) This section is not limited by:

(a) any other provision of this Act; or

(b) any provision of the *Human Services (Medicare) Act 1973* or any other Act;

that relates to the powers of the CEO to require the production of documents.

129AADA Requirement to keep documents relating to notice to produce

(1) If the Chief Executive Medicare (the ***CEO***) gives a person a notice under subsection 129AAD(2), or a request mentioned in subsection 129AAD(3), in respect of a professional service, the person must keep, for the period mentioned in subsection (2) of this section, any document that is relevant to whether an amount should have been paid under this Act in respect of the service.

Civil penalty:

(a) for an individual—20 penalty units; and

(b) for a body corporate—100 penalty units.

(2) The period:

(a) begins on the day the notice or request (as the case may be) is given; and

(b) ends:

(i) if a notice is given under subsection 129AAH(1) that the amount paid, by way of benefit or payment under this Act in respect of the service, should have been paid—on the day the notice is given; or

(ii) if a notice is given as mentioned in subsection 129AAI(4) or 129ACA(5) claiming an amount as a debt in respect of the service—on the day the notice is given.

(3) However, if an application for review of the decision to claim the amount as a debt is made under subsection 129AAJ(1) or 129ACB(1), the period ends on the day a notice is given under subsection 129AAJ(5) or 129ACB(6) notifying the person of the outcome of the review.

(4) Subsection (1) does not apply if the person has a reasonable excuse.

Note: A person who wishes to rely on subsection (4) in proceedings for a civil penalty order bears an evidential burden in relation to the matter in that subsection (see section 130H).

129AAE Civil penalty—failure to comply with requirement in notice

(1) A person referred to in paragraph 129AAD(2)(b) contravenes this section if:

(a) the person is given a notice under section 129AAD requiring the person to do something in respect of a professional service; and

(b) the person fails to comply with the requirement within the period specified in the notice.

Civil penalty:

(a) for an individual—20 penalty units; and

(b) for a body corporate—100 penalty units.

(2) It is a defence in proceedings for a contravention of subsection (1) if:

(a) the failure to comply is brought about by another person over whom the person has no control or by a non‑human act or event over which the person has no control; and

(b) the person could not reasonably be expected to guard against the failure.

Note: The defendant bears the onus of proving the matters necessary to establish the defence.

129AAF Self‑incrimination etc.

(1) A person is not excused from producing a document, extract or copy when required to do so under section 129AAD on the ground that doing so would tend to incriminate the person or expose the person to a penalty.

(2) However, the production of the document, extract or copy, and any information obtained as a direct or indirect result of the production of the document, extract or copy, are not admissible in evidence against the person in:

(a) any criminal proceedings, other than:

(i) proceedings for an offence against this Act dealing with false or misleading information or documents; and

(ii) proceedings for an offence against section 137.1 or 137.2 of the *Criminal Code* (which deals with false or misleading information or documents) that relates to this Act; or

(b) any civil proceedings, other than a civil proceeding arising under Part VIA or this Part.

129AAG Chief Executive Medicare or Departmental employee may deal with documents etc. produced

(1) If a document, extract or copy has been produced under section 129AAD in respect of a professional service, the Chief Executive Medicare, (the ***CEO***) or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), may do all or any of the things mentioned in subsection (2) for the purpose of ascertaining whether the information contained in the document, extract or copy properly substantiates that an amount paid, purportedly by way of benefit or payment under this Act, in respect of the service, should have been paid.

Note: If the information does not properly substantiate the amount, recovery action may be taken (see sections 129AC and 129ACA) and an administrative penalty may be applied (see sections 129AEA, 129AEB and 129AEC).

(2) The CEO or employee may:

(a) inspect the document, extract or copy; and

(b) make a copy of, or take an extract from, the document, extract or copy; and

(c) retain the document, extract or copy in his or her possession for such reasonable period as he or she thinks fit.

(3) The person otherwise entitled to possession of the document or extract is entitled to be supplied, as soon as practicable, with a copy certified by the CEO, or an employee, to be a true copy.

(4) The certified copy must be received in all courts and tribunals as evidence as if it were the original.

(5) Until a certified copy is supplied, the CEO, or an employee, must, at such times and places as he or she thinks appropriate, permit the person otherwise entitled to possession of the document or extract, or a person authorised by that person, to inspect and make copies of, or take extracts from, the document or extract.

(6) This section is not limited by:

(a) any other provision of this Act; or

(b) any provision of the *Human Services (Medicare) Act 1973* or any other Act;

that relates to the powers of the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), to deal with a document, extract or copy as described in subsection (2) of this section.

(7) A Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*) referred to in this section may be an employee other than the employee to whom the document, extract or copy was required to be produced.

129AAH Notice of decision: no amount recoverable because amounts paid substantiated etc.

Amount paid substantiated

(1) If:

(a) a person produces to the Chief Executive Medicare (the ***CEO***), or to a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), a document, extract or copy relating to a professional service after being requested, or required under section 129AAD, to do so; and

(b) the CEO decides that the information contained in the document, extract or copy properly substantiates that the amount paid, by way of benefit or payment under this Act, in respect of the service, should have been paid;

the CEO must give the person written notice of the decision.

Circumstances beyond control exist

(2) If the CEO is satisfied, for the purposes of subsection 129AC(1B) or (1D), that circumstances beyond a person’s control exist, the CEO must give the person written notice of the decision.

(3) If the CEO is satisfied, for the purposes of subsection 129AC(1F), that circumstances exist beyond the control of:

(a) the person from whom the amount concerned is recoverable; and

(b) the recipient of the notice concerned;

the CEO must give written notice of the decision to the person from whom the amount concerned is recoverable.

Notice may include notice of other decisions

(4) The CEO’s written notice to a person of a decision may include written notice of other decisions referred to in this section, or section 129AAI, that also are required to be given to the person.

Giving notices to State and Territory Health Departments

(5) If:

(a) any of the following is given to a person in relation to a professional service rendered by the person:

(i) a notice under subsection (1);

(ii) a notice under subsection (2);

(iii) a notice under subsection (3); and

(b) the professional service was rendered, or purportedly rendered, in or at a hospital mentioned in subsection (6) of a State or Territory;

then, a copy of the notice may be given to the head (however described) of the Health Department (within the meaning of the *National Health Reform Act 2011*) of that State or Territory.

(6) For the purposes of subsection (5), a hospital is a facility in that State or Territory for which:

(a) a declaration is in force under paragraph 121‑5(6)(a) of the *Private Health Insurance Act 2007*; and

(b) a statement is included in the declaration (as mentioned in subsection 121‑5(8) of that Act) that the hospital is a public hospital.

129AAI Notice of decision: amounts recoverable

(1) If an amount is recoverable under subsection 129AC(1), (1A), (1C) or (1E) as a debt due to the Commonwealth from a person, or from an estate, the Chief Executive Medicare (the ***CEO***) must give written notice to the person or estate of:

(a) the decision to claim the amount as a debt; and

(b) the reasons for the decision; and

(c) any right of the person or estate to seek review of the decision under subsection 129AAJ(1).

(1A) To avoid doubt, subsection (1) does not apply to an amount if subsection 129ACA(1) applies to the amount.

(2) The CEO’s written notice to a person or an estate of a decision may include written notice of other decisions referred to in this section, or section 129AAH, that also are required to be given to the person or estate. The written notice may also, as appropriate, state that the CEO was not satisfied, for the purposes of subsection 129AC(1B), (1D) or (1F), that circumstances beyond a person’s control existed.

(3) A failure to comply with the requirements of subsection (1) does not affect the validity of the decision.

(4) The CEO must not serve a notice on a person or an estate claiming an amount as a debt before the end of the period of 28 days after written notice of the decision referred to in subsection (1) is given to the person or estate.

(5) Subsection (4) does not apply in relation to claiming an amount as a debt if the person or estate has notified the CEO as mentioned in subsection 129AAJ(1A) in relation to the debt.

(6) If:

(a) any of the following is given to a person in relation to a professional service rendered by the person:

(i) a notice under subsection (1);

(ii) a notice mentioned in subsection (4); and

(b) the professional service was rendered, or purportedly rendered, in or at a hospital mentioned in subsection (7) of a State or Territory;

then, a copy of the notice may be given to the head (however described) of the Health Department (within the meaning of the *National Health Reform Act 2011*) of that State or Territory.

(7) For the purposes of subsection (6), a hospital is a facility in that State or Territory for which:

(a) a declaration is in force under paragraph 121‑5(6)(a) of the *Private Health Insurance Act 2007*; and

(b) a statement is included in the declaration (as mentioned in subsection 121‑5(8) of that Act) that the hospital is a public hospital.

129AAJ Review of decisions to claim amounts as debts

(1) If the Chief Executive Medicare (the ***CEO***) makes a decision referred to in subsection 129AAI(1) (other than a decision mentioned in subsection 129AAI(1A)) about a person or an estate, the person or estate may apply in writing to the CEO, in the form approved in writing by the CEO, for a review of the decision.

(1A) Subsection (1) does not apply if the person or estate has notified the CEO, in the form approved in writing by the CEO, that the person or estate waives the right to review of the decision to claim the amount as a debt.

(2) In making an application under subsection (1), the person or estate may provide the CEO with additional information to substantiate (wholly or partly) that the amount paid, purportedly by way of benefit or payment under this Act in respect of the service, should have been paid.

(3) An application for review of a decision must be made within 28 days after the person or estate is notified of the decision.

(4) On receiving an application for review of a decision, the CEO must:

(a) review the decision; and

(b) confirm, vary or revoke the decision.

(5) The CEO must give to the applicant written notice of the decision (the ***reconsidered decision***) on the review within 28 days after receiving the application for review.

(6) A failure to comply with the requirements of subsection (5) does not affect the validity of the review or of the reconsidered decision.

(7) Applications may be made to the Administrative Appeals Tribunal for review of reconsidered decisions.

(8) An application under subsection (7) may be made only if:

(a) the applicant has been given notice of the reconsidered decision under subsection (5); and

(b) one or more garnishee notices have been given under subsection 129AEG(1) in relation to the debt to which the reconsidered decision relates.

(9) Despite paragraph 29(1)(d) of the *Administrative Appeals Tribunal Act 1975*, an application under subsection (7) of this section must be made within the period of 28 days after the day the first garnishee notice is given.

(10) To avoid doubt:

(a) a decision to which subsection (1) applies may be reviewed by the CEO under subsection (4) once only; and

(b) a reconsidered decision takes effect:

(i) on the day specified in the reconsidered decision; or

(ii) if a day is not specified—on the day on which the reconsidered decision is made.

129AC Recovery of amounts overpaid etc. and administrative penalties

False or misleading information

(1) Where, as a result of the giving of false or misleading information, an amount paid, purportedly by way of benefit or payment under this Act, exceeds the amount (if any) that should have been paid, the amount of the excess is recoverable as a debt due to the Commonwealth from the person by or on behalf of whom the information was given, or from the estate of that person, whether or not the amount was paid to that person, and whether or not any person has been convicted of an offence in relation to the giving of the information.

(1AAA) For the purposes of subsection (1), it is immaterial whether the false or misleading information is given:

(a) in a document; or

(b) in a statement; or

(c) in any other form.

(1AA) Subsection (1) does not apply to an amount if subsection 129ACA(1) applies to the amount.

Failure to produce document

(1A) Subject to subsection (1B), if:

(a) a person referred to in paragraph 129AAD(2)(a) is required, by a notice given under section 129AAD, to produce a document, extract or copy in respect of a professional service; and

(b) the person does not comply with the requirement within the period set out in the notice;

the amount paid, purportedly by way of benefit or payment under this Act, in respect of the service, is recoverable as a debt due to the Commonwealth from the person, or the estate of the person, whether or not the amount was paid to the person.

(1B) Subsection (1A) does not apply if the person concerned satisfies the Chief Executive Medicare that the person’s non‑compliance is due to circumstances beyond the person’s control.

Note: See section 129AAJ for review of decisions.

Amount not properly substantiated—notice to person referred to in paragraph 129AAD(2)(a)

(1C) Subject to subsection (1D), if:

(a) a person referred to in paragraph 129AAD(2)(a) is required, by a notice given under section 129AAD, to produce a document, extract or copy in respect of a professional service; and

(b) the person complies with the requirement within the period set out in the notice; and

(c) the information contained in the document, extract or copy does not properly substantiate (wholly or partly) that the amount paid, purportedly by way of benefit or payment under this Act, in respect of the service, should have been paid;

then, to the extent that the amount is not properly substantiated, the amount is recoverable as a debt due to the Commonwealth from the person, or the estate of the person, whether or not the amount was paid to the person.

(1D) Subsection (1C) does not apply if the person concerned satisfies the Chief Executive Medicare that the reason that the information contained in the document, extract or copy does not properly substantiate the amount is due to circumstances beyond the person’s control.

Note: See section 129AAJ for review of decisions.

Amount not properly substantiated—notice to person referred to in paragraph 129AAD(2)(b)

(1E) Subject to subsection (1F), if:

(a) a person (the ***notice recipient***) referred to in paragraph 129AAD(2)(b) is required, by a notice given under section 129AAD, to produce a document, extract or copy in respect of a professional service; and

(b) the notice recipient complies with the requirement within the period set out in the notice; and

(c) the information contained in the document, extract or copy does not properly substantiate (wholly or partly) that the amount paid, purportedly by way of benefit or payment under this Act, in respect of the service, should have been paid;

then, to the extent that the amount is not properly substantiated, the amount is recoverable as a debt due to the Commonwealth from:

(d) the person who rendered the service, or on whose behalf the service was rendered; or

(e) the estate of that person;

whether or not the amount was paid to that person.

(1F) Subsection (1E) does not apply if the person from whom the amount concerned is recoverable satisfies the Chief Executive Medicare that the reason that the information contained in the document, extract or copy does not properly substantiate the amount is due to circumstances beyond the control of the person and the notice recipient.

Note: See section 129AAJ for review of decisions.

Administrative penalty

(1G) If:

(a) a person is given a notice under section 129AEC of the person’s liability to pay an administrative penalty; and

(b) the person does not pay the penalty by the day set out in the notice as the day by which the penalty becomes due for payment;

the amount set out in the notice is recoverable as a debt due to the Commonwealth from the person or the estate of the person.

Recovery once only

(1H) To avoid doubt, an amount paid purportedly by way of benefit or payment under this Act is recoverable under this section once only.

Interest on amounts

(2) Where:

(a) an amount (in this subsection referred to as the ***principal sum***) is recoverable as a debt due to the Commonwealth from a person, or from an estate, under subsection (1), (1A), (1C), (1E) or (1G); and

(b) the Chief Executive Medicare has served a notice on the person, or on the estate, as the case may be, claiming the amount as a debt due to the Commonwealth; and

(c) either of the following conditions are satisfied:

(i) an arrangement has been entered into between the Chief Executive Medicare and the person or the estate, as the case may be, within a period of 3 months following the service of the notice or such longer period as the Chief Executive Medicare allows (which period or longer period is in this section referred to as the ***relevant period***), being an arrangement for the repayment of the principal sum, and default has been made (whether before or after the end of the relevant period) in the payment of an amount as required by the arrangement; or

(ii) at the end of the relevant period, such an arrangement has not been entered into and all or part of the principal sum remains unpaid;

then, from the day after the end of the relevant period, interest at the prescribed rate becomes payable on so much of the principal sum as from time to time remains unpaid, and the interest so payable is recoverable as a debt due to the Commonwealth from the person, or from the estate, as the case may be.

(3) Notwithstanding subsection (2), in any proceedings instituted by the Commonwealth for the recovery of an amount due under subsection (2), the court may order that the interest payable under that subsection shall be, and shall be deemed to have been, so payable from a day later than the day referred to in that subsection.

129ACA Shared debt determinations

Making shared debt determinations

(1) If:

(a) as a result of the giving of false or misleading information, an amount paid, purportedly by way of benefit or payment under this Act, exceeds the amount (if any) that should have been paid in respect of a professional service rendered, or purportedly rendered by a person; and

(b) the Chief Executive Medicare (the ***CEO***) makes a determination under subsection (2) in relation to the amount;

the excess (the ***recoverable amount***) is recoverable as a debt due to the Commonwealth from that person (the ***primary debtor***) (or from the estate of that person) and another person (the ***secondary debtor***) (or from the estate of that person) specified in the determination.

(1A) For the purposes of subsection (1), it is immaterial whether the false or misleading information is given:

(a) in a document; or

(b) in a statement; or

(c) in any other form.

(2) The CEO may make a written determination under this subsection in relation to an amount if:

(a) notice has been given under subsection (7) in relation to the recoverable amount to the primary debtor (or estate) and the secondary debtor (or estate); and

(b) any of the following apply:

(i) the secondary debtor employed or otherwise engaged the primary debtor to render professional services of the kind mentioned in paragraph (1)(a);

(ii) the secondary debtor had an arrangement or agreement with the primary debtor relating to professional services of that kind;

(iii) the secondary debtor is a person in a class of persons prescribed under paragraph (9)(a);

(iv) the secondary debtor is not a person in a class of persons prescribed under paragraph (9)(b); and

(c) the CEO reasonably believes the determination should be made having regard to the following:

(i) whether the relationship of the secondary debtor with the primary debtor was such that the secondary debtor could have controlled or influenced the circumstances that led to the giving of the false or misleading information to which the debt relates;

(ii) whether the secondary debtor directly or indirectly obtained a financial benefit from the giving of the false or misleading information;

(iii) whether any other factors in all the circumstances of the case make it fair and reasonable for the determination to be made.

(3) The determination must be given to the primary debtor, or estate, and the secondary debtor, or estate, and set out the following:

(a) the decision to make a determination to claim the recoverable amount under subsection (1) as a debt due to the Commonwealth;

(b) an amount (the ***shared amount***) equal to a percentage of the recoverable amount that is recoverable from the secondary debtor or estate;

(c) an amount (the ***remaining amount***) equal to the recoverable amount less the shared amount that is recoverable from the primary debtor or estate;

(d) the reasons for the decision;

(e) the right to seek review of the decision under section 129ACB.

(4) The percentage determined by the CEO for the purposes of paragraph (3)(b) must be the percentage prescribed under paragraph (9)(c), unless the CEO reasonably believes in all the circumstances of the case that it is fair and reasonable that a different percentage be determined.

(5) The CEO must not serve a notice on a person or an estate claiming a shared amount or remaining amount (as the case may be) as a debt before the end of the period of 28 days after the determination referred to in subsection (2) is given to the person or estate.

(6) An amount is recoverable under subsection (1) whether or not:

(a) the amount was paid to the primary debtor or secondary debtor (or the estates of those persons); and

(b) any person has been convicted of an offence in relation to the giving of the false or misleading information.

Notice of intention to make shared debt determinations

(7) Before making a determination under subsection (2) in relation to a recoverable amount, the CEO must give the following to the primary debtor or estate and the other person or estate the CEO is considering specifying in the determination as the secondary debtor:

(a) written notice that the CEO is considering making a determination under that subsection in relation to the recoverable amount;

(b) a copy of any document produced under subsection 129AAD(2) or (3) in relation to the recoverable amount.

(8) A person who, or estate that, is given a notice under subsection (7) may, within 14 days after the notice is given, provide a written response to the CEO which states:

(a) the reasons why the person or estate considers a determination under subsection (2) should, or should not, be made; and

(b) the percentage that the person or estate considers should be determined for the purposes of paragraph 129ACA(3)(b).

Minister may make legislative instrument

(9) The Minister may, by legislative instrument, prescribe the following:

(a) classes of persons for the purposes of subparagraph (2)(b)(iii);

(b) classes of persons for the purposes of subparagraph (2)(b)(iv);

(c) a percentage for the purposes of subsection (4);

(d) matters or statements for the purposes of paragraph 129AAD(8)(bc).

Giving notices to State and Territory Health Departments

(10) If:

(a) either of the following is given to a person or estate in relation to a professional service:

(i) a determination under subsection (2);

(ii) a notice mentioned in subsection (5); and

(b) the professional service was rendered, or purportedly rendered, in or at a hospital mentioned in subsection (11) of a State or Territory;

then, a copy of the determination or notice may be given to the head (however described) of the Health Department (within the meaning of the *National Health Reform Act 2011*) of that State or Territory.

(11) For the purposes of subsection (10), a hospital is a facility in that State or Territory for which:

(a) a declaration is in force under paragraph 121‑5(6)(a) of the *Private Health Insurance Act 2007*; and

(b) a statement is included in the declaration (as mentioned in subsection 121‑5(8) of that Act) that the hospital is a public hospital.

129ACB Review of decisions relating to shared debt determinations

(1) If the Chief Executive Medicare (the ***CEO***) makes a determination under subsection 129ACA(2) to claim a recoverable amount as a debt, the primary debtor and secondary debtor (or the estates of those persons) may apply in writing to the CEO, in the form approved in writing by the CEO, for a review of the decision to make the determination.

(2) An application under subsection (1) for review of a decision must be made within 28 days after the person or estate is notified of the decision under subsection 129ACA(3).

(3) If the CEO receives an application under subsection (1) from a person or estate, the CEO must provide written notice of the application and a copy of the application to each other person or estate mentioned in that subsection.

(4) The other person or estate may give a written submission to the CEO within the period specified in the notice (which must not be less than 28 days after the day the notice is given) which states:

(a) whether the decision should be confirmed, varied or revoked; and

(b) the person’s reasons for why the decision should be confirmed, varied or revoked.

(5) On receiving the application and any written submissions under subsection (4), the CEO must:

(a) review the decision; and

(b) confirm, vary or revoke the decision.

(6) The CEO must give to the applicant and each other person or estate mentioned in subsection (1) written notice of the decision (the ***reconsidered decision***) on the review.

(7) Applications may be made to the Administrative Appeals Tribunal for review of reconsidered decisions.

(8) An application under subsection (7) may be made only if:

(a) the applicant has been given notice of the reconsidered decision under subsection (6); and

(b) one or more garnishee notices have been given under subsection 129AEG(1) in relation to the debt to which the reconsidered decision relates.

(9) Despite paragraph 29(1)(d) of the *Administrative Appeals Tribunal Act 1975*, an application under subsection (7) of this section must be made within the period of 28 days after the day the first garnishee notice is given.

(10) To avoid doubt:

(a) a decision referred to in subsection 129ACA(2) may be reviewed by the CEO under subsection (5) of this section once only; and

(b) a reconsidered decision takes effect:

(i) on the day specified in the reconsidered decision; or

(ii) if a day is not specified—on the day on which the reconsidered decision is made; and

(c) a reconsidered decision may specify a percentage of zero for the purposes of subsection 129ACA(4).

129AD Recovery of certain determined amounts

Where a final determination under section 106TA, or a determination by a Medicare Participation Review Committee under subsection 124F(6), 124FB(1), 124FC(1) or 124FF(5), that an amount be payable to a person (in this section referred to as ***the payee***) by another person takes effect or takes effect as varied, the amount specified in the determination, or in the determination as varied, is recoverable by the payee from the other person as a debt due to the payee.

129AE Recovery of amounts paid in respect of certain diagnostic imaging services

Where an amount is purportedly paid by way of benefit under this Act in respect of a diagnostic imaging service in circumstances where, under section 16C, no benefit was payable because rendering the service involved a contravention of a law of a State or Territory relating directly or indirectly to the use of diagnostic imaging procedures or diagnostic imaging equipment, the amount is recoverable as a debt due to the Commonwealth from the person who contravened the law of the State or Territory.

129AEA Liability for administrative penalty

Subsection 129AC(1) applies

(1) A person is liable for an administrative penalty in respect of a professional service rendered by, or on behalf of, the person if:

(a) the Chief Executive Medicare (the ***CEO***) has served a notice (as mentioned in subsection 129AAI(4)) on the person claiming an amount (the ***total amount***) as a debt due to the Commonwealth under subsection 129AC(1); and

(b) the total amount consists of, or includes, an amount (the ***recoverable amount***) in respect of the service; and

(d) the total amount is more than:

(i) $2,500; or

(ii) if a higher amount is prescribed by the regulations—that higher amount.

Subsection 129AC(1A) or (1C) applies

(2) A person is liable for an administrative penalty in respect of a particular professional service if:

(a) a notice was given to the person under section 129AAD requiring the person to produce a document, extract or copy relevant to the particular professional service; and

(b) subsection 129AC(1A) or (1C) applies in respect of the person and the particular professional service; and

(c) if the notice specifies one or more other professional services—either or both of subsections 129AC(1A) and (1C) apply in respect of the person and any other professional service specified in the notice; and

(d) the sum of the amounts that may be recovered from the person under those subsections in respect of the particular professional service, and any other professional service specified in the notice, is more than:

(i) $2,500; or

(ii) if a higher amount is prescribed by the regulations—that higher amount; and

(e) the CEO has served a notice on the person claiming as a debt due to the Commonwealth the amount (the ***recoverable amount***) that may be recovered from the person under whichever of subsection 129AC(1A) or (1C) applies in respect of the person and the particular professional service.

Subsection 129AC(1E) applies

(3) A person (the ***practitioner***) who rendered a particular professional service, or on whose behalf a particular professional service was rendered, is liable for an administrative penalty in respect of the service if:

(a) a notice was given to another person under section 129AAD requiring the person to produce a document, extract or copy relevant to the particular professional service; and

(b) subsection 129AC(1E) applies in respect of the practitioner and the particular professional service; and

(c) if the notice specifies one or more other professional services—subsection 129AC(1E) applies in respect of the practitioner and any other professional service specified in the notice; and

(d) the sum of the amounts that may be recovered from the practitioner under that subsection in respect of the particular professional service, and any other professional service specified in the notice, is more than:

(i) $2,500; or

(ii) if a higher amount is prescribed by the regulations—that higher amount; and

(e) the CEO has served a notice on the practitioner claiming as a debt due to the Commonwealth the amount (the ***recoverable amount***) that may be recovered from the practitioner under subsection 129AC(1E) in respect of the particular professional service.

Subsection 129ACA(2) applies

(4) A person is liable for an administrative penalty in respect of a professional service if:

(a) the CEO has made a determination under subsection 129ACA(2) in relation to a recoverable amount in respect of the service; and

(b) a notice has been served on the person (as mentioned in subsection 129ACA(5)) in respect of the service; and

(c) if the determination relates to one or more other professional services—the person is the primary debtor or secondary debtor for any other professional service to which the determination relates; and

(d) the sum of the recoverable amounts for the particular professional service, and any other professional service to which the determination relates, is more than:

(i) $2,500; or

(ii) if a higher amount is prescribed by the regulations—that higher amount.

129AEB Amount of administrative penalty

(1) The amount of the administrative penalty in respect of a professional service is worked out in accordance with this section.

Base penalty amount

(2) Subject to subsections (3), (4) and (5), the amount (the ***base penalty amount***) of the administrative penalty is 20% of whichever of the following applies in respect of the professional service:

(a) the recoverable amount referred to in paragraph 129AEA(1)(b);

(b) the recoverable amount referred to in paragraph 129AEA(2)(e);

(c) the recoverable amount referred to in paragraph 129AEA(3)(e);

(d) the recoverable amount referred to in paragraph 129AEA(4)(a).

Reductions in base penalty amount

(3) A person’s base penalty amount for a professional service is reduced in accordance with the table.

| **Reductions in base penalty amount** | | |
| --- | --- | --- |
| **Item** | **If…** | **the base penalty amount is reduced by…** |
| 1 | before the Chief Executive Medicare (the ***CEO***) contacts the person under subsection 129AAD(2) or (3) about the professional service, the person voluntarily tells the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), in the form approved in writing by the CEO, that an amount paid, purportedly by way of benefit or payment under this Act, in respect of the service exceeds the amount (if any) that should have been paid | 100% |
| 2 | (a) after the Chief Executive Medicare (the ***CEO***) contacts the person under subsection 129AAD(3) about the service; and  (b) before the CEO gives a notice to the person under subsection 129AAD(2) that specifies the service; and  (c) before the CEO gives notice to the person under subsection 129AAI(1) or 129ACA(3) of a decision to claim an amount as a debt in relation to the service;  the person voluntarily tells the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), in the form approved in writing by the CEO, that an amount paid, purportedly by way of benefit or payment under this Act, in respect of the service exceeds the amount (if any) that should have been paid | 50% |
| 3 | (a) after the Chief Executive Medicare (the ***CEO***) gives a notice to the person under subsection 129AAD(2) that specifies the service; and  (b) before the end of the period specified in the notice; and  (c) before the CEO gives notice to the person under subsection 129AAI(1) or 129ACA(3) of a decision to claim an amount as a debt in relation to the service;  the person tells the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), in the form approved in writing by the CEO, that an amount paid, purportedly by way of benefit or payment under this Act, in respect of the service exceeds the amount (if any) that should have been paid | 25% |

Increases in base penalty amount

(4) A person’s base penalty amount for a professional service is increased by 25% if:

(a) the Chief Executive Medicare gives a notice to the person under section 129AAD or subsection 129ACA(7) that specifies the service; and

(b) the person does not comply with the notice in respect of the service, or any other professional service specified in the notice, within the period specified in the notice.

Shared debt determinations

(5) If the administrative penalty is in respect of a professional service for which a determination has been made under subsection 129ACA(2):

(a) apply subsections (3) and (4) in relation to the primary debtor and not the secondary debtor; and

(b) apportion the base penalty amount calculated in accordance with paragraph (a) of this subsection between the primary debtor and secondary debtor in the same way as the recoverable amount in respect of the professional service was apportioned in accordance with the determination made under subsection 129ACA(2).

Interaction between reduction and increase

(7) If a base penalty amount is subject to both a reduction and an increase, apply the reduction first.

129AEC Notice of administrative penalty and review of assessments

(1) The Chief Executive Medicare (the ***CEO***) must give to a person who the CEO has assessed, in accordance with sections 129AEA and 129AEB, is liable to an administrative penalty, or the person’s estate, written notice of the assessment which includes the following:

(a) the person’s liability to pay an administrative penalty in respect of one or more professional services;

(b) the professional service to which each administrative penalty relates;

(c) if there is more than one professional service—the total of the administrative penalties;

(d) the day by which the penalty becomes due for payment (which must be at least 14 days after the day on which the notice is given);

(e) the fact that the notice is given under this section.

The notice may also deal with a debt due to the Commonwealth under section 129AC or 129ACA arising in relation to the professional service.

Review of decisions

(2) Applications may be made to the Administrative Appeals Tribunal for review of assessments by the CEO of liability to administrative penalties for which notice has been given under subsection (1).

(3) An application under subsection (2) may be made by a person, or a person’s estate, only if:

(a) the person or estate has been given a notice under subsection (1) that the person is liable for an administrative penalty; and

(b) the decision to claim the debt to which the administrative penalty relates is a reconsidered decision under subsection 129AAJ(5) or 129ACB(6); and

(c) one or more garnishee notices have been given under subsection 129AEG(1) in relation to that debt.

(4) Despite paragraph 29(1)(d) of the *Administrative Appeals Tribunal Act 1975*, an application under subsection (2) of this section must be made within the period of 28 days after the day the first garnishee notice is given.

129AECA Power to obtain information relating to a debt

(1A) This section applies in relation to an amount (a ***recoverable amount***) that is recoverable from a person, or from the estate of a person, as a debt due to the Commonwealth if the amount is one of the following:

(a) an unpaid amount under paragraph 92(4)(e) or (f) in relation to an agreement under subsection 92(1);

(b) an amount for which notice has been served as mentioned in subsection 129AAI(4) or 129ACA(5);

(c) an amount for which notice has been given as mentioned in subsection 129AC(1G);

(d) an amount of interest under subsection 129AC(2);

(e) an amount under section 129AD where the Commonwealth is the payee.

(1) The Chief Executive Medicare (the ***CEO***) may, by written notice given to the person or estate, require the person or estate to do either or both of the following:

(a) give to the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), information in writing that is relevant to the financial situation of the person or estate;

(b) produce to the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), a document that is in the custody or under the control of the person or estate and is relevant to the financial situation of the person or estate.

(2) The person must notify the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), of an address for the purposes of giving the person documents relating to the debt, within 14 days after the day:

(a) if paragraph (1A)(a) applies—notice is given as mentioned in subsection 106R(3) of the Determining Authority’s ratification of the agreement; or

(b) if paragraph (1A)(b) applies—notice is served as mentioned in subsection 129AAI(4) or 129ACA(5); or

(c) if paragraph (1A)(c) applies—the amount mentioned in that paragraph becomes due for payment; or

(d) if paragraph (1A)(d) applies—the end of the relevant period mentioned in subsection 129AC(2); or

(e) if paragraph (1A)(e) applies—the determination mentioned in section 129AD takes effect.

Civil penalty:

(a) for an individual—20 penalty units; and

(b) for a body corporate—100 penalty units.

(3) If the address of the person changes after notifying the address under subsection (2) or this subsection, the person must notify the CEO, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), of the change within 14 days after the change.

Civil penalty:

(a) for an individual—20 penalty units; and

(b) for a body corporate—100 penalty units.

(4) If the CEO reasonably believes that a person may have information or a document:

(a) that would help the CEO locate another person or estate (the ***debtor***) from which a recoverable amount is recoverable; or

(b) that is relevant to the debtor’s financial situation;

the CEO may, by written notice given to the person, require the person to give the information in writing, or produce the document, to the CEO or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*).

(5) A notice under subsection (1) or (4) must specify the following:

(a) how the person or estate is to give the information in writing or produce the document;

(b) the period (which must be at least 14 days after the day the notice is given) within which the person or estate is to give the information or produce the document;

(c) that the notice is given under subsection (1) or (4) (as the case requires).

(6) A person contravenes this subsection if:

(a) the person is given a notice under subsection (1) or (4) requiring the person to give information in writing or produce a document; and

(b) the person fails to comply with the requirement within the period specified in the notice.

Civil penalty:

(a) for an individual—20 penalty units; and

(b) for a body corporate—100 penalty units.

(7) Subsection (2), (3) or (6) does not apply if the person has a reasonable excuse.

Note: A person who wishes to rely on subsection (7) in proceedings for a civil penalty order bears an evidential burden in relation to the matter in that subsection (see section 130H).

129AED Waiver and repayment of certain debts arising under the Chronic Disease Dental Scheme

When this section applies

(1) This section applies in relation to a purported payment of medicare benefit in respect of a service referred to in Schedule 1 to the *Health Insurance (Dental Services) Determination 2007* if:

(a) the service was provided by a dental practitioner; and

(b) the payment exceeded the amount (if any) that should have been paid; and

(c) there was a failure to comply with subsection 10(2) (quotation for dental services and reporting) of the Determination in relation to the service; and

(d) the Chief Executive Medicare is satisfied that the excess is solely attributable to the failure to comply with subsection 10(2) of the Determination.

Note: The Determination was made under subsection 3C(1) of this Act. It ceased at midnight 30 November 2012 (see section 2A of the Determination).

(2) However, this section does not apply in relation to a purported payment of medicare benefit in respect of a service that was rendered on or after 1 April 2010 unless, before the end of 30 November 2014, the dental practitioner provides or has provided the Chief Executive Medicare with evidence that the documents that, under subsection 10(2) of the Determination, should have been given to the patient and general practitioner before the relevant course of treatment began have since been given to those persons.

Waiver and repayment of debts

(3) If the excess, or part of the excess, is recoverable under section 129AC as a debt due to the Commonwealth, the Chief Executive Medicare must, on behalf of the Commonwealth, waive the debt.

(4) If the excess, or part of the excess:

(a) has been repaid to the Commonwealth by a person (or a person’s estate); or

(b) has otherwise been recovered by the Commonwealth from a person (or a person’s estate), including by way of set‑off;

the Chief Executive Medicare must, on behalf of the Commonwealth, pay to the person (or to the person’s estate) the amount paid or recovered.

(5) An amount payable under subsection (4) is reduced by any amount already paid by the Commonwealth in respect of the repaid or recovered amount.

(6) A reference in subsection (3), (4) or (5) to an excess includes:

(a) any amount of administrative penalty for which the dental practitioner is liable to the Commonwealth under section 129AEA in relation to the excess; and

(b) any interest paid or payable in relation to the excess under subsection 129AC(2) or (3).

129AEE Notice of decision to waive, or not to waive, a debt

(1) The Chief Executive Medicare must give written notice of the following decisions:

(a) a decision to waive a debt under subsection 129AED(3);

(b) a decision to pay an amount under subsection 129AED(4);

(c) a decision not to waive a debt under subsection 129AED(3), or not to pay an amount under subsection 129AED(4), because the Chief Executive Medicare is not satisfied of the matter referred to in paragraph 129AED(1)(d).

(2) The notice must be given to the dental practitioner who provided the service referred to in subsection 129AED(1), or to his or her estate.

(3) A failure to give notice under this section of a decision does not affect the validity of the decision.

129AEF Recoverable amounts may be set off

(1) This section applies in relation to an amount (the ***recoverable amount***) recoverable from a person, or from the estate of that person, as a debt due to the Commonwealth if the amount is one of the following:

(a) an unpaid amount under paragraph 92(4)(e) or (f);

(aa) an amount under subsection 129AC(1), (1A), (1C), (1E) or (1G) where:

(i) any rights of review by the Chief Executive Medicare (the ***CEO***) under section 129AAJ have been exhausted or have expired; and

(ii) the 3 month period referred to in subparagraph 129AC(2)(c)(i) has expired;

(ab) an amount of interest under subsection 129AC(2);

(ac) an amount under paragraph 129ACA(3)(b) or (c) where any rights of review by the CEO under section 129ACB have been exhausted or have expired;

(b) an amount under section 129AD where:

(i) the amount is specified in a final determination under section 106TA; and

(ii) the Commonwealth is the payee;

(c) an amount under section 129AE.

(2) The CEO may, on behalf of the Commonwealth, set off the whole or a part of the recoverable amount against the whole or a part of an amount payable (the ***payable amount***) to the person or estate under this Act.

(3) However, an amount set off under subsection (2) must not exceed:

(a) 20% of the payable amount; or

(b) if the CEO and the person or estate agree to a higher percentage of the amount payable—that percentage.

(4) To avoid doubt, the payable amount is taken to have been paid in full to the person or estate if the payable amount, less any amount set off against the amount under subsection (2), is paid to the person or estate.

129AEG Garnishee notices

Garnishee notice

(1) If a recoverable amount referred to in paragraph 129AEF(1)(a), (aa), (ab), (ac) or (c) is recoverable from a person (the ***debtor***), or from the estate of that person, the Chief Executive Medicare (the ***CEO***) may give a written notice (the ***garnishee notice***) to a person who owes, or may later owe, money to the debtor or estate.

(1A) However, subsection (1) applies in relation to a recoverable amount referred to in paragraph 129AEF(1)(a) that relates to an agreement entered into with the debtor under section 92 only if:

(a) both:

(i) an arrangement for the payment of the recoverable amount has been entered into between the CEO and the debtor or the estate within the relevant period mentioned in subsection (1B); and

(ii) there is a default (whether before or after the end of the relevant period) in the payment of all or part of the recoverable amount as required by the arrangement; or

(b) at the end of the relevant period, such an arrangement has not been entered into and all or part of the recoverable amount remains unpaid.

(1B) For the purposes of subsection (1A), the ***relevant period*** is:

(a) the period of 3 months beginning on the day the agreement under section 92 takes effect; or

(b) such longer period as the CEO allows.

When third party is taken to owe money

(2) A person (the ***third party***) is taken to owe money (the ***available money***) to the debtor or estate if the third party:

(a) is a person by whom the available money is due or accruing to the debtor or estate; or

(b) holds the money for, or on account of, the debtor or estate; or

(c) holds the money on account of some other person for payment to the debtor or estate; or

(d) has authority from some other person to pay the money to the debtor or estate.

(3) The third party is taken to owe the available money to the debtor or estate even if:

(a) the money is not due, or is not so held, or payable under the authority, unless a condition is fulfilled; and

(b) the condition has not been fulfilled.

How much is payable under the notice

(4) The garnishee notice must:

(a) require the third party to pay to the Commonwealth the lesser of, or a specified amount not exceeding the lesser of:

(i) the recoverable amount; or

(ii) the available money; or

(b) if there will be amounts of the available money from time to time—require the third party to pay to the Commonwealth a specified amount, or a specified percentage, of each amount of the money, until the recoverable amount is recovered.

When amount must be paid

(5) The garnishee notice must require the third party to pay an amount under paragraph (4)(a), or each amount under paragraph (4)(b), within the period specified in the notice.

Debtor must be notified

(6) The CEO must send a copy of the garnishee notice to the debtor or estate.

Setting off amounts

(7) If a person other than the third party has paid an amount to the Commonwealth that satisfies all or part of the recoverable amount:

(a) the CEO must notify the third party of that fact; and

(b) any amount that the third party is required to pay under the garnishee notice is reduced by that amount.

Indemnity

(8) If an amount is paid by the third party in accordance with the garnishee notice:

(a) the payment is taken to have been authorised by:

(i) the debtor or estate; and

(ii) any other person who is entitled to all or a part of the amount; and

(b) the third party is indemnified for the payment.

Garnishee notice to Commonwealth, State or Territory

(9) If the third party mentioned in subsection (2) is the Commonwealth, a State or a Territory, the CEO may give the garnishee notice to a person who is (as the case requires):

(a) employed by the Commonwealth, State or Territory; and

(b) required, or authorised, to disburse public money under a law of the Commonwealth, State or Territory.

Section binds the Crown

(10) This section binds the Crown in right of the Commonwealth, of each of the States, of the Australian Capital Territory and of the Northern Territory.

(11) However, this section does not make the Crown liable to be prosecuted for an offence.

(12) To avoid doubt, this section does not imply that the Crown is, or is not, bound by any other provision of this Act.

Review of decisions

(13) The debtor or estate may apply to the Administrative Appeals Tribunal for review of a decision by the CEO to give a garnishee notice to a person under subsection (1).

129AEH Failure to comply with garnishee notice

(1) A person commits an offence if:

(a) the person is given a garnishee notice under section 129AEG; and

(b) the person fails to comply with the notice.

Penalty: 20 penalty units.

(2) The court may, in addition to imposing a penalty on a person convicted of an offence against subsection (1) in relation to failing to pay an amount under the notice, order the person to pay to the Commonwealth an amount not exceeding that amount.

129AF State and Territory authorities to be notified of contraventions of certain laws

Where the Chief Executive Medicare believes on reasonable grounds that a person has contravened a law of a State or Territory relating directly or indirectly to the use of diagnostic imaging procedures or diagnostic imaging equipment, the Chief Executive Medicare may give notice of that fact and his or her grounds for so believing to the Department or other authority, of the State or Territory concerned, that is responsible for administering the law.

129A Special arrangements for optometrical services

The Minister may on behalf of the Commonwealth make such special arrangements with optometrists as he or she thinks fit for the purpose of ensuring that an adequate optometrical service will be available to persons living in isolated areas.

130 Officers to observe secrecy

(1) A person shall not, directly or indirectly, except in the performance of his or her duties, or in the exercise of his or her powers or functions, under this Act or for the purpose of enabling a person to perform functions in relation to a medicare program or for the purposes of enabling a person to perform functions under the *Medicare Guarantee Act 2017*, the *Dental Benefits Act 2008*, the *My Health Records Act 2012* (whether as a delegate or otherwise)or the indemnity legislation, and while he or she is, or after he or she ceases to be, an officer, make a record of, or divulge or communicate to any person, any information with respect to the affairs of another person acquired by him or her in the performance of his or her duties, or in the exercise of his or her powers or functions, under this Act.

Penalty: 5 penalty units.

(2) A person who is, or has been, an officer shall not, except for the purposes of this Act, be required:

(a) to produce in court any document that has come into his or her possession or under his or her control in the performance of his or her duties or functions under this Act; or

(b) to divulge or communicate to a court any matter or thing that has come under his or her notice in the performance of any such duties or functions.

(3) Notwithstanding anything contained in the preceding provisions of this section, the Secretary or the Chief Executive Medicare may:

(a) if the Minister certifies, by instrument in writing, that it is necessary in the public interest that any information acquired by an officer in the performance of his or her duties, or in the exercise of his or her powers or functions, under this Act, should be divulged, divulge that information to such person as the Minister directs; or

(c) divulge any such information to a person who, in the opinion of the Minister, is expressly or impliedly authorized by the person to whom the information relates to obtain it.

(3A) Notwithstanding anything contained in the preceding provisions of this section, the Secretary or the Chief Executive Medicare may divulge any information acquired by an officer in the performance of duties, or in the exercise of powers or functions, under this Act to an authority or person if:

(a) the authority or person is a prescribed authority or person for the purposes of this subsection; and

(b) the information is information of a kind that may, in accordance with the regulations, be provided to the authority or person.

(3AA) Despite subsection (1), an officer may make a record of information with the express or implied authorisation of the person to whom the information relates.

(4) An authority or person to whom information is divulged under subsection (3) or (3A), and any person or employee under the control of that authority or person, shall, in respect of that information, be subject to the same rights, privileges, obligations and liabilities under subsections (1) and (2) as if he or she were a person performing duties under this Act and had acquired the information in the performance of those duties.

(4A) This section does not prohibit:

(a) the provision to a person of a document that was provided to the Chief Executive Medicare by the person in relation to a claim for a medicare benefit; or

(b) the divulging or communicating to a person of information relating to the person; or

(c) information that:

(i) has been provided to a prescribed professional disciplinary body or a prescribed professional regulatory body; and

(ii) was contained in a claim for a medicare benefit;

from being used by the body for the purpose of any investigation or inquiry being conducted by the body in the performance of its functions or the exercise of its powers.

(5) Nothing in the preceding provisions of this section prohibits the publication of statistics by the Commonwealth, by the Chief Executive Medicare or by the Commonwealth Statistician but such statistics shall not be published in a manner that enables the identification of an individual patient or an individual practitioner.

(5A) If a person applies to an authorised officer for information about a hospital, this section does not prohibit that authorised officer or any other authorised officer providing all or any of the following information in respect of the hospital to the applicant:

(a) the name and address of the hospital;

(b) the number of beds available in the hospital to patients;

(c) whether or not the hospital is a private hospital or a recognised hospital;

(d) the kinds of services (for example, obstetric services or psychiatric services) provided at the hospital;

(e) whether or not the hospital is a teaching hospital.

(5B) In subsection (5A):

***authorised officer*** means:

(a) the Secretary; or

(b) an APS employee in the Department.

(5E) This section does not prohibit the Chief Executive Medicare, or a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*), from providing to:

(a) the Director of Professional Services Review appointed under section 83; or

(aa) an Associate Director of Professional Services Review appointed under section 83A; or

(b) a Committee set up under section 93; or

(c) the Determining Authority established by section 106Q; or

(d) any person providing services to any of the above;

information to help the Director, Associate Director, Committee or Authority in the performance of functions or duties, or the exercise of powers, under Part VAA, or to assist a person referred to in paragraph (d) in the provision of services referred to in that paragraph.

(5F) In subsection (5E):

***services*** means:

(a) clerical or administrative services; and

(b) investigative services; and

(c) advisory services provided by a practitioner; and

(d) legal services.

(5G) This section does not prohibit a person from providing information for inclusion in the register kept under Part 2 of the *Australian Immunisation Register* *Act 2015*.

(5H) This section does not prohibit a person from providing information for inclusion in the register kept under Part 2 of the *National Cancer Screening Register Act 2016*.

(5J) Notwithstanding anything contained in the preceding provisions of this section, a person may divulge information to a Commonwealth entity for the purpose of facilitating the matching of that information by the Commonwealth entity under subsection 132B(1) of the *National Health Act 1953*.

(6) Notwithstanding anything contained in subsections (1) and (2), where:

(a) a person has been convicted of:

(i) an offence against Division 3 of Part IIBA or section 128A, 128B or 129AA of this Act; or

(ii) an offence against section 6 of the *Crimes Act 1914*, or section 11.1, 11.4 or 11.5 of the *Criminal Code*, that relates to an offence referred to in subparagraph (i); or

(b) an order has been made in relation to a person under section 19B of the *Crimes Act 1914* in relation to an offence referred to in subparagraph (a)(i) or (ii); or

(ba) a pecuniary penalty order has been made against a person in respect of a contravention of a civil penalty provision in Division 2 of Part IIBA of this Act;

the Secretary or the Chief Executive Medicare may divulge any information acquired by an officer in the performance of his or her duties, or in the exercise of his or her powers or functions, under this Act that concerns a matter referred to in paragraph (a), (b) or (ba) to:

(c) the Secretary of the Department of Social Security; or

(ca) the Chief Executive Centrelink or a Departmental employee (within the meaning of the *Human Services (Centrelink) Act 1997*); or

(d) the Secretary of the Veterans’ Affairs Department; or

(e) a person or body who, under the National Law, is required or permitted to:

(i) take disciplinary action with respect to practitioners, optometrists, midwives or nurse practitioners; or

(ii) investigate practitioners, optometrists, midwives or nurse practitioners in connection with the taking of such disciplinary action; or

(f) a director, secretary or employee of a private health insurer who is authorized by the Secretary or the Chief Executive Medicare, by instrument in writing, for the purposes of this subsection.

(7) Notwithstanding anything contained in subsection (1) or (2), where the Minister, by instrument in writing, certifies that it is desirable for such of the following purposes as he or she specifies in the certificate, that is to say:

(a) the administration of an Act administered by the Minister for Social Security;

(b) the administration of an Act administered by the Veterans’ Affairs Minister;

(ba) the administration of the *Migration Act 1958*;

(c) the administration of the National Law to the extent it provides for the registration of practitioners, optometrists, midwives or nurse practitioners;

(d) the carrying on of the business of a specified private health insurer or a private health insurer included in a specified class of private health insurers;

that information of a kind referred to in the certificate, being information acquired by an officer in the performance of his or her duties, or in the exercise of his or her powers or functions, under this Act, should be divulged, the Secretary or the Chief Executive Medicare may divulge information of that kind:

(e) if the certificate specifies a purpose of the kind referred to in paragraph (a)—to the Secretary of the Department of Social Security or to the Chief Executive Centrelink or a Departmental employee (within the meaning of the *Human Services (Centrelink) Act 1997*); or

(f) if the certificate specifies a purpose of the kind referred to in paragraph (b)—to the Secretary of the Veterans’ Affairs Department; or

(fa) if the certificate specifies a purpose of the kind referred to in paragraph (ba)—to the Secretary of the Immigration Department; or

(g) if the certificate specifies a purpose of the kind referred to in paragraph (c)—a person or body who, under the National Law, is required or permitted to:

(i) take disciplinary action with respect to practitioners, optometrists, midwives or nurse practitioners; or

(ii) investigate practitioners, optometrists, midwives or nurse practitioners in connection with the taking of such disciplinary action; or

(h) if the certificate specifies a purpose of the kind referred to in paragraph (d)—to a director, secretary or employee of each private health insurer to which the certificate relates, being a director, secretary or employee who is authorized by the Secretary or the Chief Executive Medicare, by instrument in writing, for the purposes of this subsection.

(8) Information relating to the rendering of a professional service shall not be divulged in pursuance of subsection (6) or (7) in a manner that is likely to enable the identification of the person to whom that service was rendered unless:

(a) the person to whom that service was rendered is a person referred to in paragraph (6)(a), (b) or (ba); or

(b) the Minister certifies that he or she has reasonable grounds for suspecting that the person to whom that service was rendered has committed, or is committing, an offence of the kind referred to in subparagraph (6)(a)(i) or (ii) or a contravention of a civil penalty provision referred to in paragraph (6)(ba).

(9) A person to whom information is divulged under subsection (6) or (7) and any person or employee under the control of the first‑mentioned person shall not, directly or indirectly, except:

(a) in the case of the Secretary of the Department of Social Security or a person or employee under the control of the Secretary of the Department of Social Security—in the performance of his or her duties, or in the exercise of his or her powers or functions, under an Act administered by the Minister for Social Security; or

(aa) in the case of the Chief Executive Centrelink or a Departmental employee (within the meaning of the *Human Services (Centrelink) Act 1997*)—in the performance of powers or functions under an Act administered by the Minister for Social Security; or

(b) in the case of the Secretary of the Veterans’ Affairs Department or a person or employee under the control of the Secretary—in the performance of his or her duties, or in the exercise of his or her powers or functions, under an Act administered by the Veterans’ Affairs Minister; or

(ba) in the case of the Secretary of the Immigration Department or a person or employee under the control of the Secretary—in the performance of his or her duties, or in the exercise of his or her powers or functions, under the *Migration Act 1958*; or

(c) in the case of a person (the ***first person***) or body referred to in paragraph (6)(e) or (7)(g), or a person or employee under the control of the first person or body—in the performance of his or her duties, or in the exercise of his or her powers or functions, under the National Law; or

(d) in the case of a director, secretary or employee of a private health insurer or a person or employee under the control of such a person—in the performance of his or her duties, or in the exercise of his or her powers or functions in relation to the carrying on of the business of the insurer;

and while he or she is, or after he or she ceases to be, such a person, make a record of, or divulge or communicate to any person, any information so divulged.

Penalty: 5 penalty units.

(10) A person to whom information is divulged under subsection (6) or (7) or a person or employee under the control of the first‑mentioned person shall not, except in the performance of duties or the exercise of powers or functions referred to in whichever of paragraphs (9)(a), (aa), (b), (ba), (c) and (d) is applicable, be required:

(a) to produce in court any document that has come into his or her possession or under his or her control under subsection (6) or (7); or

(b) to divulge or communicate to a court any matter or thing that has come under his or her notice under subsection (6) or (7).

(11) The powers conferred by subsections (6) and (7) are in addition to, and not in derogation of, the powers conferred by subsection (3) or (3A).

(12) The powers conferred by subsection (6) are in addition to, and not in derogation of, the powers conferred by subsection (7).

(13) Nothing in subsection (3), (3A), (6) or (7) shall be taken to affect the exception referred to in subsection (1) or (2).

(14) Where:

(a) a person solicits the disclosure of protected information from an officer or another person; and

(b) the disclosure would be in contravention of this section; and

(c) the first‑mentioned person knows or ought reasonably to know that the information is protected information;

the first‑mentioned person commits an offence, whether or not any protected information is actually disclosed.

(15) Where protected information is disclosed to a person in contravention of this section, the person commits an offence if he or she knows or ought reasonably to know that the disclosure is in contravention of this section and:

(a) he or she in any way solicited the disclosure of the information; or

(b) he or she discloses the information to another person; or

(c) he or she uses the information otherwise than by disclosing it to another person.

(17) Where:

(a) a person is convicted of an offence under subsection (14); and

(b) the person acted as an employee or agent of another person in soliciting the disclosure of the information;

the other person commits an offence.

(17A) An offence under subsection (17) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

(18) It is a defence to a prosecution for an offence against subsection (17) if the employee or agent was acting outside the scope of his or her authority as an employee or agent in soliciting the disclosure of the information.

Note: The defendant bears an evidential burden in relation to the matter in subsection (18). See subsection 13.3(3) of the *Criminal Code*.

(19) Where:

(a) a person is convicted of an offence under subsection (15); and

(b) the person acted as an employee or agent of another person in obtaining the information;

the other person commits an offence.

(19A) An offence under subsection (19) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the *Criminal Code*.

(20) It is a defence to a prosecution for an offence against subsection (19) if the employee or agent’s action described in subsection (15) was outside the scope of his or her authority as an employee or agent.

Note: The defendant bears an evidential burden in relation to the matter in subsection (20). See subsection 13.3(3) of the *Criminal Code*.

(21) A person who:

(a) offers to supply (whether to a particular person or otherwise) information about another person; and

(b) knows that the information is protected information;

commits an offence.

(22) A person who:

(a) holds himself or herself out as being able to supply (whether to a particular person or otherwise) information about another person; and

(b) knows that the information is protected information;

commits an offence.

(23) The penalty for an offence against subsection (14), (15), (17), (19), (21) or (22) is imprisonment for a period not exceeding 2 years.

(24) Nothing in this section has the effect that an officer exercising or performing his or her duties, functions or powers under, or in relation to, this Act commits an offence.

(25) In this section, unless the contrary intention appears:

***indemnity legislation*** means:

(a) the *Medical Indemnity Act 2002*; and

(c) the *Medical Indemnity (Run‑off Cover Support Payment) Act 2004*; and

(e) the *Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010*; and

(f) the *Midwife Professional Indemnity (Run‑off Cover Support Payment) Act 2010*.

***officer*** means a person performing duties, or exercising powers or functions, under or in relation to this Act or a medicare program.

***protected information*** means information about a person that is held in the records of the Department.

130AA Prosecution of offences

(1) Subject to subsection (2), an offence against Division 2 of Part IIBA, section 128B, subsection 129(2) or section 129AA is an indictable offence.

(2) A court of summary jurisdiction may hear and determine proceedings in respect of an offence referred to in subsection (1) if the court is satisfied that it is proper to do so and the defendant and the prosecutor consent.

(3) Where, in accordance with subsection (2), a court of summary jurisdiction convicts a person of an offence referred to in that subsection, the penalty that the court may impose is imprisonment for a period not exceeding 6 months or a fine not exceeding 10 penalty units.

130G Evidence

(1) All courts shall take judicial notice of the signature of any person who holds or has held the office of Chief Executive Centrelink, Secretary of the Department of Social Security, Director‑General of Social Security or Director‑General of Social Services or who is or was a Departmental employee (within the meaning of the *Human Services (Centrelink) Act 1997*) or an officer of the Department of Social Security or of the Department of Social Services, and of the fact that that person holds or has held that office or is or was such an employee or officer, as the case may be, if the signature purports to be attached or appended to any official document and any such document purporting to be so signed shall be received in all courts as prima facieevidence of the facts and statements contained therein.

(2) A document referred to in subsection (1) may relate to any matter in connection with the operation of this Act in relation to entitlement to benefits or payments under this Act.

130H Exceptions etc. to civil penalty provisions—burden of proof

If, in proceedings for a civil penalty order against a person for a contravention of a civil penalty provision, the person wishes to rely on any exception, exemption, excuse, qualification or justification provided by the law creating the civil penalty provision, then the person bears an evidential burden in relation to that matter.

130J Obligations not affected by State or Territory laws

Nothing contained in a law of a State or a Territory, or in the general law, operates to prevent a person from:

(a) giving information; or

(b) producing a document; or

(c) giving evidence;

that the person is required, or authorised, to give or produce under a provision of this Act.

131 Delegation

(1) The Minister, the Secretary or the Chief Executive Medicare may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him or her, delegate to an officer any of his or her powers under this Act or instruments made under this Act, other than this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act or an instrument under which the power exists, be deemed to have been exercised by the Minister, the Secretary or the Chief Executive Medicare, as the case may be.

(3) A delegation under this section does not prevent the exercise of a power by the Minister, the Secretary or the Chief Executive Medicare, as the case may be.

(4) In this section, ***officer*** means:

(a) an officer of the Department; or

(aa) a person performing the duties of an office in the Department; or

(b) the Chief Executive Medicare; or

(c) a Departmental employee (within the meaning of the *Human Services (Medicare) Act 1973*).

132 Evidence

(1) The Minister may, by writing under his or her hand, certify that, during a period or on a date specified in the certificate, any premises were, or were not, a hospital.

(1A) The Minister may, by writing under his or her hand, certify:

(a) that a document annexed to the certificate is a true copy of a determination or direction by the Minister under this Act or of any other document made or issued under this Act; or

(b) that:

(i) a document annexed to the certificate is a true copy of a determination or direction by the Minister under this Act or of any other document made or issued under this Act; and

(ii) the determination, direction or other document of which the annexed document is certified to be a true copy had effect during a period or on a date specified in the certificate.

(2) In proceedings under this Act or another Act or under regulations under this Act or another Act, a certificate purporting to have been given under this section:

(a) is prima facie evidence of the facts stated in the certificate; and

(b) shall, unless the contrary is proved, be deemed to have been given by the person purporting to give the certificate.

132A Regulations relating to the manner of patient referrals

(1) If an item specifies a service that is to be rendered by a practitioner to a patient who has been referred to the practitioner, the regulations may require that, for the purposes of the item, the patient is to be referred in a manner prescribed by the regulations.

(2) In this section:

***item*** includes an item relating to a service specified in a determination in force under subsection 3C(1).

***practitioner*** has the same meaning as in section 124B.

133 Regulations

(1) The Governor‑General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular prescribing penalties, not exceeding a fine of 2 penalty units, for offences against the regulations.

(3) Without limiting the scope of subsection (1), that subsection includes the power to make regulations relating to enabling a person who is alleged to have committed:

(a) an offence against section 19DB or Part IIA; or

(b) an offence against this Act, or against the regulations, that is specified in the regulations and that relates (directly or indirectly) to:

(i) the making of a claim for a benefit or payment in respect of the rendering of a pathology service; or

(ii) any other matter connected with the provision of pathology services;

to pay to the Commonwealth, as an alternative to prosecution, a specified penalty, not exceeding an amount equal to one‑fifth of the maximum penalty for committing the offence in question.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x | /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
| effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
| effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
| cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) | commenced or to be commenced |

Endnote 3—Legislation history

| Act | Number and year | Assent | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- | --- |
| Health Insurance Act 1973 | 42, 1974 | 8 Aug 1974 | 8 Aug 1974 (s 2) |  |
| Health Insurance Act 1975 | 58, 1975 | 19 June 1975 | 19 June 1975 (s 2) | s 20 |
| Health Insurance Amendment Act 1976 | 59, 1976 | 5 June 1976 | s 1, 2, 10 and 13: 5 June 1976 (s 2(1)) Remainder: 1 Oct 1976 (s 2(2)) | s 8(2) and 9(2) |
| Administrative Changes (Consequential Provisions) Act 1976 | 91, 1976 | 20 Sept 1976 | s 4: 20 Sept 1976 (s 2(1)) Sch: 22 Dec 1975 (s 2(2)) | s 4 |
| Health Insurance Amendment Act (No. 2) 1976 | 101, 1976 | 29 Sept 1976 | s 1, 2, 5, 11 and 13: 29 Sept 1976 (s 2(1)) Remainder: 1 Oct 1976 (s 2(2)) | s 12–14 |
| Health Insurance Amendment Act (No. 3) 1976 | 109, 1976 | 29 Oct 1976 | 25 Nov 1976 (s 2) | s 4 and 5 |
| Federal Court of Australia (Consequential Provisions) Act 1976 | 157, 1976 | 9 Dec 1976 | Sch: 1 Feb 1977 (s 2 and gaz 1977, No S3) | — |
| Health Insurance Amendment Act 1977 | 75, 1977 | 16 June 1977 | s 6(1) and 9: 1 Aug 1977 (s 2(2) and gaz 1977, No S152, p 2) Remainder: 16 June 1977 (s 2(1)) | s 51 |
| Administrative Changes (Consequential Provisions) Act 1978 | 36, 1978 | 12 June 1978 | s 8 and Sch 1: 12 June 1978 (s 2) | s 8 |
| Health Insurance Amendment Act 1978 | 89, 1978 | 22 June 1978 | s 3–6 and 10: 1 July 1978 (s 2(2)) s 7 and 9: never commenced (s 2(3))Remainder: 22 June 1978 (s 2(1)) | s 9(2), 10(2) and 13 |
| as amended by |  |  |  |  |
| Health Insurance Amendment Act (No. 2) 1978 | 133, 1978 | 31 Oct 1978 | s 44: 31 Oct 1978 (s 2(2)) | — |
| Health Insurance Amendment Act (No. 2) 1978 | 133, 1978 | 31 Oct 1978 | s 3(1)(e), 3(2), 21(2), 22, 42 and 44: 31 Oct 1978 (s 2(2)) s 3(1)(a)–(d), (f)–(n), 4–20, 24(b), 25–41 and 43: 1 Nov 1978 (s 2(1)) s 21(1), 23 and 24(a): 1 Jan 1979 (s 2(s) and gaz 1978, No S296) | s 3(2), 6(2), 10(2), 11(2)–(4), 19(2), 20(2), 21(2), 27(2), 42 and 43 |
| as amended by |  |  |  |  |
| Health Insurance Amendment Act 1979 | 53, 1979 | 14 June 1979 | s 11: 1 July 1979 (s 2(2)) | — |
| Health Insurance Amendment Act 1979 | 53, 1979 | 14 June 1979 | s 3, 4, 8, 10 and 13–15: 14 June 1979 (s 2(1)) s 5–7: 1 Sept 1979 (s 2(3)) s 9: 1 July 1979 (s 2(2)) | s 5(2) and 13–15 |
| Health Insurance Amendment Act (No. 2) 1979 | 123, 1979 | 29 Oct 1979 | 1 Nov 1979 (s 2) | — |
| Health Insurance Amendment Act 1980 | 132, 1980 | 19 Sept 1980 | s 3(2): 1 Nov 1980 (s 2(2)) Remainder: 19 Sept 1980 (s 2(1)) | s. 5(2) |
| Health Acts Amendment Act 1981 | 118, 1981 | 25 June 1981 | s 4(1), 6, 37 and 41: 3 Aug 1981 (s 2(3)) s 4(2), 5, 7–19, 21–23, 32, 35, 36, 38–40, 42–47: 1 Sept 1981 (s 2(4)) s 20, 24–31, 33 and 34: 25 June 1981 (s 2(1)) | s 14(2), 17(2), 29(2), 37(2) and 44–47 |
| as amended by |  |  |  |  |
| Statute Law (Miscellaneous Amendments) Act 1981 | 176, 1981 | 2 Dec 1981 | s 45: 1 Sept 1981 (s 2(8)) | — |
| Statute Law (Miscellaneous Amendments) Act 1981 | 176, 1981 | 2 Dec 1981 | s 68: 30 Dec 1981 (s 2(12)) | — |
| Health Legislation Amendment Act 1982 | 49, 1982 | 9 June 1982 | s 4, 9, 12(2), 13–34 and 36–39: 9 June 1982 (s 2(1)) s 5 and 7: 1 Feb 1984 (s 2(2) and gaz 1984, No S24) s 6, 8 and 12(1): 1 Nov 1982 (s 2(2) and gaz 1982, No S227, p 2) s 10 and 11: never commenced (s 2(2))s 35: 7 July 1982 (s 2(3)) | s 4(2), 5(2), 7(2), (3), 9(2), 26(2), 30(2), 31(2) and 39 |
| as amended by |  |  |  |  |
| Health and Community Services Legislation Amendment Act 1991 | 211, 1991 | 24 Dec 1991 | s 29: 24 Dec 1991 (s 2(1)) | — |
| Statute Law (Miscellaneous Amendments) Act (No. 2) 1982 | 80, 1982 | 22 Sept 1982 | s 280: 22 Sept 1982 (s 2(1)) | s 280(2) and (3) |
| Health Legislation Amendment Act (No. 2) 1982 | 112, 1982 | 8 Nov 1982 | s 4(1), (4) and 8: 1 Nov 1982 (s 2(2), (7)) s 4(2), 5(1), 7, 9: 1 Jan 1983 (s 2(3)) s 4(3) and 5(2): 1 Mar 1983 (s 2(4)) s 6(1), 10 and 11: 8 Nov 1982 (s 2(1)) s 6(2): 1 Apr 1983 (s 2(5)) s 6(3): 1 May 1983 (s 2(6)) | s 4(4) |
| Health Legislation Amendment Act 1983 | 54, 1983 | 1 Oct 1983 | s 4(1), 31(1), 32(4)–(8), 39, 45: 1 Oct 1983 (s 2(1)) s 4(2), 5–30, 31(2), 32(1)–(3), 33–38, 40–44, 46–62, 133, 134(1), 135, 136, Sch 1 and 2: 1 Feb 1984 (s 2(2)) | s 5(2), 18(2), (3), 32(2)–(8), 38(2), 49(2), 133, 134(1), 135 and 136 |
| Health Legislation Amendment Act (No. 2) 1983 | 139, 1983 | 22 Dec 1983 | s 4(1), (3)–(6) and 13–17: 22 Dec 1983 (s 2(1)) s 4(2): 1 Dec 1983 (s 2(2)) s 5(1): 15 Oct 1982 (s 2(3)) s 5(2): 1 Apr 1983 (s 2(4)) s 5(3): 1 May 1984 (s 2(5)) s 6(1), (3) and 7(1), (3): 14 Nov 1983 (s 2(6))s 6(2), (4), 7(2), (4), 8, 9 and 12: 1 Feb 1984 (s 2(7)) s 10 and 11: 1 Oct 1983 (s 2(8)) | s 4(4)–(6), 6(3), (4), 7(3), (4), 10(2), 11(2), 13(2), 14(2) and 15(2) |
| Health Insurance Amendment Act 1984 | 15, 1984 | 12 Apr 1984 | 12 Apr 1984 (s 2) | s 3(2) |
| Cocos (Keeling) Islands Self‑Determination (Consequential Amendments) Act 1984 | 46, 1984 | 25 June 1984 | s 12–14: 25 June 1984 (s 2) | — |
| Public Service Reform Act 1984 | 63, 1984 | 25 June 1984 | s 151(1): 1 July 1984 (s 2(4) and gaz 1984, No S245) | s 151(9) |
| as amended by |  |  |  |  |
| Statute Law (Miscellaneous Provisions) Act (No. 1) 1985 | 65, 1985 | 5 June 1985 | Sch 1: 1 July 1984 (s 2(39)) | — |
| Christmas Island Administration (Miscellaneous Amendments) Act 1984 | 120, 1984 | 18 Oct 1984 | s 12–14: 18 Oct 1984 (s 2(1)) | — |
| Health Legislation Amendment Act 1984 | 135, 1984 | 25 Oct 1984 | s 7: 1 Feb 1984 (s 2(2)) s 8 and 9: 25 Oct 1984 (s 2(1)) | s 8(2) |
| Statute Law (Miscellaneous Provisions) Act (No. 2) 1984 | 165, 1984 | 25 Oct 1984 | s 6(1), 9, Sch 1 and 2: 13 Dec 1984 (s 2(29), (32) and gaz 1984, No S519) | s 6(1) and 9 |
| National Welfare Fund Repeal Act 1985 | 24, 1985 | 22 May 1985 | Sch: 1 July 1985 (s 2(2) and gaz 1985, No S232) | — |
| Statute Law (Miscellaneous Provisions) Act (No. 1) 1985 | 65, 1985 | 5 June 1985 | s 9 and Sch 1 (amdt to s 130A Health Insurance Act 1973): 13 Dec 1984 (s 2(23)) Sch 1 (amdt to s 3 (other than of the definition of ***Secretary*** in subsection (1) Health Insurance Act 1973), 6, 17, 23H and 130A): 19 Feb 1985 (s 2(21)) Sch 1 (amdt to s 3 (definition of ***Secretary*** in subsection (1) Health Insurance Act 1973) and 23G): 3 July 1985 (s 2(1)) Sch 1 (amdt to s 16C Health Insurance Act 1973): 1 July 1984 (s 2(22)) | s 9 |
| Health Legislation Amendment Act 1985 | 70, 1985 | 5 June 1985 | s 4, 5, 7 and 10: 1 Sept 1985 (s 2(13) and gaz 1985, No S346) s 6, 8 and 9: 1 Sept 1985 (s 2(2)) | — |
| Social Security and Repatriation Legislation Amendment Act 1985 | 95, 1985 | 5 Sept 1985 | s 56: 5 Sept 1985 (s 2(1)) | — |
| Health Legislation Amendment Act (No. 2) 1985 | 167, 1985 | 16 Dec 1985 | s 26(1), (3), 29, 31–36, 39–41, 44–54 and 56: 22 Feb 1986 (s 2(5) and gaz 1986, No S64) s 26(2), 27, 37, 38, 42, 43 and 55: 16 Dec 1985 (s 2(1)) s 28: 1 Feb 1984 (s 2(2)) s 30: 5 Sept 1985 (s 2(3)) | s 56 |
| Veterans’ Entitlements (Transitional Provisions and Consequential Amendments) Act 1986 | 28, 1986 | 19 May 1986 | Sch: 22 May 1986 (s 2(1) and gaz 1986, No S225) | — |
| Health Legislation Amendment Act 1986 | 75, 1986 | 24 June 1986 | s 4(1), 11, 15, 17, 18, 19(1), 22, 24, 26–44, 48, 49 and 54: 1 Aug 1987 (s 2(6) and gaz 1987, No S195) s 4(2): 1 July 1986 (s 2(2)) s 4(3), 6, 7, 51, 52(2) and Sch 1: 1 Aug 1986 (s 2(6) and gaz 1986, No S377) s 5: never commenced (s 2(6))s 8–10, 12–14, 16, 20, 21 and 47(2): 26 Sept 1986 (*Gazette* 1986, No. S492) s 19(2), 23, 47(1), 53(2) and Sch 2: 22 July 1986 (s 2(1)) s 25: 6 June 1988 (s 2(6) and gaz 1988, No S154) s 45 and 46: 22 Feb 1986 (s 2(3)) s 50: 16 Dec 1985 (s 2(4)) | s 12(2), 13(2), 15(2), 16(2), 18(2), 19(2), 23(2), 38(2), 52(2), 53(2) and 54 |
| as amended by |  |  |  |  |
| Statute Law (Miscellaneous Provisions) Act 1987 | 141, 1987 | 18 Dec 1987 | s 5(1): 18 Dec 1987 (s 2(1)) Sch 1 (amdt to s 25 Health Legislation Amendment Act 1986): 6 June 1988 (s 2(15)) Sch 1 (amdt to s 27 Health Legislation Amendment Act 1986): 1 Aug 1987 (s 2(15)) | s 5(1) |
| Human Services and Health Legislation Amendment Act (No. 2) 1994 | 116, 1994 | 16 Sept 1994 | Sch: 16 Sept 1994 (s 2(1)) | — |
| Health Legislation Amendment Act (No. 2) 1986 | 94, 1986 | 13 Oct 1986 | s 4(1), 6–8, 10 and 12: 1 Oct 1986 (s 2(1)) s 4(2): 1 Apr 1987 (s 2(4) and gaz 1986, No S57) s 4(3), 9, 11 and Sch 3: 13 Oct 1986 (s 2(5)) s 5: 1 Nov 1986 (s 2(2)) | s 5(2) and 12 |
| Health Legislation Amendment Act 1987 | 44, 1987 | 5 June 1987 | s 4: 1 Aug 1987 (s 2) | s 4(2) |
| Health Legislation Amendment Act (No. 2) 1987 | 131, 1987 | 16 Dec 1987 | s 4: 13 Dec 1987 (s 2(1)) s 5 and Sch: 1 Jan 1988 (s 2(2)) | — |
| Community Services and Health Legislation Amendment Act 1987 | 132, 1987 | 16 Dec 1987 | s 22: 16 Dec 1987 (s 2(1)) | — |
| Statute Law (Miscellaneous Provisions) Act 1987 | 141, 1987 | 18 Dec 1987 | s 5(1) and Sch 1: 18 Dec 1987 (s 2(1)) | s 5(1) |
| Social Security (Review of Decisions) Act 1988 | 85, 1988 | 31 Oct 1988 | Sch 2: 1 Nov 1988 (s 2) | — |
| Industrial Relations (Consequential Provisions) Act 1988 | 87, 1988 | 8 Nov 1988 | s 89 and Sch 2: 1 Mar 1989 (s 2(2)) | s 89 |
| Statutory Instruments (Tabling and Disallowance) Legislation Amendment Act 1988 | 99, 1988 | 2 Dec 1988 | Sch: 2 Dec 1988 (s 2) | — |
| Community Services and Health Legislation Amendment Act (No. 2) 1988 | 155, 1988 | 26 Dec 1988 | s 7–9, 11, 15 and 16: 26 Dec 1988 (s 2(1)) s 10: 1 Jan 1989 (s 2(2)) s 12 and 13: 1 July 1989 (s 2(3) and gaz1989, No S228) s 14 and 17: 1 July 1988 (s 2(4)) | s 8(2) and 9(2) |
| Migration Legislation Amendment Act 1989 | 59, 1989 | 19 June 1989 | Sch 6: 19 Dec 1989 (s 2(5)) | — |
| Social Security and Veterans’ Affairs Legislation Amendment Act (No. 2) 1989 | 84, 1989 | 27 June 1989 | s 5: 27 June 1989 (s 2) s 6: 17 Oct 1988 (s 2) | s 6 |
| Community Services and Health Legislation Amendment Act 1989 | 95, 1989 | 28 June 1989 | s 8, 9 and 17: 28 June 1989 (s 2(1)) s 10: 10 Oct 1989 (s 2(10) and gaz 1989, No S323) s 11–16, 18 and Sch: 1 Aug 1989 (s 2(6)) | s 9(2) |
| Social Security and Veterans’ Affairs Legislation Amendment Act (No. 4) 1989 | 164, 1989 | 19 Dec 1989 | s 6–10: 1 June 1990 (s 2) | — |
| Community Services and Health Legislation Amendment Act (No. 2) 1989 | 3, 1990 | 17 Jan 1990 | s 14(a)–(d), 15, 17–21: 17 Jan 1990 (s 2(1)) s 14(e): 1 June 1990 (s 2(3)) s 16: 1 July 1988 (s 2(2)) | — |
| Community Services and Health Legislation Amendment Act 1990 | 106, 1990 | 18 Dec 1990 | s 13 and 18: 18 Dec 1990 (s 2)s 14–17: 1 Jan 1991 (s 2) | — |
| Community Services and Health Legislation Amendment Act (No. 2) 1990 | 141, 1990 | 28 Dec 1990 | s 14–22 and Sch 1: 1 May 1991 (s 2(5)) s 24–46 and Sch 2: 28 Dec 1990 (s 2(1)) | — |
| as amended by |  |  |  |  |
| Health, Housing and Community Services Legislation Amendment Act 1992 | 88, 1992 | 30 June 1992 | Sch 1: 30 June 1992 (s 2(1)) | — |
| Social Security Legislation Amendment Act 1990 | 6, 1991 | 8 Jan 1991 | s 90: 1 June 1990 (s 2) | — |
| Health Insurance (Pathology Services) Amendment Act 1991 | 57, 1991 | 24 Apr 1991 | s 4(1)(a) and (b): 1 Jan 1980 s 4(1)(c): 1 Mar 1984 (s 2(2)) s 4(1)(d): 15 June 1984 (s 2(2)) s 4(1)(e): 1 July 1985 (s 2(2)) s 4(1)(f): 14 Mar 1986 (s 2(2)) s 5(1): 1 Aug 1986 (s 2(2)) Remainder: 24 Apr 1991 (s 2(1)) | s 4(2)–(4), 5(2)–(4), 6 and 7 |
| Social Security (Job Search and Newstart) Amendment Act 1991 | 68, 1991 | 25 June 1991 | s 31: 1 July 1991 (s 2) | — |
| Social Security (Rewrite) Transition Act 1991 | 70, 1991 | 25 June 1991 | Sch 3: 1 July 1991 (s 2) | — |
| Veterans’ Entitlements (Rewrite) Transition Act 1991 | 73, 1991 | 25 June 1991 | Sch 4: 1 July 1991 (s 2(1)) | — |
| Community Services and Health Legislation Amendment Act 1991 | 84, 1991 | 26 June 1991 | s 4–6: 26 June 1991 (s 2(1)) | — |
| Social Security (Rewrite) Amendment Act 1991 | 116, 1991 | 27 June 1991 | Sch 6: 1 July 1991 (s 2) | — |
| Social Security (Disability and Sickness Support) Amendment Act 1991 | 141, 1991 | 9 Oct 1991 | s 27 and Sch 1: 12 Nov 1991 (s 2(2)) | — |
| Health Insurance Amendment Act 1991 | 171, 1991 | 20 Nov 1991 | s 3–14: 1 Dec 1991 (s 2(2)) | s 9–14 |
| as amended by |  |  |  |  |
| Health and Community Services Legislation Amendment Act 1992 | 136, 1992 | 11 Nov 1992 | s 14: 11 Nov 1992 (s 2(1)) | — |
| Health Insurance Amendment Act (No. 2) 1991 | 172, 1991 | 20 Nov 1991 | s 3 and 4: 1 Dec 1991 (s 2(2)) Remainder: 20 Nov 1991 (s 2(1)) | — |
| Social Security Legislation Amendment Act (No. 3) 1991 | 175, 1991 | 25 Nov 1991 | s 100–103: 1 Jan 1992 (s 2(6)(d)) Sch (Pt 1, 5): 12 Nov 1991 (s 2(3), (5)) | — |
| Health Insurance (Pathology) Amendment Act 1991 | 190, 1991 | 11 Dec 1991 | 11 Dec 1991 (s 2) | s 4(2), 5(2), 6(2), 7(2), 8(2) and 9(2) |
| Health Insurance (Pathology) Amendment Act (No. 2) 1991 | 193, 1991 | 11 Dec 1991 | s 4(2): 1 Feb 1992 (s 2(2)) Remainder: 11 Dec 1991 (s 2(1)) | — |
| Health and Community Services Legislation Amendment Act 1991 | 211, 1991 | 24 Dec 1991 | s 23–27: 24 Dec 1991 (s 2(1)) | — |
| Health, Housing and Community Services Legislation Amendment Act 1992 | 88, 1992 | 30 June 1992 | s 32–44 and Sch 1: 30 June 1992 (s 2(1)) Sch 2: 1 Mar 1992 (s 2(4)) | s 45(2) and (3) |
| Health and Community Services Legislation Amendment Act 1992 | 136, 1992 | 11 Nov 1992 | s 4–11 and Sch (Pt 1): 11 Nov 1992 (s 2(1)) | — |
| Health and Community Services Legislation Amendment Act (No. 2) 1992 | 192, 1992 | 21 Dec 1992 | s  8(a), 10 and 11: 21 Dec 1992 (s 2(1)) s 8(b): 1 Jan 1993 (s 2(3)) s 9: 31 Dec 1992 (s 2(4)) | — |
| as amended by |  |  |  |  |
| Health and Community Services Legislation Amendment Act 1993 | 12, 1994 | 18 Jan 1994 | s 7: 18 Jan 1994 (s 2(1)) | — |
| Health Insurance (Quality Assurance Confidentiality) Amendment Act 1992 | 201, 1992 | 21 Dec 1992 | 21 Dec 1992 (s 2) | — |
| Health and Community Services Legislation Amendment Act (No. 3) 1992 | 204, 1992 | 21 Dec 1992 | s 11–14: 21 Dec 1992 (s 2) | — |
| Medicare Agreements Act 1992 | 226, 1992 | 24 Dec 1992 | s 9–12: 1 July 1993 (s 2(2))  Remainder: 24 Dec 1992 (s 2(1)) | — |
| as amended by |  |  |  |  |
| Human Services and Health Legislation Amendment Act (No. 3) 1995 | 149, 1995 | 16 Dec 1995 | Sch 2 (item 18): 1 July 1993 (s 2(8)) | — |
| Statute Law Revision Act 1996 | 43, 1996 | 25 Oct 1996 | Sch 3 (item 40): 24 Dec 1992 (s 2(3)) | — |
| Social Security Legislation Amendment Act (No. 2) 1992 | 229, 1992 | 24 Dec 1992 | Sch 4 (items 4–11): 24 Dec 1992 (s 2(1)(g)) | — |
| Social Security Legislation Amendment Act (No. 3) 1992 | 230, 1992 | 24 Dec 1992 | Sch 3 (items 1–11): 1 Jan 1993 (s 2(4)(e)) | — |
| Health and Community Services Legislation Amendment Act (No. 2) 1993 | 76, 1993 | 25 Nov 1993 | s 7–13: 25 Nov 1993 (s 2(1)) | — |
| Health and Community Services Legislation Amendment Act 1993 | 12, 1994 | 18 Jan 1994 | s 11–16 and Sch: 18 Jan 1994 (s 2(1)) | — |
| Health Legislation (Professional Services Review) Amendment Act 1994 | 22, 1994 | 16 Feb 1994 | s 3, 5, 6, 11–14 and Sch: 1 July 1994 (s 2) | s 3 and 11–14 |
| Migration Legislation Amendment Act 1994 | 60, 1994 | 9 Apr 1994 | Sch 3 (items 31–38): 1 Sept 1994 (s 2(3)) | — |
| Health Legislation (Powers of Investigation) Amendment Act 1994 | 85, 1994 | 23 June 1994 | s 3 and 5–8: 21 July 1994 | s 3 |
| as amended by |  |  |  |  |
| Health Legislation (Powers of Investigation) Amendment Act 1996 | 19, 1996 | 28 June 1996 | Sch 1 (item 1): 28 June 1996 (s 2(1)) | — |
| Human Services and Health Legislation Amendment Act (No. 2) 1994 | 116, 1994 | 16 Sept 1994 | Sch: 16 Sept 1994 (s 2(1), (3)) | — |
| Drought Relief Payment Act 1994 | 125, 1994 | 18 Oct 1994 | Sch (items 84–88): 18 Oct 1994 (s 2) | — |
| Veterans’ Affairs (1994‑95 Budget Measures) Legislation Amendment Act (No. 2) 1994 | 164, 1994 | 16 Dec 1994 | Sch 6 (item 6): 16 Dec 1994 (s 2(1)) | — |
| Social Security (Parenting Allowance and Other Measures) Legislation Amendment Act 1994 | 174, 1994 | 16 Dec 1994 | Sch 1 (items 159–162) and Sch 3 (items 28–33): 1 July 1995 (s 2(1)) Sch 3 (item 27): 20 Sept 1994 (s 2(2)) Sch 4 (items 44–46): 1 Jan 1995 (s 2(5)) | — |
| as amended by |  |  |  |  |
| Social Security Legislation Amendment Act (No. 1) 1995 | 104, 1995 | 29 Sept 1995 | Sch 20 (item 40): 1 July 1995 (s 2(15)) | — |
| Student Assistance (Youth Training Allowance—Transitional Provisions and Consequential Amendments) Act 1994 | 184, 1994 | 23 Dec 1994 | Sch 3 (items 46–54): 1 Jan 1995 (s 2) | — |
| Evidence (Transitional Provisions and Consequential Amendments) Act 1995 | 3, 1995 | 23 Feb 1995 | s 14: 23 Feb 1995 (s 2(1)) Sch: 18 April 1995 (s 2(13)) | s 14 |
| Health Legislation (Private Health Insurance Reform) Amendment Act 1995 | 41, 1995 | 29 May 1995 | Sch 1 (items 71–78): 29 May 1995 (s 2(2)) | — |
| Social Security Legislation Amendment Act (No. 1) 1995 | 104, 1995 | 29 Sept 1995 | Sch 16 (items 81, 82): 29 Sept 1995 (s 2(1)) | — |
| Social Security Legislation Amendment (Family Measures) Act 1995 | 106, 1995 | 29 Sept 1995 | Sch 9: 1 Jan 1996 (s 2(3)) | — |
| as amended by |  |  |  |  |
| Health Legislation Amendment Act 1998 | 19, 1998 | 17 Apr 1998 | Sch 4: 1 Jan 1996 (s 2(5)) | — |
| Health and Other Services (Compensation) (Consequential Amendments) Act 1995 | 132, 1995 | 14 Nov 1995 | Sch (items 1–3): 1 Feb 1996 (s 2) | — |
| Human Services and Health Legislation Amendment Act (No. 3) 1995 | 149, 1995 | 16 Dec 1995 | Sch 1 (items 56–61) and Sch 2 (items 7–14): 16 Dec 1995 (s 2(1)) | — |
| Human Services and Health Legislation Amendment Act (No. 2) 1995 | 164, 1995 | 16 Dec 1995 | Sch (items 1–4, 14–17): 1 Jan 1996 (s 2(2)) Sch (items 5–13, 18): 16 Dec 1995 (s 2(1)) | Sch (item 18) |
| Social Security and Veterans’ Affairs Legislation Amendment Act 1995 | 1, 1996 | 9 Jan 1996 | Sch 13: 20 Sept 1996 (s 2(5)(e)) | — |
| Statute Law Revision Act 1996 | 43, 1996 | 25 Oct 1996 | Sch 2 (item 60): 29 May 1995 (s 2(2)) Sch 4 (items 82–85) and Sch 5 (items 68–71): 25 Oct 1996 (s 2(1)) | — |
| Health Insurance Amendment Act 1996 | 54, 1996 | 8 Nov 1996 | Sch 1: 8 May 1997 (s 2(3))  Remainder: 8 Nov 1996 (s 2(1)) | Sch 1 (item 2) |
| Health Insurance Amendment Act (No. 2) 1996 | 75, 1996 | 17 Dec 1996 | Sch 1 (items 16, 17, 19): 1 Jan 1997 (s 2(3)(a)) Sch 2 (items 5–7, 9): 17 June 1997 (s 2(5)) Sch 3: 1 Nov 1997 (s 2(6)) Remainder: 17 Dec 1996 (s 2(1)) | Sch 2 (items 8, 9) and Sch 3 (item 10) |
| Social Security Legislation Amendment (Budget and Other Measures) Act 1996 | 84, 1996 | 23 Dec 1996 | Sch 14 (items 1–3) and Sch 15: 1 July 1997 (s 2(4)) | — |
| as amended by |  |  |  |  |
| Social Security Legislation Amendment (Activity Test Penalty Periods) Act 1997 | 106, 1997 | 30 June 1997 | Sch 3 (item 9): 1 July 1997 (s 2(9)) | — |
| Social Security Legislation Amendment (Newly Arrived Resident’s Waiting Periods and Other Measures) Act 1997 | 5, 1997 | 4 Mar 1997 | s 3 and Sch 1 (items 51–53): 4 Mar 1997 (s 2(1)) | s 3 |
| Commonwealth Services Delivery Agency (Consequential Amendments) Act 1997 | 29, 1997 | 17 Apr 1997 | Sch 2 (items 52–67): 1 July 1997 (s 2) | — |
| Health Insurance (Pathology Services) Amendment Act 1997 | 129, 1997 | 17 Sept 1997 | 18 Sept 1997 (s 2) | Sch 1 (item 7) |
| Health Insurance Amendment Act (No. 1) 1997 | 146, 1997 | 9 Oct 1997 | 6 Nov 1997 (s 2) | s 4 |
| Farm Household Support Amendment (Restart and Exceptional Circumstances) Act 1997 | 179, 1997 | 25 Nov 1997 | Sch 2 (items 4–9): 25 Nov 1997 (s 2) | — |
| Social Security Legislation Amendment (Parenting and Other Measures) Act 1997 | 197, 1997 | 11 Dec 1997 | Sch 1 (items 301–312): 20 Mar 1998 (s 2(2)) Sch 5: 1 July 1998 (s 2(7)) | Sch 1 (item 312) and Sch 5 (item 9) |
| Health Legislation Amendment Act 1998 | 19, 1998 | 17 Apr 1998 | Sch 2 (items 1–20, 22–28, 30–32): 17 Apr 1998 (s 2(1)) Sch 2 (item 21): 4 Mar 1997 (s 2(2)) Sch 2 (item 29): 25 Oct 1996 (s 2(3)) | Sch 2 (item 12) |
| Health Legislation Amendment Act (No. 2) 1998 | 37, 1998 | 24 Apr 1998 | Sch 7 and 8: 24 Apr 1998 (s 2(1)) Sch 10 (items 1, 2): 1 July 1997 (s 2(3)) Sch 10 (item 3): 30 June 1992 (s 2(4)) | — |
| Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998 | 45, 1998 | 17 June 1998 | Sch 13 (items 27–42): 1 July 1998 (s 2(1)) | Sch 13 (items 31, 41) |
| Financial Sector Reform (Consequential Amendments) Act 1998 | 48, 1998 | 29 June 1998 | Sch 1 (item 82): 1 July 1998 (s 2(2)) | — |
| Social Security and Veterans’ Affairs Legislation Amendment (Budget and Other Measures) Act 1998 | 93, 1998 | 15 July 1998 | Sch 7 (items 18–39): 1 Apr 1998 (s 2(9)) | — |
| Assistance for Carers Legislation Amendment Act 1999 | 13, 1999 | 9 Apr 1999 | Sch 2 (item 68): 1 July 1999 (s 2(2)) | — |
| Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999 | 44, 1999 | 17 June 1999 | Sch 7 (items 53–58): 1 July 1999 (s 3(2)(e), 16)) | — |
| as amended by |  |  |  |  |
| Financial Sector Legislation Amendment Act (No. 1) 2000 | 160, 2000 | 21 Dec 2000 | Sch 4 (items 4, 5): 18 Jan 2001 (s 2(1)) | — |
| A New Tax System (Family Assistance) (Consequential and Related Measures) Act (No. 2) 1999 | 83, 1999 | 8 July 1999 | Sch 7 (items 1–13, 15, 16): 1 July 2000 (s 2(2)) Sch 7 (item 14): 1 Apr 1998 (s 2(6)) | — |
| Health Insurance Amendment (Professional Services Review) Act 1999 | 95, 1999 | 16 July 1999 | Sch 1 (items 1–7, 9–26, 28–68): 1 Aug 1999 (s 2(3)) Sch 1 (items 8, 27): 1 Nov 1999 (s 2(2)) | Sch 1 (items 65–68) |
| as amended by |  |  |  |  |
| Health Insurance Amendment (Professional Services Review and Other Matters) Act 2002 | 130, 2002 | 18 Dec 2002 | Sch 1 (items 120–123): 18 Dec 2002 (s 2(1) item 3) | — |
| Social Security (Family Allowance and Related Matters) Legislation Amendment Act 1999 | 114, 1999 | 22 Sept 1999 | Sch 1 (item 1): 1 Oct 1999 (s 2) | — |
| Public Employment (Consequential and Transitional) Amendment Act 1999 | 146, 1999 | 11 Nov 1999 | Sch 1 (items 506–508): 5 Dec 1999 (s 2(1), (2)) | — |
| Further 1998 Budget Measures Legislation Amendment (Social Security) Act 1999 | 152, 1999 | 11 Nov 1999 | Sch 5 (items 46–49): 1 Feb 2000 (s 2(5) and gaz 1999, No S597) Sch 10: 11 Nov 1999 (s 2(1)) | Sch 5 (item 49) |
| Health Legislation Amendment Act (No. 3) 1999 | 159, 1999 | 8 Dec 1999 | Sch 4 (item 1): 1 Aug 1999 (s 2(6)) Sch 4 (item 2): 8 Dec 1999 (s 2(1)) | — |
| Health Insurance Amendment (Diagnostic Imaging Services) Act 2000 | 31, 2000 | 19 Apr 2000 | 19 Apr 2000 (s 2) | — |
| A New Tax System (Family Assistance and Related Measures) Act 2000 | 45, 2000 | 3 May 2000 | Sch 4 (item 10): 1 July 2000 (s 2(9)) | — |
| Health Legislation Amendment (Gap Cover Schemes) Act 2000 | 72, 2000 | 27 June 2000 | s 4 and Sch 1 (items 1, 2): 11 Aug 2000 (s 2(1) and gaz 2000, No S435) | s 4 |
| Social Security and Veterans’ Entitlements Legislation Amendment (Miscellaneous Matters) Act 2000 | 94, 2000 | 30 June 2000 | Sch 6: 20 Sept 2000 (s 2(2)(c)) | — |
| Migration Legislation Amendment (Parents and Other Measures) Act 2000 | 128, 2000 | 26 Oct 2000 | Sch 1: 1 Jan 2001 (s 2(2) and gaz 2000, No GN45) | — |
| Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000 | 137, 2000 | 24 Nov 2000 | Sch 2 (items 219, 418, 419): 24 May 2001 (s 2(3)) | Sch 2 (items 418, 419) |
| Health Insurance Amendment (Rural and Remote Area Medical Practitioners) Act 2000 | 139, 2000 | 24 Nov 2000 | 24 Nov 2000 (s 2) | — |
| Farm Household Support Amendment Act 2000 | 144, 2000 | 7 Dec 2000 | Sch 2 (items 2–4) and Sch 3 (items 7(2), 8): 18 Dec 2000 (s 2(2) and gaz 2000, No S634) | Sch 3 (items 7(2), 8) |
| Health Legislation Amendment Act (No. 1) 2001 | 6, 2001 | 21 Mar 2001 | Sch 1 (item 1): 8 June 2001 (s 2(2) and gaz 2001, No S193) | — |
| Family and Community Services Legislation Amendment (New Zealand Citizens) Act 2001 | 18, 2001 | 30 Mar 2001 | Sch 2 (items 13–15): 30 Mar 2001 (s 2(1)) | — |
| Health Legislation Amendment Act (No. 2) 2001 | 59, 2001 | 28 June 2001 | Sch 2: 28 June 2001 (s 2(1)) | Sch 2 (items 6, 8) |
| Social Security Legislation Amendment (Concession Cards) Act 2001 | 80, 2001 | 30 June 2001 | s 3(2) and Sch 2 (items 7–33): 1 July 2001 (s 2) | s 3(2) and Sch 2 (item 33) |
| Health Legislation Amendment (Medical Practitioners’ Qualifications and Other Measures) Act 2001 | 93, 2001 | 20 July 2001 | s 4 and Sch 1 (items 2, 2A–2D, 7, 9, 16A, 17–22, 26, 27, 29, 30, 32, 39, 44, 48, 50–52): 20 July 2001 (s 2(1)) Sch 1 (items 1, 3, 4, 8, 10–16): 18 Oct 2001 (s 2(4)) Sch 1 (items 5, 6, 23–25, 28, 31, 33–38, 40–43, 45–47, 49, 53–55): 1 Dec 2001 (s 2(2) and gaz 2001, No GN41) | s 4 |
| as amended by |  |  |  |  |
| Statute Law Revision Act 2002 | 63, 2002 | 3 July 2002 | Sch 2 (item 12): 20 July 2001 (s 2(1) item 41) | — |
| Health and Aged Care Legislation Amendment (Application of Criminal Code) Act 2001 | 111, 2001 | 17 Sept 2001 | s 4 and Sch 1 (items 21–83): 17 Sept 2001 (s 2) | s 4 |
| Statute Law Revision Act 2002 | 63, 2002 | 3 July 2002 | Sch 1 (item 20): 18 Oct 2001 (s 2(1) item 15) | — |
| Health Legislation Amendment (Private Health Industry Measures) Act 2002 | 76, 2002 | 8 Oct 2002 | Sch 2: 8 Apr 2003 (s 2(1) item 4) | Sch 2 (item 8) |
| Health Insurance Amendment (Professional Services Review and Other Matters) Act 2002 | 130, 2002 | 18 Dec 2002 | Sch 1 (items 1–118): 1 Jan 2003 (s 2(1) item 2) Sch 1 (items 119) and Sch 2: 18 Dec 2002 (s 2(1) items 3, 4) Sch 3: 1 July 2001 (s 2(1) item 5) | Sch 1 (items 117–119) and Sch 2 (item 3) |
| Medical Indemnity (Consequential Amendments) Act 2002 | 133, 2002 | 19 Dec 2002 | Sch 1 (items 1, 2): 1 Jan 2003 (s 2) | — |
| Health Insurance Amendment (Diagnostic Imaging, Radiation Oncology and Other Measures) Act 2003 | 33, 2003 | 15 Apr 2003 | 15 Apr 2003 (s 2(1) items 1–4) | Sch 1 (item 12), Sch 2 (item 13) and Sch 3 (item 19) |
| as amended by |  |  |  |  |
| Health Legislation Amendment (Podiatric Surgery and Other Matters) Act 2004 | 117, 2004 | 13 July 2004 | Sch 1 (items 17, 18): 15 Apr 2003 (s 2(1) item 6) | — |
| Health Legislation Amendment Act (No. 1) 2003 | 84, 2003 | 23 Sept 2003 | Sch 2: 22 Dec 2003 (s 2(1) item 3) | — |
| Health Legislation Amendment (Medicare) Act 2004 | 16, 2004 | 18 Mar 2004 | 18 Mar 2004 (s 2) | s 4 and Sch 1 (item 30) |
| Medical Indemnity Amendment Act 2004 | 17, 2004 | 23 Mar 2004 | Sch 3 (item 1): 24 Mar 2004 (s 2) | — |
| Health and Ageing Legislation Amendment Act 2004 | 50, 2004 | 21 Apr 2004 | Sch 1 (item 5), Sch 3 and 4: 21 Apr 2004 (s 2(1) items 2, 4) Sch 5 (items 23, 24): 1 May 1991 (s 2(1) items 24, 25) Sch 5 (items 25–30): 1 Jan 1997 (s 2(1) item 26) Sch 5 (item 31): 17 Apr 1998 (s 2(1) item 27) | Sch 3 (item 1) |
| Medical Indemnity Legislation Amendment (Run‑off Cover Indemnity and Other Measures) Act 2004 | 77, 2004 | 23 June 2004 | Sch 2 (item 1): 1 July 2004 (s 2(1) item 7) | — |
| Health Legislation Amendment (Podiatric Surgery and Other Matters) Act 2004 | 117, 2004 | 13 July 2004 | Sch 1 (items 1–4): 13 Jan 2005 (s 2(1) item 2) Sch 1 (item 5): 13 July 2004 (s 2(1) item 3) | — |
| Health Insurance Amendment (100% Medicare Rebate and Other Measures) Act 2004 | 138, 2004 | 13 Dec 2004 | Sch 1: 1 Jan 2005 (s 2(1) item 2) Remainder: 13 Dec 2004 (s 2(1) items 1, 3) | Sch 1 (item 3) |
| Human Services Legislation Amendment Act 2005 | 111, 2005 | 6 Sept 2005 | Sch 1 (items 44–71) and Sch 2 (items 206–395): 1 Oct 2005 (s 2(1) items 2, 7) | Sch 1 (items 62–71) |
| Medical Indemnity Legislation Amendment (Competitive Neutrality) Act 2005 | 126, 2005 | 19 Oct 2005 | Sch 1 (item 1): 1 July 2005 (s 2(1) item 2) | — |
| Health Legislation Amendment Act 2005 | 155, 2005 | 19 Dec 2005 | Sch 3: 19 Dec 2005 (s 2(1) item 8) | — |
| Health Insurance Amendment (Medicare Safety‑nets) Act 2005 | 163, 2005 | 19 Dec 2005 | 1 Jan 2006 (s 2) | Sch 1 (item 5) |
| Health Insurance Amendment (Medical Specialists) Act 2006 | 104, 2006 | 27 Sept 2006 | Sch 1: 25 Oct 2006 (s 2(1) item 2) | Sch 1 (items 11, 12) |
| Private Health Insurance (Transitional Provisions and Consequential Amendments) Act 2007 | 32, 2007 | 30 Mar 2007 | Sch 1 (items 1–5) and Sch 2 (items 13–50): 1 Apr 2007 (s 2(1) items 3, 7) | Sch 2 (item 19) |
| Health Insurance Amendment (Provider Number Review) Act 2007 | 58, 2007 | 15 Apr 2007 | 15 Apr 2007 (s 2) | — |
| Health Insurance Amendment (Diagnostic Imaging Accreditation) Act 2007 | 83, 2007 | 21 June 2007 | Sch 1 (item 5): 1 July 2008 (s 2(1) item 3) Remainder: 21 June 2007 (s 2(1) items 1, 2, 4) | Sch 1 (items 12, 12A, 13) |
| as amended by |  |  |  |  |
| Health Insurance Amendment (Diagnostic Imaging Accreditation) Act 2010 | 22, 2010 | 24 Mar 2010 | Sch 1: 1 Apr 2010 (s 2(1) item 2) | — |
| Health Insurance Amendment (Inappropriate and Prohibited Practices and Other Measures) Act 2007 | 88, 2007 | 21 June 2007 | Sch 1 (items 1–97, 111): 1 Mar 2008 (s 2(1) item 2) Sch 2: 21 June 2007 (s 2(1) item 3) | Sch 1 (item 111) and Sch 2 (items 2–4) |
| National Health Amendment (Pharmaceutical Benefits) Act 2007 | 169, 2007 | 28 Sept 2007 | Sch 1 (items 1–5): 28 Sept 2007 (s 2(1) item 2) | — |
| Health Insurance Amendment (Medicare Dental Services) Act 2007 | 181, 2007 | 28 Sept 2007 | 28 Sept 2007 (s 2) | Sch 1 (item 4) |
| Dental Benefits (Consequential Amendments) Act 2008 | 42, 2008 | 25 June 2008 | Sch 1 (item 4): 26 June 2008 (s 2(1) item 2) | — |
| Health Insurance Amendment (90 Day Pay Doctor Cheque Scheme) Act 2008 | 51, 2008 | 25 June 2008 | Sch 1: 1 Nov 2008 (s 2(1) item 2) | Sch 1 (item 3) |
| Statute Law Revision Act 2008 | 73, 2008 | 3 July 2008 | Sch 1 (item 27): 1 Aug 1999 (s 2(1) item 19) Sch 4 (items 319–329): 4 July 2008 (s 2(1) item 64) | — |
| Same‑Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Act 2008 | 144, 2008 | 9 Dec 2008 | Sch 9 (items 3, 5, 7–14): 1 Jan 2009 (s 2(1) item 25) | — |
| Health Insurance Amendment (Extended Medicare Safety Net) Act 2009 | 101, 2009 | 7 Oct 2009 | 1 Jan 2010 (s 2) | Sch 1 (item 4) |
| Personal Property Securities (Consequential Amendments) Act 2009 | 131, 2009 | 14 Dec 2009 | Sch 5 (item 23): 30 Jan 2012 (s 2(1) item 9) | — |
| Crimes Legislation Amendment (Serious and Organised Crime) Act (No. 2) 2010 | 4, 2010 | 19 Feb 2010 | Sch 11 (item 12): 20 Feb 2010 (s 2(1) item 13) | — |
| Health Insurance Amendment (New Zealand Overseas Trained Doctors) Act 2010 | 7, 2010 | 19 Feb 2010 | Sch 1: 1 Apr 2010 (s 2(1) item 2) | Sch 1 (items 13–16) |
| Statute Law Revision Act 2010 | 8, 2010 | 1 Mar 2010 | Sch 1 (item 32): 1 Mar 2010 (s 2(1) item 4) Sch 5 (item 137): 1 Mar 2010 (s 2(1) item 38) | — |
| Health Legislation Amendment (Midwives and Nurse Practitioners) Act 2010 | 29, 2010 | 12 Apr 2010 | Sch 1 (items 1–66): 13 Apr 2010 (s 2(1) item 2) Sch 2 (items 1–3): 1 July 2010 (s 2(1) item 3) | Sch 1 (items 11, 15, 21, 24) |
| Health Practitioner Regulation (Consequential Amendments) Act 2010 | 48, 2010 | 31 May 2010 | Sch 1 (items 2–29): repealed before commencing (s 2(1) item 2) | Sch 1 (items 26–29) |
| as repealed by |  |  |  |  |
| Health Insurance Amendment (General Practitioners and Quality Assurance) Act 2020 | 50, 2020 | 16 June 2020 | Sch 1 (item 56): 16 June 2021 (s 2(1) item 2) | — |
| Healthcare Identifiers (Consequential Amendments) Act 2010 | 73, 2010 | 28 June 2010 | Sch 1: 29 June 2010 (s 2(1) item 2) | — |
| National Health Amendment (Pharmaceutical Benefits Scheme) Act 2010 | 126, 2010 | 23 Nov 2010 | Sch 6 (item 28): 1 Dec 2010 (s 2(1) item 5) | — |
| Health Insurance Amendment (Pathology Requests) Act 2010 | 138, 2010 | 10 Dec 2010 | 11 Dec 2010 (s 2) | — |
| Statute Law Revision Act 2011 | 5, 2011 | 22 Mar 2011 | Sch 1 (item 64): 22 Mar 2011 (s 2(1) item 2) Sch 5 (items 113–115), Sch 6 (items 38–46) and Sch 7 (items 63–69): 19 Apr 2011 (s 2(1) items 13, 15, 18) | — |
| Health Insurance Amendment (Compliance) Act 2011 | 10, 2011 | 8 Apr 2011 | 9 Apr 2011 (s 2) | Sch 1 (items 3, 8, 10) |
| Human Services Legislation Amendment Act 2011 | 32, 2011 | 25 May 2011 | Sch 4 (items 159–275): 1 July 2011 (s 2(1) item 3) Sch 4 (items 630–641, 644–653): 1 July 2011 (s 2(1) item 6) | Sch 4 (item 272) |
| as amended by |  |  |  |  |
| Statute Law Revision Act 2012 | 136, 2012 | 22 Sept 2012 | Sch 2 (items 23, 25–29): 1 July 2011 (s 2(1) items 20, 21) | — |
| Acts Interpretation Amendment Act 2011 | 46, 2011 | 27 June 2011 | Sch 2 (items 673–679) and Sch 3 (items 10, 11): 27 Dec 2011 (s 2(1) items 5, 12) | Sch 3 (items 10, 11) |
| Aged Care Amendment Act 2011 | 86, 2011 | 26 July 2011 | Sch 3 (items 18, 19): 27 July 2011 (s 2(1) item 4) | — |
| Personally Controlled Electronic Health Records (Consequential Amendments) Act 2012 | 64, 2012 | 26 June 2012 | Sch 1 (items 26–30): 29 June 2012 (s 2(1) item 2) | — |
| Health Insurance Amendment (Professional Services Review) Act 2012 | 76, 2012 | 27 June 2012 | Sch 2: 27 Dec 2012 (s 2(1) item 3) Sch 3: 28 June 2012 (s 2(1) item 4) Remainder: 27 June 2012 (s 2(1) items 1, 2) | Sch 2 (items 15, 28–30, 32, 42, 51, 74) |
| Health Insurance Amendment (Extended Medicare Safety Net) Act 2012 | 123, 2012 | 12 Sept 2012 | Sch 1 (items 1, 2, 4): 12 Oct 2012 (s 2(1) items 2, 4) Sch 1 (item 3): 13 Sept 2012 (s 2(1) item 3) | Sch 1 (item 4) |
| Statute Law Revision Act 2012 | 136, 2012 | 22 Sept 2012 | Sch 1 (items 62, 63): 22 Sept 2012 (s 2(1) item 2) | — |
| Personal Liability for Corporate Fault Reform Act 2012 | 180, 2012 | 10 Dec 2012 | Sch 3 and Sch 7: 11 Dec 2012 (s 2) | Sch 7 |
| Health and Other Legislation Amendment Act 2013 | 111, 2013 | 29 June 2013 | Sch 1 (items 18, 19): 29 Dec 2013 (s 2(1) item 3) | Sch 1 (item 19) |
| Statute Law Revision Act (No. 1) 2014 | 31, 2014 | 27 May 2014 | Sch 1 (items 43, 44), Sch 7 (item 4) and Sch 8 (item 18): 24 June 2014 (s 2(1) items 2, 9) | — |
| Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014 | 62, 2014 | 30 June 2014 | Sch 6 (item 49), Sch 9 (item 157) and Sch 14: 1 July 2014 (s 2(1) items 6, 14) | Sch 14 |
| as amended by |  |  |  |  |
| Public Governance and Resources Legislation Amendment Act (No. 1) 2015 | 36, 2015 | 13 Apr 2015 | Sch 2 (items 7–9) and Sch 7: 14 Apr 2015 (s 2) | Sch 7 |
| as amended by |  |  |  |  |
| Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015 | 126, 2015 | 10 Sept 2015 | Sch 1 (item 486): 5 Mar 2016 (s 2(1) item 2) | — |
| Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015 | 126, 2015 | 10 Sept 2015 | Sch 1 (item 495): 5 Mar 2016 (s 2(1) item 2) | — |
| Health Insurance Amendment (Extended Medicare Safety Net) Act 2014 | 78, 2014 | 17 July 2014 | Sch 1 (items 1–3): 1 Jan 2015 (s 2(1) item 2) Remainder: 17 July 2014: (s 2(1) items 1, 3) | Sch 1 (items 2, 3) |
| Dental Benefits Legislation Amendment Act 2014 | 115, 2014 | 3 Nov 2014 | Sch 1 (items 5–28): 4 Nov 2014 (s 2) | Sch 1 (item 27) |
| Statute Law Revision Act (No. 1) 2015 | 5, 2015 | 25 Feb 2015 | Sch 1 (item 18): 25 Mar 2015 (s 2(1) item 2) | — |
| Acts and Instruments (Framework Reform) Act 2015 | 10, 2015 | 5 Mar 2015 | Sch 3 (items 163‑208, 348, 349): 5 Mar 2016 (s 2(1) item 2) | Sch 3 (items 348, 349) |
| Public Governance and Resources Legislation Amendment Act (No. 1) 2015 | 36, 2015 | 13 Apr 2015 | Sch 6 (items 22‑24) and Sch 7: 14 Apr 2015 (s 2) | Sch 6 (item 24) and Sch 7 |
| as amended by |  |  |  |  |
| Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015 | 126, 2015 | 10 Sept 2015 | Sch 1 (item 486): 5 Mar 2016 (s 2(1) item 2) | — |
| Norfolk Island Legislation Amendment Act 2015 | 59, 2015 | 26 May 2015 | Sch  2 (items 214–220): 1 July 2016 (s 2(1) item 5) Sch 2 (items 356–396): 18 June 2015 (s 2(1) item 6) | Sch 2 (items 356–396) |
| as amended by |  |  |  |  |
| Territories Legislation Amendment Act 2016 | 33, 2016 | 23 Mar 2016 | Sch 2: 24 Mar 2016 (s 2(1) item 2) | — |
| Medical Research Future Fund (Consequential Amendments) Act 2015 | 117, 2015 | 26 Aug 2015 | Sch 2 (item 20): 29 Oct 2015 (s 2(1) item 3) | — |
| Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015 | 126, 2015 | 10 Sept 2015 | Sch 1 (item 256): 5 Mar 2016 (s 2(1) item 2) | — |
| Australian Immunisation Register (Consequential and Transitional Provisions) Act 2015 | 139, 2015 | 12 Nov 2015 | Sch 1 (items 5–9): 1 Jan 2016 (s 2(1) item 2) | — |
| Statute Law Revision Act (No. 2) 2015 | 145, 2015 | 12 Nov 2015 | Sch 4 (item 17): 10 Dec 2015 (s 2(1) item 7) | — |
| Health Legislation Amendment (eHealth) Act 2015 | 157, 2015 | 26 Nov 2015 | Sch 2 (items 7–10), Sch 3 (items 1, 2) and Sch 4 (items 2, 3): 27 Nov 2015 (s 2(1) items 2, 4) | — |
| Statute Law Revision Act (No. 1) 2016 | 4, 2016 | 11 Feb 2016 | Sch 4 (items 1, 181–183, 395, 396): 10 Mar 2016 (s 2(1) item 6) | — |
| Statute Update Act 2016 | 61, 2016 | 23 Sept 2016 | Sch 1 (items 253–272), Sch 2 (items 46, 47) and Sch 3 (item 22): 21 Oct 2016 (s 2(1) item 1) | — |
| National Cancer Screening Register (Consequential and Transitional Provisions) Act 2016 | 66, 2016 | 20 Oct 2016 | Sch 1 (items 3–6): 21 Oct 2016 (s 2(1) item 2) | Sch 1 (items 4–6) |
| Health Insurance Amendment (National Rural Health Commissioner) Act 2017 | 70, 2017 | 26 June 2017 | Sch 1 and 3: 1 Aug 2017 (s 2(1) items 2, 4) Sch 2: 1 July 2020 (s 2(1) item 3) | — |
| Medicare Guarantee (Consequential Amendments) Act 2017 | 72, 2017 | 26 June 2017 | Sch 1 (items 1, 2, 6): 3 July 2017 (s 2(1) item 2) | Sch 1 (item 6) |
| Health Legislation Amendment (Improved Medicare Compliance and Other Measures) Act 2018 | 64, 2018 | 29 June 2018 | Sch 1: 1 July 2019 (s 2(1) item 2) Sch 2 and 3: 1 July 2018 (s 2(1) item 3) | Sch 1 (items 27, 28) and Sch 3 (items 33–37) |
| Health Insurance Amendment (Bonded Medical Programs Reform) Act 2019 | 70, 2019 | 19 Sept 2019 | Sch 1: 1 Jan 2020 (s 2(1) item 2) | — |
| Medical and Midwife Indemnity Legislation Amendment Act 2019 | 105, 2019 | 28 Nov 2019 | Sch 1 (items 3, 54): 1 July 2020 (s 2(1) item 2) | Sch 1 (item 54) |
| Health Legislation Amendment (Data‑matching and Other Matters) Act 2019 | 121, 2019 | 12 Dec 2019 | Sch 1 (item 6) and Sch 2 (items 1–7, 9): 13 Dec 2019 (s 2(1) item 1) | Sch 2 (item 7) |
| Health Insurance Amendment (General Practitioners and Quality Assurance) Act 2020 | 50, 2020 | 16 June 2020 | Sch 1 (items 1–55): 16 June 2021 (s 2(1) item 2) Sch 2: 17 June 2020 (s 2(1) item 3) | Sch 1 (items 54, 55) and Sch 2 (items 2, 3) |
| Health Insurance Amendment (Continuing the Office of the National Rural Health Commissioner) Act 2020 | 74, 2020 | 25 June 2020 | Sch 1: 1 July 2020 (s 2(1) item 2) | — |
| Health Insurance Amendment (Administration) Act 2020 | 106, 2020 | 26 Nov 2020 | Sch 1 (items 3–29): 27 Nov 2020 (s 2(1) item 1) | — |
| Health Insurance Amendment (Compliance Administration) Act 2020 | 150, 2020 | 17 Dec 2020 | 18 Dec 2020 (s 2(1) item 1) | Sch 1 (item 10) |
| Health Insurance Amendment (Prescribed Fees) Act 2021 | 40, 2021 | 27 May 2021 | 1 July 2021 (s 2(1) item 1) | — |
| Health Insurance Amendment (Enhancing the Bonded Medical Program and Other Measures) Act 2021 | 138, 2021 | 13 Dec 2021 | Sch 1: 13 June 2022 (s 2(1) item 2) Sch 2: 14 Dec 2021 (s 2(1) item 3) | — |
| Health Legislation Amendment (Medicare Compliance and Other Measures) Act 2022 | 77, 2022 | 5 Dec 2022 | Sch 1 (items 1–49, 52–54, 57, 71–87, 97): 6 Dec 2022 (s 2(1) item 1) | Sch 1 (items 48, 49, 57, 97) |
| Health Insurance Amendment (Prescribed Dental Patients and Other Measures) Act 2023 | 59, 2023 | 21 Aug 2023 | Sch 1 and 2: 1 Nov 2023 (s 2(1) item 2) Sch 3: 1 Jan 2020 (s 2(1) item 3) | — |
| Statute Law Amendment (Prescribed Forms and Other Updates) Act 2023 | 74, 2023 | 20 Sept 2023 | Sch 1 (items 54–58): awaiting commencement (s 2(1) item 2) Sch 5 (item 10): 18 Oct 2023 (s 2(1) item 3) | Sch 1 (item 58) |
| Health Insurance Amendment (Professional Services Review Scheme) Act 2023 | 82, 2023 | 28 Sept 2023 | 29 Sept 2023 (s 2(1) item 1) | Sch 1 (item 25) |
| Health Insurance Amendment (Professional Services Review Scheme No. 2) Act 2023 | 97, 2023 | 24 Nov 2023 | 25 Nov 2023 (s 2(1) item 1) | Sch 1 (items 9, 13, 14, 20, 25) |

Endnote 4—Amendment history

| **Provision affected** | **How affected** |
| --- | --- |
| **Part I** |  |
| s 3 | am No 58, 1975; No 59, 1976; No 109, 1976; No 75, 1977; No 89, 1978; No 133, 1978; No 53, 1979; No 123, 1979; No 132, 1980; No 118, 1981; No 176, 1981; No 80, 1982; No 112, 1982; No 54, 1983; No 139, 1983; No 46, 1984; No 63, 1984 (as am by No 65, 1985); No 120, 1984; No 135, 1984; No 65, 1985; No 70, 1985; No 167, 1985; No 28, 1986; No 75, 1986; No 94, 1986; No 141, 1987; No 155, 1988; No 59, 1989; No 95, 1989; No 164, 1989; No 3, 1990; No 141, 1990; No 68, 1991; No 70, 1991; No 73, 1991; No 84, 1991; No 172, 1991; No 175, 1991; No 193, 1991; No 211, 1991; No 88, 1992; No 136, 1992; No 226, 1992; No 60, 1994; No 116, 1994; No 125, 1994; No 174, 1994 (as am by No 104, 1995); No 184, 1994; No 106, 1995 (as am by No 19, 1998); No 149, 1995; No 164, 1995; No 1, 1996; No 43, 1996; No 75, 1996; No 84, 1996; No 29, 1997; No 197, 1997; No 37, 1998; No 45, 1998; No 48, 1998; No 93, 1998; No 44, 1999; No 83, 1999; No 128, 2000; No 6, 2001; No 59, 2001; No 80, 2001; No 93, 2001; No 130, 2002; No 33, 2003 (as am by No 117, 2004); No 117, 2004; No 111, 2005; No 104, 2006; No 32, 2007; No 83, 2007; No 88, 2007; No 144, 2008; No 8, 2010; No 29, 2010; No 138, 2010; No 5, 2011; No 10, 2011; No 32, 2011; No 64, 2012; No 111, 2013; No 31, 2014; No 115, 2014; No 59, 2015; No 157, 2015; No 64, 2018; No 70, 2019; No 50, 2020; No 74, 2020; No 106, 2020 |
|  | ed C114 |
|  | am No 138, 2021; No 59, 2023 |
| s 3AAA | ad. No. 117, 2004 |
|  | am No 10, 2015 |
| s 3AAB | ad No 117, 2004 |
| s 3AA | ad No 116, 1994 |
|  | am No 10, 2015; No 74, 2023 |
| s. 3A | ad. No. 133, 1978 |
|  | am. Nos. 118 and 176, 1981 |
|  | rep. No. 54, 1983 |
|  | ad. No. 167, 1985 |
|  | am. No. 132, 1987; No. 155, 1988 |
|  | rep. No. 32, 2007 |
| s. 3B | ad. No. 53, 1979 |
|  | rs. No. 54, 1983 |
|  | am. Nos. 63 and 135, 1984; No. 167, 1985; No. 155, 1988; No. 95, 1989; No. 43, 1996 |
|  | rep. No. 32, 2007 |
|  | ad. No. 29, 2010 |
| s 3BA | ad No 130, 2002 |
|  | rep No 59, 2023 |
| s 3C | ad. No. 135, 1984 |
|  | am No. 75, 1986; No. 99, 1988; No. 141, 1990; No. 136, 1992; No. 181, 2007; No. 5, 2011; No 10, 2015; No 59, 2015; No 106, 2020; No 59, 2023 |
| s 3D | ad No 167, 1985 |
|  | am No 136, 1992 |
|  | rs No 59, 2001 |
|  | am No 111, 2005; No 32, 2011; No 50, 2020 |
| s 3DA | ad No 59, 2001 |
|  | am No 50, 2004; No 111, 2005; No 32, 2011; No 50, 2020 |
| s 3DB | ad No 59, 2001 |
|  | am No 104, 2006; No 50, 2020; No 40, 2021 |
| s 3DC | ad No 59, 2001 |
|  | am No 104, 2006; No 50, 2020 |
| s 3E | ad No 167, 1985 |
|  | am No 136, 1992; No 50, 2020; No 40, 2021 |
| s 3EA | ad No 75, 1996 |
|  | am No 111, 2005; No 32, 2011 |
|  | rep No 50, 2020 |
| s 3EB | ad No 75, 1996 |
|  | am No 111, 2005; No 32, 2011 |
|  | rep No 50, 2020 |
| s 3F | ad No 95, 1989 |
|  | am No 136, 1992; No 75, 1996; No 111, 2005; No 32, 2011 (as am by No 136, 2012) |
|  | rep No 50, 2020 |
| s 3G | ad No 95, 1989 |
|  | am No 136, 1992; No 75, 1996; No 111, 2005; No 32, 2011 |
|  | rep No 50, 2020 |
| s 3GA | ad No 75, 1996 |
|  | am No 111, 2005; No 32, 2011 |
| s 3GB | ad No 75, 1996 |
|  | am No 111, 2005; No 32, 2011 |
| s 3GC | ad No 75, 1996 |
|  | am No 93, 2001; No 104, 2006; No 10, 2015 |
|  | rep No 70, 2017 |
|  | ad No 59, 2023 |
| s 3H | ad No 95, 1989 |
|  | am No 3, 1990; No 75, 1996 |
|  | rep No 50, 2020 |
| s. 3J | ad. No. 164, 1995 |
|  | am. No. 75, 1996 |
|  | rep. No. 93, 2001 |
| s. 3K | ad. No. 164, 1995 |
|  | rep. No. 93, 2001 |
| s 4 | am No 75, 1986 |
|  | rs No 116, 1994 |
|  | am No 155, 2005; No 64, 2018; No 106, 2020 |
| s. 4AAA | ad. No. 75, 1996 |
| s 4AA | ad No 141, 1990 |
|  | am No 155, 2005; No 106, 2020 |
| s. 4AB | ad. No. 75, 1996 |
| s 4A | ad No 75, 1977 |
|  | am No 54, 1983; No 75, 1986 |
|  | rs No 95, 1989; No 116, 1994 |
|  | am No 155, 2005; No 106, 2020 |
| s. 4B | ad. No. 75, 1977 |
|  | am. No. 75, 1986; No. 95, 1989; No. 43, 1996 |
| s. 4BAA | ad. No. 155, 2005 |
| s 4BA | ad. No. 75, 1986 |
|  | am No 10, 2015 |
| s 4BB | ad No 75, 1986 |
|  | am No 10, 2015 |
| s 4BC | ad. No. 75, 1986 |
|  | am. No. 99, 1988; No. 95, 1989; No. 3, 1995 |
|  | rep No 10, 2015 |
| s. 4C | ad. No. 112, 1982 |
|  | am. No. 70, 1991 |
|  | rep. No. 141, 1991 |
|  | ad. No. 229, 1992 |
|  | rep. No. 80, 2001 |
| s. 4CA | ad. No. 141, 1991 |
|  | am. No. 197, 1997 |
|  | rs. No. 13, 1999 |
|  | rep. No. 80, 2001 |
| s. 4D | ad. No. 164, 1989 |
|  | rs. No. 6, 1991 |
|  | am. Nos. 70 and 116, 1991; Nos. 174 and 184, 1994; No. 1, 1996; No. 84, 1996 (as am. by No. 106, 1997); No. 197, 1997; Nos. 19 and 45, 1998 |
|  | rep. No. 80, 2001 |
| s. 5 | rep. No. 133, 1978 |
|  | ad. No. 118, 1981 (as am. by No. 176, 1981) |
|  | am. No. 112, 1982; No. 54, 1983; No. 165, 1984; No. 43, 1996 |
|  | rep. No. 80, 2001 |
| s. 5A | ad. No. 89, 1978 |
|  | rep. No. 133, 1978 |
|  | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 165, 1984; No. 43, 1996 |
|  | rep. No. 80, 2001 |
| s. 5B | ad. No. 118, 1981 |
|  | am. Nos. 49 and 112, 1982; No. 139, 1983; No. 165, 1984; Nos. 95 and 167, 1985; No. 28, 1986; No. 131, 1987; No. 84, 1989; No. 70, 1991; Nos. 88, 192 and 230, 1992; Nos. 164 and 184, 1994; No. 104, 1995; Nos. 1 and 43, 1996; Nos. 5 and 197, 1997; Nos. 19, 45 and 93, 1998; No. 83, 1999 |
|  | rep. No. 80, 2001 |
| s. 5BA | ad. No. 5, 1997 |
|  | am. No. 152, 1999; No. 94, 2000; No. 18, 2001 |
|  | rep. No. 80, 2001 |
| s. 5C | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 165, 1984; No. 197, 1997 |
|  | rep. No. 80, 2001 |
| s. 5D | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 139, 1983; No. 165, 1984; No. 131, 1987; No. 164, 1989; No. 3, 1990; No. 70, 1991; No. 229, 1992; Nos. 174 and 184, 1994; No. 1, 1996; No. 45, 1998 |
|  | rep. No. 80, 2001 |
| s. 5DA | ad. No. 125, 1994 |
|  | am. No. 179, 1997; No. 144, 2000 |
|  | rep. No. 80, 2001 |
| s. 5DB | ad. No. 84, 1996 |
|  | rep. No. 80, 2001 |
| s. 5E | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 139, 1983; No. 165, 1984; No. 164, 1989; No. 70, 1991; No. 229, 1992 |
|  | rep. No. 80, 2001 |
| s. 5EA | ad. No. 175, 1991 |
|  | am. No. 230, 1992; No. 106, 1995; No. 84, 1996; No. 93, 1998; No. 83, 1999 |
|  | rep. No. 80, 2001 |
| s. 5EAA | ad. No. 83, 1999 |
|  | am. No. 45, 2000 |
|  | rep. No. 80, 2001 |
| s. 5EB | ad. No. 174, 1994 |
|  | am. No. 197, 1997 |
|  | rep. No. 80, 2001 |
| s. 5F | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 165, 1984 |
|  | rs. No. 85, 1988 |
|  | am. Nos. 70 and 175, 1991; No. 174, 1994 |
|  | rep. No. 80, 2001 |
| s. 5G | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 164, 1989; No. 175, 1991; Nos. 125 and 174, 1994 |
|  | rep. No. 80, 2001 |
| s. 5H | ad. No. 118, 1981 |
|  | am. No. 125, 1994 |
|  | rep. No. 80, 2001 |
| s. 5J | ad. No. 118, 1981 |
|  | am. No. 106, 1990; No. 114, 1999 |
|  | rep. No. 80, 2001 |
| s 6 | am. No. 133, 1978 |
|  | rep. No. 118, 1981 |
|  | ad. No. 54, 1983 |
|  | am No. 65, 1985; Nos. 99 and 155, 1988; No. 43, 1996; No 10, 2015 |
| s. 6A | ad. No. 128, 2000 |
| s. 7 | am. No. 58, 1975; No. 101, 1976; No. 43, 1996 |
| s. 7A | ad. No. 46, 1984 |
|  | am. No. 120, 1984; No 59, 2015 |
| s. 7B | ad. No. 111, 2001 |
| **Part II** |  |
| Part II heading | am. No. 133, 1978 |
|  | rs. No. 54, 1983 |
| s. 8 | am. No. 59, 1976; No. 75, 1977; No. 133, 1978; No. 54, 1983; No. 70, 1985; No. 75, 1986; Nos. 171 and 175, 1991; No. 88, 1992; Nos. 16 and 138, 2004; Nos. 111 and 163, 2005; No 78, 2014; No 59, 2015 |
| s 8A | ad. No. 138, 2004 |
|  | am No 10, 2015 |
| s. 9 | am. No. 133, 1978; No. 54, 1983; No. 16, 2004 |
| s. 10 | am. No. 89, 1978 |
|  | rs. No. 133, 1978 |
|  | am. No. 53, 1979 |
|  | rs. No. 118, 1981; No. 54, 1983 |
|  | am. No. 70, 1985; No. 94, 1986; No. 44, 1987; No. 106, 1990; No. 171, 1991; No. 88, 1992; No. 41, 1995; No. 75, 1996; Nos. 19 and 37, 1998; No. 130, 2002; No. 138, 2004; No. 32, 2007 |
| s. 10AA | ad. No. 171, 1991 |
|  | am. No. 88, 1992; No. 111, 2005; No. 144, 2008; No. 32, 2011 |
| s. 10AB | ad. No. 171, 1991 |
|  | am. No. 16, 2004 |
| s. 10AC | ad. No. 171, 1991 |
|  | am. No. 88, 1992; No. 41, 1995; No. 16, 2004; No. 111, 2005; No. 32, 2007; No. 32, 2011 |
| s. 10ACA | ad. No. 16, 2004 |
|  | am. No. 111, 2005; No. 32, 2007; No. 101, 2009; No. 32, 2011; No. 123, 2012 |
| s. 10AD | ad. No. 171, 1991 |
|  | am. No. 88, 1992; No. 16, 2004; No. 111, 2005; No. 32, 2011 |
| s. 10ADA | ad. No. 16, 2004 |
|  | am. No. 111, 2005; No. 101, 2009; No. 32, 2011; No. 123, 2012 |
| s. 10AE | ad. No. 171, 1991 |
|  | am. No. 88, 1992; No. 16, 2004; No. 111, 2005; No. 32, 2011; No. 123, 2012; No 78, 2014 |
| ss. 10AF–10AK | ad. No. 171, 1991 |
|  | rep. No. 88, 1992 |
| s. 10A | ad. No. 106, 1990 |
|  | am. No. 171, 1991; No. 88, 1992; No. 37, 1998; No. 16, 2004; No. 163, 2005; No 145, 2015 |
| s 10B | ad. No. 101, 2009 |
|  | am No 126, 2015 |
| s 10C | ad No 101, 2009 |
|  | rep No 106, 2020 |
| s. 11 | am. No. 58, 1975 |
|  | rs. No. 133, 1978 |
|  | am. No. 54, 1983; No. 75, 1986; No. 95, 1989; No. 88, 1992 |
|  | rep. No. 75, 1996 |
| s. 12 | am. No. 133, 1978; No. 54, 1983; No. 75, 1986; No. 95, 1989; No. 88, 1992; No. 43, 1996 |
|  | rep. No. 75, 1996 |
| s. 13 | rs. No. 58, 1975 |
|  | am. No. 133, 1978; No. 54, 1983 |
|  | rep. No. 155, 1988 |
| s. 14 | am. No. 133, 1978; No. 54, 1983; No. 41, 1995; No. 32, 2007 |
| s. 15 | am. No. 133, 1978; No. 53, 1979; No. 54, 1983; No. 75, 1986; No. 172, 1991 |
| s 16 | am No 133, 1978; No 53, 1979; No 54, 1983; No 43, 1996; No 106, 2020 |
| s. 16A | ad. No. 101, 1976 |
|  | rs. No. 75, 1977 |
|  | am. No. 133, 1978; No. 118, 1981; No. 49, 1982; No. 54, 1983; No. 167, 1985 |
|  | rs. No. 75, 1986 |
|  | am. No. 106, 1990; No. 193, 1991; No. 136, 1992; No. 76, 1993; No. 93, 2001; Nos. 32 and 88, 2007; Nos. 29 and 138, 2010; No. 86, 2011; No 31, 2014 |
| s 16B | ad No 75, 1977 |
|  | am No 118, 1981; No 54, 1983 |
|  | rep No 75, 1986 |
|  | ad No 141, 1990 |
|  | am No 211, 1991; No 192, 1992; No 116, 1994; No 164, 1995; No 31, 2000; No 33, 2003; No 50, 2004; No 111, 2005; No 29, 2010; No 32, 2011 |
|  | ed C112 |
| s. 16C | ad. No. 75, 1977 |
|  | am. No. 49, 1982; Nos. 65 and 167, 1985 |
|  | rep. No. 75, 1986 |
|  | ad. No. 141, 1990 |
| s. 16D | ad. No. 33, 2003 |
|  | am. No. 83, 2007 |
| s. 16E | ad. No. 33, 2003 |
| s. 16EA | ad. No. 83, 2007 |
| s 16F | ad No 33, 2003 |
| s 16G | ad No 33, 2003 |
| s. 17 | am. No. 75, 1977; No. 133, 1978; No. 118, 1981; Nos. 54 and 139, 1983; No. 15, 1984; Nos. 65 and 70, 1985 |
| s 18 | rs No 59, 1976 |
|  | am No 133, 1978; No 54, 1983; No 46, 1984; No 120, 1984; No 132, 1995; No 43, 1996; No 59, 2015 |
|  | rep No 106, 2020 |
| s. 19 | rs. No. 59, 1976 |
|  | am. Nos. 89 and 133, 1978; No. 49, 1982; No. 54, 1983; No. 167, 1985; No. 43, 1996 |
| s 19A | ad No 59, 1976 |
|  | am No 75, 1977; No 133, 1978; No 54, 1983; No 75, 1986; No 141, 1990 |
|  | rep No 106, 2020 |
| s 19AA | ad No 75, 1996 |
|  | am No 75, 1996; No 19, 1998; No 93, 2001; No 50, 2020 |
| s 19AB | ad No 75, 1996 |
|  | am No 75, 1996; No 93, 2001; No 63, 2002; No 50, 2004; No 111, 2005; No 7, 2010; No 5, 2011; No 32, 2011; No 10, 2015; No 50, 2020 |
| s 19ABA | ad No 139, 2000 |
|  | am No 138, 2021 |
| s 19ABB | ad No 138, 2021 |
| s 19ABC | ad No 138, 2021 |
| s 19ABD | ad No 138, 2021 |
| s. 19AC | ad. No. 75, 1996 |
|  | am. No. 7, 2010 |
| s. 19AD | ad. No. 75, 1996 |
|  | rs. No. 93, 2001 |
|  | am. No. 58, 2007 |
|  | rep No 70, 2017 |
| s. 19B | ad. No. 49, 1982 |
|  | am. No. 54, 1983 |
|  | rs. No. 167, 1985 |
|  | am. No. 75, 1986; No. 141, 1990; No. 172, 1991; No. 22, 1994; No. 149, 1995; Nos. 95 and 159, 1999; No. 88, 2007; No. 76, 2012 |
| s 19C | ad No 49, 1982 |
|  | am No 54, 1983 |
|  | rep No 167, 1985 |
|  | ad No 172, 1991 |
|  | am No 10, 2015; No 50, 2020 |
| s 19CA | ad No 172, 1991 |
| s 19CB | ad No 172, 1991 |
|  | am No 111, 2001; No 4, 2016; No 61, 2016; No 50, 2020 |
| s 19CC | ad No 75, 1996 |
|  | am No 75, 1996; No 19, 1998; No 139, 2000; No 111, 2001; No 31, 2014; No 4, 2016; No 138, 2021 |
| s. 19D | ad. No. 49, 1982 |
|  | am. No. 112, 1982; No. 54, 1983; No. 167, 1985; No. 141, 1990; No. 22, 1994; No. 149, 1995; No. 43, 1996; No. 111, 2001; No. 130, 2002; No. 111, 2005; No. 88, 2007; No. 32, 2011; No. 76, 2012; No 4, 2016; No 61, 2016 |
| s 19DA | ad No 141, 1990 |
|  | am No 61, 2016; No 50, 2020 |
| s. 19DB | ad. No. 84, 1991 |
|  | am. No. 88, 1992; No. 29, 2010; No 61, 2016 |
| s. 19E | ad. No. 49, 1982 |
|  | rep. No. 167, 1985 |
| s 20 | am No 59, 1976; No 101, 1976; No 75, 1977 |
|  | rs No 133, 1978 |
|  | am No 54, 1983; No 167, 1985; No 136, 1992; No 43, 1996; No 19, 1998; No 44, 1999; No 59, 2001; No 16, 2004; No 111, 2005; No 51, 2008; No 32, 2011; No 50, 2020 |
| s. 20A | ad. No. 133, 1978 |
|  | rs. No. 118, 1981; No. 54, 1983 |
|  | am. No. 167, 1985; No. 75, 1986; No. 171, 1991; Nos. 88 and 136, 1992; No. 41, 1995; No. 43, 1996; Nos. 19 and 37, 1998; No. 44, 1999; No. 72, 2000; No. 111, 2005; No. 32, 2007; No. 32, 2011 |
| s. 20AA | ad. No. 131, 2009 |
| s 20AB | ad. No. 37, 1998 |
|  | am No. 76, 2002; No. 111, 2005; No. 32, 2011; No 10, 2015 |
| s 20AC | ad. No. 37, 1998 |
|  | am No. 76, 2002; No. 111, 2005; No. 32, 2011; No 10, 2015 |
| s 20AD | ad. No. 37, 1998 |
|  | am. No. 76, 2002; No. 111, 2005; No. 32, 2011 |
| s. 20B | ad. No. 133, 1978 |
|  | am. No. 118, 1981; No. 49, 1982; No. 54, 1983; No. 43, 1996; No. 19, 1998; No. 111, 2005; No. 32, 2007; No. 32, 2011 |
| s 20BA | ad No 192, 1992 |
|  | am No 111, 2001; No 111, 2005; No 29, 2010; No 32, 2011; No 61, 2016; No 64, 2018 |
| s 20BB | ad No 64, 2018 |
| s. 20C | ad. No. 133, 1978 |
|  | am. No. 118, 1981 |
|  | rep. No. 54, 1983 |
|  | ad. No. 171, 1991 |
|  | rep. No. 88, 1992 |
| s. 20D | ad. No. 133, 1978 |
|  | rep. No. 54, 1983 |
|  | ad. No. 171, 1991 |
|  | rep. No. 88, 1992 |
| ss. 20E, 20F | ad. No. 133, 1978 |
|  | rep. No. 54, 1983 |
| s. 21 | am. No. 58, 1975; Nos. 59 and 101, 1976; Nos. 89 and 133, 1978; No. 132, 1980; No. 118, 1981; No. 54, 1983; No. 167, 1985 |
|  | rep. No. 106, 1990 |
|  | ad. No. 29, 2010 |
| ss. 21A–21C | ad. No. 29, 2010 |
| s. 22 | rep. No. 133, 1978 |
|  | ad. No. 167, 1985 |
|  | am. No. 99, 1988 |
|  | rep. No. 106, 1990 |
|  | ad. No. 29, 2010 |
| ss. 22A, 22B | ad. No. 29, 2010 |
| s. 23 | am. No. 59, 1976; No. 133, 1978; No. 118, 1981 |
|  | rep. No. 54, 1983 |
| s 23A | ad No 58, 1975 |
|  | am No 59, 1976; No 133, 1978; No 118, 1981; No 54, 1983; No 43, 1996; No 19, 1998; No 29, 2010 |
|  | rep No 106, 2020 |
| s 23B | ad No 58, 1975 |
|  | am No 101, 1976; No 75, 1977; No 49, 1982; No 167, 1985; No 22, 1994; No 43, 1996; No 130, 2002 |
|  | rep No 106, 2020 |
| s 23C | ad No 58, 1975 |
|  | am No 101, 1976; No 75, 1977 |
|  | rep No 49, 1982 |
| s 23D | ad No 58, 1975 |
|  | am No 75, 1977; No 49, 1982; No 141, 1990 (as am by No 88, 1992); No 149, 1995; No 130, 2002; No 29, 2010 |
|  | rep No 106, 2020 |
| s 23DAA | ad No 130, 2002 |
|  | am No 29, 2010 |
|  | rep No 106, 2020 |
| **Part IIA** |  |
| Part IIA | ad. No. 75, 1986 |
| **Division 1** |  |
| s. 23DA | ad. No. 75, 1986 |
|  | am. Nos. 3 and 141, 1990; Nos. 190 and 193, 1991; No. 22, 1994; No. 93, 2001 (as am. by No. 63, 2002); No. 130, 2002; No. 111, 2005; No. 88, 2007; No. 4, 2010; No 97, 2023 |
| s 23DB | ad. No. 75, 1986 |
|  | am No. 99, 1988; No. 116, 1994; No. 3, 1995; No 10, 2015 |
| s 23DBA | ad. No. 93, 2001 |
|  | am No 10, 2015 |
| **Division 2** |  |
| s 23DC | ad. No. 75, 1986 |
|  | am No. 99, 1988; No. 190, 1991; No. 22, 1994; No. 3, 1995; No. 129, 1997; No. 130, 2002; No. 88, 2007; No 10, 2015; No 97, 2023 |
| s. 23DD | ad. No. 75, 1986 |
|  | am. No. 190, 1991 |
| s. 23DDA | ad. No. 129, 1997 |
| s. 23DE | ad. No. 75, 1986 |
| s 23DF | ad. No. 75, 1986 |
|  | am No. 99, 1988; No. 190, 1991; No. 22, 1994; No. 3, 1995; No. 129, 1997; No. 130, 2002; No 10, 2015; No 59, 2015; No 97, 2023 |
| s. 23DG | ad. No. 75, 1986 |
|  | am. No. 190, 1991 |
| s. 23DGA | ad. No. 129, 1997 |
| s. 23DH | ad. No. 75, 1986 |
| s. 23DJ | ad. No. 75, 1986 |
|  | rep. No. 190, 1991 |
| s 23DK | ad No 75, 1986 |
|  | am No 3, 1990; No 136, 1992; No 76, 1993; No 111, 2005; No 29, 2010; No 138, 2010; No 32, 2011; No 64, 2018 |
| s 23DKA | ad No 85, 1994 |
|  | am No 111, 2001; No 111, 2005; No 32, 2011; No 4, 2016; No 64, 2018 |
| **Division 3** |  |
| s. 23DL | ad. No. 75, 1986 |
| s. 23DM | ad. No. 75, 1986 |
|  | am. No. 141, 1990 |
|  | rep. No. 22, 1994 |
| **Division 4** |  |
| s. 23DN | ad. No. 75, 1986 |
|  | am. No. 94, 1986; No. 99, 1988; No. 141, 1990; Nos. 84 and 190, 1991; No. 88, 1992; No. 12, 1994; No. 3, 1995; No. 129, 1997; No. 88, 2007 |
| s. 23DNA | ad. No. 141, 1990 |
|  | am. No. 12, 1994; No. 149, 1995; No. 104, 2006; No. 88, 2007 |
| s. 23DNAAA | ad. No. 129, 1997 |
| **Division 4A** |  |
| Division 4A | ad. No. 193, 1991 |
| s. 23DNAA | ad. No. 193, 1991 |
|  | am. No. 76, 1993 |
|  | rep. No. 93, 2001 |
| s. 23DNB | ad. No. 193, 1991 |
|  | am. No. 204, 1992 |
|  | rs. No. 116, 1994 |
|  | rep. No. 93, 2001 |
| s 23DNBA | ad. No. 93, 2001 |
|  | am No. 88, 2007; No 10, 2015 |
| s. 23DNBB | ad. No. 93, 2001 |
| s. 23DNC | ad. No. 193, 1991 |
|  | am. No. 204, 1992; No. 76, 1993 |
|  | rep. No. 116, 1994 |
| s. 23DND | ad. No. 193, 1991 |
|  | am. No. 204, 1992; Nos. 12 and 116, 1994 |
|  | rep. No. 93, 2001 |
| s. 23DNE | ad. No. 193, 1991 |
|  | am. No. 204, 1992; No. 116, 1994 |
|  | rep. No. 93, 2001 |
| s. 23DNF | ad. No. 193, 1991 |
|  | rep. No. 93, 2001 |
| ss. 23DNG, 23DNH | ad. No. 193, 1991 |
|  | rs. No. 93, 2001 |
| s. 23DNI | ad. No. 193, 1991 |
|  | am. No. 76, 1993; No. 116, 1994 |
|  | rs. No. 93, 2001 |
| s. 23DNJ | ad. No. 193, 1991 |
|  | am. No. 93, 2001; No 4, 2016 |
| s. 23DNK | ad. No. 193, 1991 |
|  | am. No. 116, 1994 |
|  | rs. No. 129, 1997 |
|  | am. Nos. 93 and 111, 2001; No. 88, 2007 |
| s. 23DNL | ad. No. 193, 1991 |
|  | am. No. 116, 1994; No. 93, 2001; No 61, 2016 |
| **Division 5** |  |
| s. 23DO | ad. No. 75, 1986 |
|  | am. No. 94, 1986; No. 141, 1990; No. 193, 1991; No. 76, 1993; Nos. 12 and 116, 1994; No. 164, 1995; No. 129, 1997; No. 93, 2001; No. 88, 2007 |
| s. 23DP | ad. No. 75, 1986 |
|  | am. No. 76, 1993; No. 111, 2001; No. 88, 2007; No. 29, 2010; No 4, 2016 |
| **Part IIB** |  |
| Part IIB | ad. No. 141, 1990 |
| **Division 1** |  |
| s. 23DQ | ad. No. 141, 1990 |
|  | am. No. 164, 1995; No. 111, 2001; No. 33, 2003; No. 29, 2010; No 61, 2016 |
| s 23DR | ad No 141, 1990 |
|  | am No 136, 1992; No 111, 2001; No 111, 2005; No 32, 2011; No 4, 2016; No 61, 2016; No 64, 2018 |
| s 23DS | ad No 141, 1990 |
|  | am No 136, 1992; No 85, 1994; No 111, 2001; No 111, 2005; No 32, 2011; No 4, 2016; No 61, 2016; No 64, 2018 |
| **Division 1A** |  |
| Division 1A | ad. No. 31, 2000 |
| s 23DSA | ad. No. 31, 2000 |
| s 23DSB | ad. No. 31, 2000 |
|  | am No 10, 2015 |
| ss. 23DSC, 23DSD | ad. No. 31, 2000 |
|  | am. No. 111, 2005; No. 32, 2011 |
| **Division 2** |  |
| s 23DT | ad. No. 141, 1990 |
| s 23DU | ad. No. 141, 1990 |
|  | am No 10, 2015 |
| s. 23DV | ad. No. 141, 1990 |
|  | rs. No. 33, 2003 |
| s. 23DW | ad. No. 141, 1990 |
| s. 23DX | ad. No. 141, 1990 |
|  | am. No. 33, 2003 |
| s. 23DXA | ad. No. 33, 2003 |
| s. 23DY | ad. No. 141, 1990 |
|  | am. No. 33, 2003 |
| s. 23DYA | ad. No. 33, 2003 |
| s. 23DZ | ad. No. 141, 1990 |
|  | am. No. 33, 2003 |
| s 23DZA | ad No 141, 1990 |
|  | rs No 164, 1995 |
|  | am No 106, 2020 |
| s. 23DZB | ad. No. 141, 1990 |
| s. 23DZC | ad. No. 141, 1990 |
|  | am. No. 33, 2003; No. 88, 2007 |
| s. 23DZD | ad. No. 141, 1990 |
|  | rs. No. 33, 2003 |
| s. 23DZE | ad. No. 141, 1990 |
| Division 3 | rep. No. 88, 2007 |
| s. 23DZF | ad. No. 141, 1990 |
|  | am. No. 211, 1991; No. 33, 2003 |
|  | rep. No. 88, 2007 |
| s. 23DZG | ad. No. 141, 1990 |
|  | am. No. 33, 2003 |
|  | rep. No. 88, 2007 |
| ss. 23DZH, 23DZJ | ad. No. 141, 1990 |
|  | rep. No. 88, 2007 |
| **Division 4** |  |
| Division 4 | ad. No. 88, 1992 |
|  | rep. No. 22, 1994 |
|  | ad. No. 33, 2003 |
| s. 23DZK | ad. No. 88, 1992 |
|  | rep. No. 22, 1994 |
|  | ad. No. 33, 2003 |
|  | am. No. 88, 2007 |
| ss. 23DZL, 23DZM | ad. No. 88, 1992 |
|  | rep. No. 22, 1994 |
|  | ad. No. 33, 2003 |
|  | am. No. 83, 2007 |
| s. 23DZN | ad. No. 88, 1992 |
|  | rep. No. 22, 1994 |
|  | ad. No. 33, 2003 |
| ss. 23DZO–23DZS | ad. No. 33, 2003 |
| s. 23DZT | ad. No. 33, 2003 |
|  | am. No. 83, 2007 |
| s. 23DZU | ad. No. 33, 2003 |
|  | am. No. 83, 2007; No. 8, 2010 |
| ss. 23DZV–23DZZ | ad. No. 33, 2003 |
| s 23DZZA | ad No 33, 2003 |
| s 23DZZB | ad No 33, 2003 |
| s 23DZZC | ad No 33, 2003 |
| s 23DZZD | ad No 33, 2003 |
| s 23DZZE | ad No 33, 2003 |
| s 23DZZF | ad No 33, 2003 |
|  | am No 61, 2016 |
| s 23DZZG | ad No 33, 2003 |
|  | am No 61, 2016 |
| s 23DZZH | ad No 33, 2003 |
| s 23DZZI | ad No 33, 2003 |
| **Division 5** |  |
| Division 5 | ad. No. 83, 2007 |
| ss. 23DZZIAA–23DZZIAG | ad. No. 83, 2007 |
| **Part IIBA** |  |
| Part IIBA | ad. No. 88, 2007 |
| **Division 1** |  |
| ss. 23DZZIA–23DZZIC | ad. No. 88, 2007 |
| s. 23DZZID | ad. No. 88, 2007 |
|  | am. No. 144, 2008 |
| s. 23DZZIE | ad. No. 88, 2007 |
|  | am. No. 29, 2010 |
| ss. 23DZZIF–23DZZIH | ad. No. 88, 2007 |
| **Division 2** |  |
| **Subdivision A** |  |
| ss. 23DZZII, 23DZZIJ | ad. No. 88, 2007 |
| **Subdivision B** |  |
| ss. 23DZZIK–23DZZIM | ad. No. 88, 2007 |
|  | am. No. 32, 2011 |
| s. 23DZZIN | ad. No. 88, 2007 |
| **Division 3** |  |
| s. 23DZZIO | ad. No. 88, 2007 |
|  | am. No. 180, 2012 |
| s. 23DZZIP | ad. No. 88, 2007 |
| s. 23DZZIQ | ad. No. 88, 2007 |
|  | am. No. 32, 2011; No. 180, 2012 |
| s. 23DZZIR | ad. No. 88, 2007 |
|  | am. No. 32, 2011; No. 180, 2012 |
| s. 23DZZIS | ad. No. 88, 2007 |
|  | am. No. 32, 2011; No. 180, 2012 |
| ss. 23DZZIT, 23DZZIU | ad. No. 88, 2007 |
| **Part IIC** |  |
| ss. 23DZZJ–23DZZS | ad. No. 33, 2003 |
| s. 23DZZT | ad. No. 33, 2003 |
|  | am. No. 8, 2010 |
| ss. 23DZZU–23DZZZ | ad. No. 33, 2003 |
| s 23DZZZA | ad No 33, 2003 |
| s 23DZZZB | ad No 33, 2003 |
| s 23DZZZC | ad No 33, 2003 |
| s 23DZZZD | ad No 33, 2003 |
| s 23DZZZE | ad No 33, 2003 |
|  | am No 61, 2016 |
| s 23DZZZF | ad No 33, 2003 |
|  | am No 61, 2016 |
| s 23DZZZG | ad No 33, 2003 |
| s 23DZZZH | ad No 33, 2003 |
| Part III | rep. No. 32, 2007 |
| s. 23E | ad. No. 133, 1978 |
|  | rs. No. 54, 1983 |
|  | am. No. 54, 1983 |
|  | rs. No. 94, 1986; No. 155, 1988; No. 226, 1992 |
|  | am. No. 226, 1992 (as am. by No. 149, 1995 and No. 43, 1996); No. 19, 1998 |
|  | rep. No. 32, 2007 |
| s. 23EA | ad. No. 94, 1986 |
|  | am. No. 141, 1987; Nos. 41 and 149, 1995; No. 117, 2004 |
|  | rep. No. 32, 2007 |
| s. 23EB | ad. No. 94, 1986 |
|  | rep. No. 32, 2007 |
| s. 23F | ad. No. 54, 1983 |
|  | am. No. 226, 1992 |
|  | rep. No. 226, 1992 |
| s. 23G | ad. No. 54, 1983 |
|  | am. No. 65, 1985; No. 155, 1988 |
|  | rep. No. 155, 1988 |
| s. 23H | ad. No. 54, 1983 |
|  | am. No. 65, 1985 |
|  | rep. No. 94, 1986 |
| s. 23J | ad. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 24 | am. No. 101, 1976; No. 133, 1978 |
|  | rs. No. 54, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 25 | am. No. 59, 1976 |
|  | rs. No. 54, 1983 |
|  | am. No. 139, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 26 | am. No. 54, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 27 | rs. No. 54, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 28 | am. No. 54, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 29 | rs. No. 54, 1983 |
|  | rep. No. 94, 1986 |
|  | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| ss. 29A, 29B | ad. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 30 | rs. No. 101, 1976 |
|  | am. No. 118, 1981 |
|  | rep. No. 54, 1983 |
|  | ad. No. 226, 1992 |
|  | am. No. 226, 1992 |
|  | rep. No. 32, 2007 |
| s. 31 | rep. No. 101, 1976 |
|  | ad. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 32 | am. No. 101, 1976 |
|  | rs. No. 89, 1978 |
|  | rep. No. 118, 1981 |
| s. 32A | ad. No. 89, 1978 |
|  | rep. No. 118, 1981 |
| s. 33 | am. No. 101, 1976; No. 133, 1978; No. 118, 1981 |
|  | rs. No. 54, 1983 |
|  | am. No. 70, 1985 |
|  | rep. No. 94, 1986 |
| s. 34 | am. Nos. 59 and 101, 1976; No. 133, 1978; No. 53, 1979 |
|  | rep. No. 118, 1981 |
| s. 35 | rs. No. 133, 1978 |
|  | am. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 35A | ad. No. 59, 1976 |
|  | am. No. 133, 1978; No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 36 | rs. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 37 | am. No. 54, 1983 |
|  | rep. No. 94, 1986 |
| s. 38 | ad. No. 54, 1983 |
|  | am. No. 139, 1983; No. 167, 1985 |
|  | rep. No. 94, 1986 |
| s. 38A | ad. No. 54, 1983 |
|  | am. No. 167, 1985 |
|  | rep. No. 94, 1986 |
| s. 38 | rs. No. 133, 1978 |
| Renumbered s. 38B | No. 139, 1983 |
| s. 38B | rep. No. 32, 2007 |
| **Part IV** |  |
| s. 39 | am. No. 75, 1977; No. 133, 1978; No. 118, 1981; No. 41, 1995; No. 32, 2007 |
| s 40 | am No 43, 1996; No 74, 2023 |
| s 41 | am No 43, 1996; No 74, 2023 |
| s. 41A | ad. No. 75, 1977 |
|  | am. No. 43, 1996 |
| s 42 | Proclamation date 1 July 1975 (gaz 1975 No G19, p3) |
| s. 42A | ad. No. 75, 1977 |
| s. 42B | ad. No. 75, 1977 |
|  | am. No. 133, 1978; No. 118, 1981; No. 54, 1983; No. 43, 1996 |
| s. 43 | am. No. 101, 1976; No. 75, 1977 |
| s. 44 | am. No. 59, 1976; No. 75, 1977 |
|  | rep. No. 89, 1978 |
| s. 45 | am. No. 75, 1977; No. 133, 1978; No. 3, 1990; No. 43, 1996 |
| s. 46 | am. No. 133, 1978 |
| **Part IVAA** |  |
| Part IVAA | ad No 117, 2015 |
| s 46AA | ad No 117, 2015 |
| s 46AB | ad No 117, 2015 |
| s 46AC | ad No 117, 2015 |
| s 46AD | ad No 117, 2015 |
| Part IVA | ad. No. 54, 1996 |
|  | rep No 139, 2015 |
| s. 46A | ad. No. 54, 1996 |
|  | am. No. 44, 1999; No. 84, 2003; No. 111, 2005; No. 144, 2008; Nos. 32 and 46, 2011 |
|  | rep No 139, 2015 |
| s. 46B | ad. No. 54, 1996 |
|  | am. No. 84, 2003; No. 111, 2005; No. 32, 2011 |
|  | rep No 139, 2015 |
| s. 46C | ad. No. 54, 1996 |
|  | am. No. 111, 2005; No. 32, 2011 |
|  | rep No 139, 2015 |
| s. 46D | ad. No. 54, 1996 |
|  | am. No. 44, 1999; No. 111, 2005; No. 32, 2011 |
|  | rep No 139, 2015 |
| s. 46E | ad. No. 54, 1996 |
|  | am. No. 19, 1998; No. 111, 2005; No. 32, 2011; No. 64, 2012 |
|  | rep No 139, 2015 |
| Part V heading | am No 75, 1977 |
|  | rep No 106, 2020 |
| Part V | rep No 106, 2020 |
| Division 1 | rep. No. 104, 2006 |
| s. 47 | rep. No. 104, 2006 |
| ss. 48, 49 | am. No. 19, 1998 |
|  | rep. No. 104, 2006 |
| s. 50 | am. No. 132, 1980 |
|  | rs. No. 19, 1998 |
|  | rep. No. 104, 2006 |
| ss. 50A–50C | ad. No. 19, 1998 |
|  | rep. No. 104, 2006 |
| s. 51 | rep. No. 59, 2001 |
| s. 52 | am. No. 75, 1986; No. 43, 1996 |
|  | rep. No. 104, 2006 |
| s. 53 | am. No. 75, 1986; No. 43, 1996; No. 19, 1998 |
|  | rep. No. 104, 2006 |
| s. 54 | rep. No. 104, 2006 |
| s. 55 | am. No. 43, 1996 |
|  | rep. No. 104, 2006 |
| s. 56 | rs. No. 19, 1998 |
|  | rep. No. 104, 2006 |
| s. 57 | am. No. 19, 1998 |
|  | rep. No. 104, 2006 |
| s. 58 | rs. No. 75, 1977 |
|  | am. No. 43, 1996 |
|  | rep. No. 104, 2006 |
| s. 59 | am. No. 75, 1986; No. 43, 1996 |
|  | rep. No. 104, 2006 |
| s. 60 | rep. No. 104, 2006 |
| s. 61 | am. No. 133, 1978; No. 54, 1983; No. 167, 1985; No. 136, 1992; No. 43, 1996; No. 19, 1998; No. 59, 2001; No. 50, 2004 |
|  | rep. No. 104, 2006 |
| s. 62 | am. No. 167, 1985 |
|  | rep. No. 104, 2006 |
| s. 63 | rep. No. 104, 2006 |
| s. 64 | am. No. 101, 1976; No. 75, 1986 |
|  | rep. No. 104, 2006 |
| Division 2 heading | am No 54, 1983 |
|  | rep No 106, 2020 |
| s 65 | am No 54, 1983; No 75, 1986 |
|  | rep No 106, 2020 |
| s 66 | am No 75, 1977; No 54, 1983; No 43, 1996 |
|  | rep No 106, 2020 |
| s 67 | am No 58, 1975; No 59, 1976; No 75, 1977; No 133, 1978; No 132, 1980; No 54, 1983; No 75, 1986; No 141, 1990; No 136, 1992; No 75, 1996 |
|  | rep No 106, 2020 |
| s 68 | am No 75, 1986; No 43, 1996 |
|  | rep No 106, 2020 |
| s 69 | am No 75, 1986; No 43, 1996 |
|  | rep No 106, 2020 |
| s 70 | am No 75, 1986; No 43, 1996 |
|  | rep No 106, 2020 |
| s 71 | rep No 106, 2020 |
| s 72 | am No 43, 1996 |
|  | rep No 106, 2020 |
| s 73 | am No 75, 1977; No 139, 1983; No 43, 1996 |
|  | rep No 106, 2020 |
| s 74 | rs No 75, 1977 |
|  | am No 43, 1996 |
|  | rep No 106, 2020 |
| s 75 | am No 75, 1986; No 43, 1996 |
|  | rep No 106, 2020 |
| s 76 | rep No 106, 2020 |
| s 77 | rep No 106, 2020 |
| s 78 | am No 101, 1976; No 75, 1986 |
|  | rep No 106, 2020 |
| Division 2A | ad. No. 75, 1986 |
|  | rep. No. 95, 1989 |
| s 78A | ad No 75, 1986 |
|  | rep No 95, 1989 |
| s 78B | ad No 75, 1986 |
|  | rep No 95, 1989 |
| s. 78C | ad. No. 75, 1986 |
|  | am. No. 94, 1986; No. 99, 1988 |
|  | rep. No. 95, 1989 |
| ss. 78D, 78E | ad. No. 75, 1986 |
|  | am. No. 87, 1988 |
|  | rep. No. 95, 1989 |
| s 78F | ad No 75, 1986 |
|  | rep No 95, 1989 |
| s 78G | ad No 75, 1986 |
|  | rep No 95, 1989 |
| s. 78H | ad. No. 75, 1986 |
|  | am. No. 87, 1988 |
|  | rep. No. 95, 1989 |
| ss. 78J–78L | ad. No. 75, 1986 |
|  | rep. No. 95, 1989 |
| Division 3 | rep. No. 22, 1994 |
| Division 3A | ad. No. 58, 1975 |
|  | rep. No. 22, 1994 |
| Division 4 heading | rs No 75, 1977 |
|  | rep No 106, 2020 |
| s 79  (formerly s 106H) | am No 58, 1975; No 75, 1977; No 133, 1978; No 118, 1981; No 49, 1982; No 54, 1983; No 75, 1986; No 211, 1991; No 88, 1992 |
|  | rep No 106, 2020 |
| Div. 4A of Part V | ad. No. 58, 1975 |
|  | rep. No. 75, 1977 |
| Div. 5 of Part V | rep. No. 75, 1977 |
| **Part VA** |  |
| Part VA | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AA | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AB | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AC | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AD | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AE | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AF | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AG | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AH | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AI | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AJ | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AK | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AL | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AM | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AN | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AO | ad No 70, 2017 |
|  | rep No 70, 2017 |
|  | ad No 74, 2020 |
| s 79AP | ad No 74, 2020 |
| s 79AQ | ad No 74, 2020 |
| s 79AR | ad No 74, 2020 |
| s 79AS | ad No 74, 2020 |
| **Part VAA** |  |
| Part VAA | ad. No. 22, 1994 |
| **Division 1** |  |
| s. 79A | ad. No. 130, 2002 |
|  | am No 115, 2014 |
| s. 80 | am. No. 75, 1977 |
|  | rs. No. 22, 1994 |
|  | am. No. 146, 1997; No. 95, 1999 |
|  | rs. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s. 80A | ad. No. 95, 1999 |
|  | am No 115, 2014 |
| s 81 | am No 75, 1986 |
|  | rs No 22, 1994 |
|  | am No 146, 1997; No 95, 1999; No 130, 2002; No 33, 2003; No 50, 2004; No 111, 2005; No 169, 2007; No 73, 2008; No 29, 2010; No 126, 2010; No 32, 2011; No 76, 2012; No 115, 2014; No 64, 2018; No 121, 2019; No 106, 2020; No 77, 2022; No 82, 2023 |
| s 82 | am No 58, 1975 |
|  | rs No 75, 1977; No 75, 1986 |
|  | am No 141, 1990; No 211, 1991; No 88, 1992 |
|  | rs No 22, 1994 |
|  | am No 146, 1997; No 95, 1999; No 130, 2002; No 76, 2012; No 64, 2018; No 121, 2019; No 97, 2023 |
| s 82A | ad No 141, 1990 |
|  | rep No 22, 1994 |
|  | ad No 76, 2012 |
| **Division 2** |  |
| Division 2 heading | am No 82, 2023 |
| s 83 | am No 75, 1986 |
|  | rs No 22, 1994 |
|  | am No 95, 1999; No 82, 2023 |
| s 83A | ad No 82, 2023 |
| s 84 | am No 75, 1986 |
|  | rs No 22, 1994 |
|  | am No 82, 2023 |
| s 85 | am No 75, 1986 |
|  | rs No 22, 1994 |
|  | am No 146, 1997; No 82, 2023 |
| **Division 3** |  |
| Division 3 heading | rs. No. 130, 2002; No. 111, 2005; No. 32, 2011; No. 76, 2012 |
| s 86 | rs No 22, 1994 |
|  | am No 146, 1997; No 95, 1999 |
|  | rs No 130, 2002 |
|  | am No 111, 2005; No 32, 2011; No 76, 2012; No 77, 2022 |
| s. 87 | rs. No. 22, 1994 |
|  | am. No. 146, 1997; No. 95, 1999 |
|  | rs. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| **Division 3A** |  |
| Division 3A heading | ad. No. 130, 2002 |
| s. 88 | am. No. 75, 1977; No. 118, 1981 |
|  | rs. No. 22, 1994 |
|  | am. No. 95, 1999 |
|  | rs. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s. 88A | ad. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s. 88B | ad. No. 130, 2002 |
| s. 89 | rs. No. 75, 1977; No. 22, 1994; No. 95, 1999; No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s. 89A | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 111, 2005; No. 88, 2007; No. 32, 2011; No 115, 2014 |
| s 89B | ad No 95, 1999 |
|  | am No 130, 2002; No 64, 2018; No 77, 2022 |
| s. 89C | ad. No. 130, 2002 |
| s. 90 | am. No. 75, 1986 |
|  | rs. No. 22, 1994 |
|  | am. No. 95, 1999; No. 130, 2002 |
| s. 91 | rs. No. 22, 1994; No. 95, 1999; No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s 92 | rs No 22, 1994; No 95, 1999 |
|  | am No 130, 2002; No 111, 2005; No 169, 2007; No 29, 2010; No 32, 2011; No 76, 2012; No 115, 2014; No 121, 2019; No 106, 2020; No 77, 2022; No 97, 2023 |
| s. 92A | ad. No. 130, 2002 |
| s 93 | am No 101, 1976; No 75, 1986 |
|  | rs No 22, 1994; No 95, 1999 |
|  | am No 130, 2002; No 111, 2005; No 32, 2011; No 76, 2012; No 50, 2020; No 77, 2022 |
| ss. 93A–93C | ad. No. 95, 1999 |
|  | rep. No. 130, 2002 |
| s. 94 | rs. No. 75, 1977; No. 49, 1982 |
|  | am. No. 75, 1986 (as am. by No. 141, 1987); No. 141, 1990; No. 88, 1992 |
|  | rs. No. 22, 1994 |
|  | am. No. 95, 1999 |
|  | rs. No. 130, 2002 |
|  | am No 97, 2023 |
| **Division 4** |  |
| **Subdivision A** |  |
| s. 95 | am. No. 75, 1977; No. 49, 1982; No. 75, 1986 |
|  | rs. No. 22, 1994 |
|  | am. No. 146, 1997; No. 95, 1999; No. 130, 2002; No 97, 2023 |
| s. 96 | rs. No. 118, 1981 |
|  | am. No. 49, 1982 |
|  | rs. No. 22, 1994 |
|  | am. No. 130, 2002; No 97, 2023 |
| s. 96A | ad. No. 118, 1981 |
|  | am. No. 49, 1982 |
|  | rep. No. 22, 1994 |
|  | ad. No. 130, 2002 |
| s. 96B | ad. No. 118, 1981 |
|  | am. No. 49, 1982 |
|  | rep. No. 22, 1994 |
| **Subdivision B** |  |
| s. 97 | am. No. 118, 1981; No. 75, 1986; No. 141, 1987 |
|  | rs. No. 22, 1994 |
| s. 98 | am. No. 167, 1985 |
|  | rs. No. 22, 1994 |
|  | am. No. 130, 2002 |
| s. 99 | am. No. 118, 1981; No. 167, 1985 |
|  | rs. No. 22, 1994 |
|  | am. No. 95, 1999; No. 130, 2002 |
| s. 100 | am. No. 101, 1976 |
|  | rs. No. 118, 1981; No. 22, 1994 |
|  | rep. No. 95, 1999 |
| s. 101 | rs. No. 118, 1981 |
|  | am. No. 49, 1982 |
|  | rs. No. 22, 1994 |
|  | am. No. 130, 2002 |
| s 102 | am No 118, 1981; No 49, 1982 |
|  | rs No 22, 1994 |
|  | am No 130, 2002; No 77, 2022 |
| s 103 | rs No 22, 1994; No 95, 1999 |
|  | am No 77, 2022 |
| s 103A | ad No 77, 2022 |
| s 104 | rs No 75, 1977; No 49, 1982 |
|  | am No 75, 1986 (as am by No 141, 1987); No 141, 1990; No 88, 1992 |
|  | rs No 22, 1994 |
|  | am No 146, 1997 |
|  | rs No 95, 1999; No 130, 2002 |
|  | am No 64, 2018; No 77, 2022; No 97, 2023 |
| s 104A | ad No 77, 2022 |
|  | am No 97, 2023 |
| s 105 | am No 58, 1975; No 101, 1976 |
|  | rs No 75, 1977 |
|  | am No 118, 1981; No 49, 1982; No 54, 1983; No 75, 1986; No 141, 1990 (as am by No 88, 1992); No 88, 1992 |
|  | rs No 22, 1994; No 95, 1999; No 130, 2002 |
|  | am No 111, 2005; No 32, 2011; No 77, 2022 |
| s 105AA | ad No 77, 2022 |
|  | am No 97, 2023 |
| s 105A | ad No 146, 1997 |
|  | rs No 95, 1999 |
|  | am No 130, 2002; No 64, 2018; No 77, 2022 |
| s. 106 | am. No. 58, 1975; No. 101, 1976; No. 75, 1977; No. 118, 1981; No. 49, 1982; No. 54, 1983; No. 75, 1986; No. 141, 1990 |
|  | rs. No. 22, 1994 |
| s. 106AA | ad. No. 75, 1977 |
|  | am. No. 49, 1982 |
|  | rep. No. 22, 1994 |
| s. 106AB | ad. No. 172, 1991 |
|  | am. No. 88, 1992 |
|  | rep. No. 22, 1994 |
| s. 106A | ad. No. 58, 1975 |
|  | am. No. 49, 1982; No. 54, 1983 |
|  | rs. No. 22, 1994 |
| s 106B | ad No 58, 1975 |
|  | am No 118, 1981 |
|  | rs No 22, 1994 |
|  | am No 77, 2022 |
| s. 106C | ad. No. 58, 1975 |
|  | am. No. 75, 1977; No. 89, 1978; No. 176, 1981 |
|  | rs. No. 22, 1994 |
| s. 106D | ad. No. 58, 1975 |
|  | am. No. 75, 1977 |
|  | rs. No. 49, 1982; No. 22, 1994 |
|  | am. No. 111, 2001 |
| s. 106E | ad. No. 58, 1975 |
|  | am. No. 49, 1982 |
|  | rs. No. 22, 1994 |
|  | am. No. 111, 2001 |
| s. 106EA | ad. No. 146, 1997 |
| s. 106F | ad. No. 58, 1975 |
|  | am. No. 101, 1976; No. 75, 1977; No. 133, 1978; No. 118, 1981 |
|  | rs. No. 49, 1982; No. 22, 1994 |
| ss. 106FA–106FH | ad. No. 49, 1982 |
|  | rep. No. 22, 1994 |
| s. 106FJ | ad. No. 49, 1982 |
|  | am. No. 54, 1983 |
|  | rep. No. 22, 1994 |
| s. 106FK | ad. No. 49, 1982 |
|  | am. No. 54, 1983; No. 141, 1990 |
|  | rep. No. 22, 1994 |
| **Subdivision C** |  |
| Subdivision C | ad. No. 22, 1994 |
|  | rep. No. 146, 1997 |
|  | ad. No. 95, 1999 |
| s. 106G | ad. No. 58, 1975 |
|  | am. No. 49, 1982 |
|  | rs. No. 22, 1994 |
|  | rep. No. 146, 1997 |
|  | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 111, 2005; No. 32, 2011; No. 76, 2012 |
| s. 106GA | ad. No. 76, 2012 |
| s. 106H | ad. No. 75, 1977 |
| Renumbered s. 79 | No. 22, 1994 |
| s. 106H | ad. No. 22, 1994 |
|  | rep. No. 146, 1997 |
|  | ad. No. 95, 1999 |
|  | rs. No. 130, 2002 |
| s. 106J | ad. No. 22, 1994 |
|  | rep. No. 146, 1997 |
|  | ad. No. 95, 1999 |
|  | rs. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| s. 106K | ad. No. 22, 1994 |
|  | rep. No. 146, 1997 |
|  | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 76, 2012 |
| s. 106KA | ad. No. 95, 1999 |
|  | am. No. 159, 1999; No. 130, 2002 |
|  | rep. No. 76, 2012 |
| s. 106KB | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 111, 2005; No. 32, 2011; No. 76, 2012 |
| s. 106KC | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 111, 2005; No. 32, 2011; No 97, 2023 |
| s. 106KD | ad. No. 95, 1999 |
|  | am. No. 130, 2002;No 97, 2023 |
| s. 106KE | ad. No. 130, 2002 |
|  | am. No. 111, 2005; No. 32, 2011 |
| Subdivision D | ad. No. 22, 1994 |
|  | rep. No. 95, 1999 |
| s. 106L | ad. No. 22, 1994 |
|  | am. No. 146, 1997 |
|  | rs. No. 95, 1999 |
|  | am. No. 130, 2002; No. 111, 2005; No. 32, 2011; No 97, 2023 |
| s 106M | ad No 22, 1994 |
|  | am No 146, 1997 |
|  | rs No 95, 1999 |
|  | am No 130, 2002; No 64, 2018 |
| s. 106MA | ad. No. 146, 1997 |
|  | rep. No. 95, 1999 |
| s. 106N | ad. No. 22, 1994 |
|  | am. No. 146, 1997 |
|  | rs. No. 95, 1999 |
|  | am. No. 111, 2005; No. 88, 2007; No. 32, 2011; No 115, 2014 |
| s. 106P | ad. No. 22, 1994 |
|  | am. No. 146, 1997 |
|  | rep. No. 95, 1999 |
| **Division 5** |  |
| Division 5 heading | rs. No. 146, 1997; No. 95, 1999; No. 76, 2012 |
| **Subdivision A** |  |
| Subdivision A heading | ad. No. 146, 1997 |
|  | rep. No. 95, 1999 |
|  | ad. No. 76, 2012 |
| s. 106Q | ad. No. 22, 1994 |
|  | rs. No. 95, 1999 |
|  | am. No. 76, 2012 |
| **Subdivision B** |  |
| Subdivision B heading | ad. No. 76, 2012 |
| s. 106QA | ad. No. 76, 2012 |
| s. 106QB | ad. No. 76, 2012 |
| s. 106R | ad. No. 22, 1994 |
|  | rs. No. 95, 1999 |
|  | am. No. 76, 2012 |
| **Subdivision C** |  |
| Subdivision C heading | ad. No. 76, 2012 |
| s. 106RA | ad. No. 76, 2012 |
| s. 106RB | ad. No. 76, 2012 |
| s. 106S | ad. No. 22, 1994 |
|  | rs. No. 95, 1999; No. 130, 2002 |
|  | am. No. 76, 2012 |
| s. 106SA | ad. No. 130, 2002 |
|  | rs. No. 76, 2012 |
| s. 106T | ad. No. 22, 1994 |
|  | rs. No. 95, 1999 |
|  | am. No. 130, 2002; No. 76, 2012 |
| s. 106TA | ad. No. 95, 1999 |
|  | am. No. 130, 2002; No. 76, 2012 |
| s. 106TB | ad. No. 76, 2012 |
| s 106U | ad No 22, 1994 |
|  | am No 146, 1997; No 95, 1999; No 130, 2002; No 169, 2007; No 29, 2010; No 76, 2012; No 115, 2014; No 64, 2018; No 121, 2019; No 106, 2020; No 77, 2022; No 97, 2023 |
| s. 106UAA | ad. No. 95, 1999 |
| s. 106UA | ad. No. 146, 1997 |
|  | am. No. 95, 1999 |
| s. 106V | ad. No. 22, 1994 |
|  | rs. No. 95, 1999 |
|  | am. No. 76, 2012 |
| s. 106W | ad. No. 22, 1994 |
|  | am. No. 95, 1999; No. 130, 2002; No. 111, 2005; No. 32, 2011 |
| s. 106X | ad. No. 22, 1994 |
|  | rep. No. 76, 2012 |
| Subdivision B | ad. No. 146, 1997 |
|  | rep. No. 95, 1999 |
| **Division 5A** |  |
| Division 5A | ad No 95, 1999 |
| s 106XA | ad No 146, 1997 |
|  | rs No 95, 1999 |
|  | am No 130, 2002; No 76, 2012; No 64, 2018; No 97, 2023 |
| s 106XB | ad No 95, 1999 |
|  | am No 130, 2002; No 76, 2012; No 64, 2018; No 50, 2020; No 97, 2023 |
| **Division 6** |  |
| Division 6 heading | rs No 95, 1999 |
|  | am No 82, 2023 |
| **Subdivision A** |  |
| s 106Y | ad No 22, 1994 |
| s 106Z | ad No 22, 1994 |
| s. 106ZA | ad. No. 22, 1994 |
| s. 106ZB | ad. No. 22, 1994 |
|  | am. No. 146, 1999 |
| s 106ZC | ad No 22, 1994 |
| s 106ZD | ad No 22, 1994 |
|  | am No 82, 2023 |
| s. 106ZE | ad. No. 22, 1994 |
|  | am. No. 46, 2011 |
| s. 106ZF | ad. No. 22, 1994 |
| **Subdivision AB** |  |
| Subdivision AB | ad No 82, 2023 |
| s 106ZFA | ad No 82, 2023 |
| s 106ZFB | ad No 82, 2023 |
| s 106ZFC | ad No 82, 2023 |
| s 106ZFD | ad No 82, 2023 |
| s 106ZFE | ad No 82, 2023 |
| s 106ZFF | ad No 82, 2023 |
| s 106ZFG | ad No 82, 2023 |
| s 106ZFH | ad No 82, 2023 |
| **Subdivision B** |  |
| s 106ZG | ad No 22, 1994 |
| s 106ZH | ad No 22, 1994 |
| s 106ZI | ad No 22, 1994 |
| s 106ZJ | ad No 22, 1994 |
| s 106ZK | ad No 22, 1994 |
|  | am No 82, 2023 |
| s 106ZL | ad No 22, 1994 |
| **Subdivision C** |  |
| s. 106ZM | ad. No. 22, 1994 |
|  | am. No. 95, 1999 |
|  | rs. No. 146, 1999 |
| ss. 106ZN, 106ZP | ad. No. 22, 1994 |
|  | am. No. 95, 1999 |
| **Subdivision D** |  |
| Subdivision D | ad. No. 95, 1999 |
| s 106ZPA | ad No 95, 1999 |
|  | am No 130, 2002; No 33, 2003; No 73, 2008; No 29, 2010; No 76, 2012; No 77, 2022 |
| s 106ZPB | ad No 95, 1999 |
|  | am No 73, 2008; No 76, 2012; No 82, 2023 |
| s 106ZPC | ad No 95, 1999 |
| s 106ZPD | ad No 95, 1999 |
| s 106ZPE | ad No 95, 1999 |
| s 106ZPF | ad No 95, 1999 |
| s 106ZPG | ad No 95, 1999 |
|  | am No 82, 2023 |
| s 106ZPH | ad No 95, 1999 |
|  | am No 73, 2008; No 46, 2011; No 76, 2012; No 82, 2023 |
| ss. 106ZPI, 106ZPJ | ad. No. 95, 1999 |
| s. 106ZPK | ad. No. 95, 1999 |
|  | am. No. 73, 2008 |
| **Subdivision E** |  |
| Subdivision E | ad. No. 95, 1999 |
| s. 106ZPL | ad. No. 95, 1999 |
|  | am. No. 130, 2002 |
| **Division 6A** |  |
| Division 6A | ad No 62, 2014 |
| s 106ZPLA | ad No 62, 2014 |
|  | am No 36, 2015; No 82, 2023 |
| **Division 7** |  |
| s 106ZPM | ad No 95, 1999 |
|  | am No 130, 2002; No 111, 2005; No 32, 2011; No 115, 2014; No 64, 2018; No 77, 2022 |
| s 106ZPN | ad No 95, 1999 |
|  | am No 4, 2016; No 61, 2016 |
|  | rs No 77, 2022 |
| s 106ZPNA | ad No 77, 2022 |
| s 106ZPO | ad No 95, 1999 |
|  | am No 4, 2016; No 61, 2016 |
| s 106ZPP | ad No 95, 1999 |
|  | am No 4, 2016; No 61, 2016 |
| s 106ZPQ | ad No 95, 1999 |
| s 106ZPR | ad No 95, 1999 |
|  | am No 130, 2002; No 76, 2012; No 77, 2022; No 97, 2023 |
| s 106ZQ | ad No 36, 2015 |
| s. 106ZQ | ad. No. 22, 1994 |
|  | rep No 62, 2014 |
| s. 106ZR | ad. No. 22, 1994 |
|  | am. No. 130, 2002; No 115, 2014 |
| Part VA heading | ad. No. 75, 1977 |
|  | am. No. 141, 1990 |
|  | rs. No. 22, 1994 |
|  | rep. No. 95, 1999 |
| Part VA | rep. No. 95, 1999 |
| Division 1 heading | ad. No. 75, 1977 |
|  | rep. No. 95, 1999 |
| s. 107 | am. No. 58, 1975 |
|  | rs. No. 75, 1977 |
|  | am. No. 49, 1982; No. 75, 1986; No. 141, 1990; No. 22, 1994; No. 149, 1995 |
|  | rep. No. 95, 1999 |
| s. 107A | ad. No. 75, 1977 |
|  | am. No. 49, 1982; No. 75, 1986; No. 141, 1990 |
|  | rep. No. 22, 1994 |
| Division 2 heading | ad. No. 75, 1977 |
|  | rep. No. 95, 1999 |
| s. 108 | am. No. 75, 1977; No. 22, 1994; No. 149, 1995; No. 43, 1996 |
|  | rep. No. 95, 1999 |
| s. 108A | ad. No. 146, 1997 |
|  | rep. No. 95, 1999 |
| s. 109 | rep. No. 95, 1999 |
| s. 110 | am. No. 43, 1996 |
|  | rep. No. 95, 1999 |
| ss. 111, 112 | rep. No. 95, 1999 |
| s. 113 | rs. No. 75, 1977 |
|  | am. No. 43, 1996 |
|  | rep. No. 95, 1999 |
| Division 3 heading | ad. No. 75, 1977 |
|  | rep. No. 95, 1999 |
| s. 114 | rs. No. 75, 1977 |
|  | am. No. 22, 1994; No. 149, 1995 |
|  | rep. No. 95, 1999 |
| s. 115 | am. No. 75, 1977; No. 22, 1994; No. 149, 1995; No. 146, 1997 |
|  | rep. No. 95, 1999 |
| s. 116 | am. No. 75, 1977; No. 22, 1994; No. 146, 1997 |
|  | rep. No. 95, 1999 |
| s. 117 | am. No. 75, 1977; No. 22, 1994; No. 43, 1996 |
|  | rep. No. 95, 1999 |
| s. 118 | am. No. 75, 1977; No. 22, 1994 |
|  | rep. No. 95, 1999 |
| s. 119 | am. No. 157, 1976; No. 75, 1977; No. 49, 1982; No. 75, 1986; No. 22, 1994; No. 149, 1995 |
|  | rep. No. 95, 1999 |
| s. 120 | am. No. 75, 1977 |
|  | rs. No. 139, 1983 |
|  | rep. No. 95, 1999 |
| s. 121 | am. No. 43, 1996 |
|  | rep. No. 95, 1999 |
| Division 4 heading | ad. No. 75, 1977 |
|  | rep. No. 141, 1990 |
| Division 4 | rep. No. 141, 1990 |
| s. 122 | am. No. 157, 1976 |
|  | rs. No. 75, 1977 |
|  | rep. No. 141, 1990 |
| s. 123 | rep. No. 157, 1976 |
|  | ad. No. 75, 1977 |
|  | rep. No. 141, 1990 |
| s. 123A | ad. No. 58, 1975 |
|  | rs. No. 75, 1977 |
|  | rep. No. 139, 1983 |
| ss. 123B–123D | ad. No. 58, 1975 |
|  | rep. No. 75, 1977 |
| Division5 heading | ad. No. 75, 1977 |
|  | rs. No. 141, 1990 |
|  | rep. No. 95, 1999 |
| s. 124 | rs. No. 75, 1977 |
|  | am. No. 141, 1990 |
|  | rep. No. 95, 1999 |
| s. 124A | ad. No. 75, 1977 |
|  | am. No. 141, 1990 |
|  | rep. No. 95, 1999 |
| **Part VB** |  |
| Part VB | ad. No. 167, 1985 |
| s 124B | ad No 167, 1985 |
|  | am No 75, 1986; No 141, 1990; No 22, 1994; No 19, 1998; No 137, 2000; No 93, 2001; No 111, 2001; No 33, 2003; No 88, 2007; No 29, 2010; No 76, 2012; No 106, 2020 |
| s. 124BA | ad. No. 88, 2007 |
| s. 124C | ad. No. 167, 1985 |
|  | am No 31, 2014 |
| s. 124D | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 88, 2007 |
| s. 124DA | ad. No. 172, 1991 |
|  | rep. No. 22, 1994 |
| s. 124E | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 141, 1990 |
|  | rs. No. 141, 1990 |
|  | am. No. 172, 1991; No. 22, 1994; No. 88, 2007; No. 76, 2012 |
| s. 124EA | ad. No. 141, 1990 |
|  | am. No. 172, 1991; No. 88, 2007; No. 76, 2012 |
| s. 124EB | ad. No. 141, 1990 |
|  | am. No. 88, 2007; No. 29, 2010; No. 76, 2012 |
| s. 124EC | ad. No. 141, 1990 |
|  | am. No. 136, 1992; No. 111, 2005; No. 32, 2011 |
| s. 124F | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 88, 2007; No. 46, 2011 |
| s. 124FA | ad. No. 75, 1986 |
|  | am. No. 141, 1990; No. 88, 1992 |
| s. 124FAA | ad. No. 172, 1991 |
|  | am. No. 22, 1994; No. 130, 2002; No. 29, 2010; No. 76, 2012 |
|  | rep. No. 76, 2012 |
| ss. 124FB, 124FC | ad. No. 75, 1986 |
|  | am. No. 141, 1990 |
| s. 124FD | ad. No. 75, 1986 |
| s. 124FE | ad. No. 75, 1986 |
|  | rs. No. 141, 1990 |
|  | am. No. 88, 2007 |
| s. 124FF | ad. No. 75, 1986 |
|  | rs. No. 141, 1990 |
|  | am. No. 33, 2003; No. 88, 2007 |
| s. 124G | ad. No. 167, 1985 |
|  | am. No. 75, 1986 |
| s 124H | ad. No. 167, 1985 |
|  | am No. 75, 1986; No. 99, 1988; No. 141, 1990; No. 172, 1991; No. 3, 1995; No. 88, 2007; No. 76, 2012; No 10, 2015 |
| s. 124J | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 141, 1990; No. 172, 1991; No. 19, 1998; No. 88, 2007; No. 76, 2012 |
| s. 124K | ad. No. 167, 1985 |
| s 124L | ad No 167, 1985 |
|  | am No 111, 2001; No 61, 2016 |
| s 124M | ad No 167, 1985 |
|  | am No 111, 2001; No 61, 2016 |
| s 124N | ad No 167, 1985 |
| s 124P | ad No 167, 1985 |
|  | am No 61, 2016 |
| ss. 124Q, 124R | ad. No. 167, 1985 |
|  | am. No. 75, 1986 |
| s. 124S | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 141, 1990; No. 172, 1991; No. 76, 2012 |
| s. 124T | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 141, 1990; No. 172, 1991; No. 22, 1994; No. 88, 2007 |
| s. 124U | ad. No. 167, 1985 |
|  | am. No. 43, 1996; No. 19, 1998 |
| **Part VC** |  |
| Part VC | ad. No. 201, 1992 |
| s. 106J | ad. No. 201, 1992 |
| s 124V (prev s 106J) | renum No 12, 1994 |
| s. 106K | ad. No. 201, 1992 |
|  | am. No. 12, 1994 |
| s 124W (prev s 106K) | renum No 12, 1994 |
|  | am No 93, 2001; No 32, 2007; No 5, 2015; No 50, 2020 |
| s. 106L | ad. No. 201, 1992 |
| s 124X (prev s 106L) | renum No 12, 1994 |
|  | am No 10, 2015 |
| s. 106M | ad. No. 201, 1992 |
|  | am. No. 12, 1994 |
| s 124Y (prev s 106M) | renum No 12, 1994 |
| s. 106N | ad. No. 201, 1992 |
| s 124Z (prev s 106N) | renum No 12, 1994 |
| s. 106P | ad. No. 201, 1992 |
|  | am. No. 12, 1994 |
| s 124ZA (prev s 106P) | renum No 12, 1994 |
|  | rep No 10, 2015 |
| s. 106Q | ad. No. 201, 1992 |
| s 124ZB (prev s 106Q) | renum No. 12, 1994 |
| s. 106R | ad. No. 201, 1992 |
| s 124ZC (prev s 106R) | renum No 12, 1994 |
| **Part VD** |  |
| Part VD | ad No 70, 2019 |
| **Division 1** |  |
| **Subdivision A** |  |
| s 124ZD | ad No 70, 2019 |
| s 124ZE | ad No 70, 2019 |
|  | am No 138, 2021 |
| s 124ZEA | ad No 138, 2021 |
| s 124ZEB | ad No 138, 2021 |
| **Subdivision B** |  |
| s 124ZF | ad No 70, 2019 |
|  | am No 59, 2023 |
| s 124ZG | ad No 70, 2019 |
|  | am No 59, 2023 |
| s 124ZH | ad No 70, 2019 |
|  | am No 138, 2021 |
| s 124ZJ | ad No 70, 2019 |
|  | am No 138, 2021 |
| s 124ZK | ad No 70, 2019 |
|  | am No 138, 2021; No 59, 2023 |
| **Subdivision C** |  |
| s 124ZL | ad No 70, 2019 |
| s 124ZM | ad No 70, 2019 |
| s 124ZN | ad No 70, 2019 |
|  | am No 138, 2021 |
| **Subdivision D** |  |
| s 124ZP | ad No 70, 2019 |
| s 124ZQ | ad No 70, 2019 |
|  | am No 138, 2021 |
| **Subdivision E** |  |
| s 124ZR | ad No 70, 2019 |
| s 124ZS | ad No 70, 2019 |
| **Subdivision F** |  |
| s 124ZT | ad No 70, 2019 |
|  | am No 59, 2023 |
| **Division 2** |  |
| s 124ZU | ad No 70, 2019 |
|  | am No 138, 2021 |
| s 124ZUA | ad No 138, 2021 |
| s 124ZUB | ad No 138, 2021 |
| s 124ZV | ad No 70, 2019 |
|  | am No 138, 2021; No 59, 2023 |
| s 124ZW | ad No 70, 2019 |
|  | am No 138, 2021; No 59, 2023 |
| Part VI heading | ed C112 |
| s 125 | am No 58, 1975; No 101, 1976 |
|  | rs No 133, 1978 |
|  | am No 53, 1979; No 118, 1981; No 24, 1985; No 226, 1992 |
|  | rep No 72, 2017 |
| **Part VIA** |  |
| Part VIA | ad No 88, 2007 |
| **Division 1** |  |
| s 125A | ad No 88, 2007 |
|  | am No 32, 2011 |
| s 125B | ad No 88, 2007 |
| s 125C | ad No 88, 2007 |
| s 125D | ad No 88, 2007 |
|  | am No 32, 2011 |
| **Division 2** |  |
| ss. 125E–125H | ad. No. 88, 2007 |
| **Part VII** |  |
| s 126 | am No 59, 1976; No 75, 1977; No 36, 1978; No 133, 1978 |
|  | rep No 118, 1981 |
|  | ad No 54, 1983 |
|  | am No 70, 1985; No 95, 1989; No 41, 1995; No 37, 1998; No 32, 2007; No 61, 2016; No 106, 2020 |
| s. 127 | rep. No. 133, 1978 |
|  | ad. No. 54, 1983 |
|  | am. No. 111, 2001; No 4, 2016; No 61, 2016 |
| s. 128 | am. No. 43, 1996; No. 111, 2001; No 61, 2016 |
| s. 128A | ad. No. 167, 1985 |
|  | am. No. 75, 1986; Nos. 93 and 111, 2001; No 4, 2016; No 61, 2016 |
| s. 128B | ad. No. 167, 1985 |
|  | am. No. 75, 1986; No. 155, 1988; No 4, 2016; No 61, 2016 |
| s. 128C | ad. No. 19, 1998 |
|  | am. No. 32, 2007; No. 29, 2010 |
| s. 129 | am. No. 75, 1977; No. 118, 1981; No. 49, 1982; No. 167, 1985; No. 43, 1996; No. 111, 2001; No 61, 2016 |
| s. 129AA | ad. No. 75, 1977 |
|  | am. No. 133, 1978; No. 54, 1983; Nos. 75 and 94, 1986; No. 193, 1991; No. 136, 1992; No. 43, 1996; No. 111, 2001; Nos. 32 and 88, 2007; No. 29, 2010; No. 180, 2012; No 4, 2016 |
| s. 129AAA | ad. No. 118, 1981 |
|  | am. No. 75, 1986; No. 193, 1991; No. 192, 1992; No. 85, 1994; No. 129, 1997; No. 93, 2001 |
|  | rep. No. 88, 2007 |
| s. 129AAB | ad. No. 167, 1985 |
|  | am. No. 111, 2001 |
| s. 129AAC | ad. No. 167, 1985 |
|  | am. No. 3, 1990; No. 111, 2005; No. 88, 2007; No. 29, 2010; No. 32, 2011; No 115, 2014 |
| s 129AAD | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018; No 82, 2023 |
| s 129AADA | ad No 64, 2018 |
|  | am No 64, 2018 |
|  | ed C109 |
| s 129AAE | ad No 10, 2011 |
| s 129AAF | ad No 10, 2011 |
| s 129AAG | ad No 10, 2011 |
|  | am No 32, 2011 (as am by No 136, 2012); No 136, 2012; No 64, 2018 |
| s 129AAH | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018 |
| s 129AAI | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018 |
| s 129AAJ | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018; No 77, 2022 |
| s 129AB | ad No 75, 1977 |
|  | am No 118, 1981 |
|  | rep No 85, 1994 |
| s 129AC | ad No 75, 1977 |
|  | am No 118, 1981 |
|  | rep No 139, 1983 |
|  | ad No 167, 1985 |
|  | am No 136, 1992; No 111, 2005; No 10, 2011; No 32, 2011; No 64, 2018; No 150, 2020 |
| s 129ACA | ad No 64, 2018 |
|  | am No 150, 2020; No 77, 2022 |
| s 129ACB | ad No 64, 2018 |
|  | am No 77, 2022 |
| s 129AD | ad No 75, 1977 |
|  | am No 49, 1982; No 75, 1986; No 141, 1990 (as am by No 88, 1992); No 22, 1994; No 130, 2002; No 88, 2007; No 64, 2018 |
| s 129AE | ad No 141, 1990 |
| s 129AEA | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018; No 77, 2022 |
| s 129AEB | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018 |
| s 129AEC | ad No 10, 2011 |
|  | am No 32, 2011; No 64, 2018; No 77, 2022 |
| s 129AECA | ad No 64, 2018 |
|  | am No 64, 2018; No 77, 2022 |
| s 129AED | ad No 115, 2014 |
| s 129AEE | ad No 115, 2014 |
| s 129AEF | ad No 64, 2018 |
|  | am No 64, 2018; No 121, 2019; No 77, 2022 |
| s 129AEG | ad No 64, 2018 |
|  | am No 64, 2018; No 77, 2022 |
| s 129AEH | ad No 64, 2018 |
| s 129AF | ad No 141, 1990 |
|  | am No 136, 1992; No 111, 2005; No 32, 2011 |
| s 129A | ad No 58, 1975 |
|  | am No 101, 1976; No 43, 1996; No 106, 2020 |
| s 130 | am No 133, 1978; No 49, 1982; No 112, 1982; No 54, 1983; No 63, 1984; No 165, 1984; No 167, 1985; No 94, 1986; No 3, 1990; No 106, 1990; No 136, 1992; No 12, 1994; No 132, 1995; No 164, 1995; No 54, 1996; No 75, 1996; No 29, 1997; No 19, 1998; No 95, 1999; No 146, 1999; No 111, 2001; No 133, 2002; No 17, 2004; No 77, 2004; No 111, 2005; No 126, 2005; No 32, 2007; No 88, 2007; No 42, 2008; No 29, 2010; No 5, 2011; No 32, 2011; No 64, 2012; No 136, 2012; No 139, 2015; No 157, 2015; No 4, 2016; No 61, 2016; No 66, 2016 |
|  | ed C106 |
|  | am No 72, 2017; No 105, 2019; No 121, 2019; No 50, 2020; No 82, 2023 |
| s. 130AA | ad. No. 139, 1983 |
|  | am. No. 167, 1985; No. 88, 2007; No 61, 2016 |
| s. 130A | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 139, 1983; No. 165, 1984; No. 65, 1985; No. 43, 1996 |
|  | rep. No. 80, 2001 |
| s. 130B | ad. No. 118, 1981 |
|  | am. Nos. 49 and 112, 1982; No. 165, 1984; No. 43, 1996 |
|  | rep. No. 80, 2001 |
| ss. 130C, 130D | ad. No. 118, 1981 |
|  | rep. No. 54, 1983 |
| s. 130E | ad. No. 118, 1981 |
|  | am. No. 43, 1996 |
|  | rep. No. 80, 2001 |
| s. 130F | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 165, 1984; No. 43, 1996 |
|  | rep. No. 80, 2001 |
| s. 130G | ad. No. 118, 1981 |
|  | am. No. 112, 1982; No. 165, 1984; No. 43, 1996; No. 29, 1997; No. 80, 2001; No. 111, 2005; Nos. 5 and 32, 2011 |
|  | ed C106 |
| s 130H | ad No 118, 1981 |
|  | am No 112, 1982; No 63, 1984; No 165, 1984; No 70, 1991; No 184, 1994; No 43, 1996; No 45, 1998 |
|  | rep No 80, 2001 |
|  | ad No 64, 2018 |
| s 130J | ad No 118, 1981 |
|  | am No 112, 1982; No 165, 1984; No 43, 1996; No 29, 1997 |
|  | rep No 80, 2001 |
|  | ad No 64, 2018 |
| s. 131 | am. No. 91, 1976 |
|  | rs. No. 133, 1978 |
|  | am. No. 54, 1983; No. 63, 1984; No. 67, 1985; No. 75, 1986; No. 155, 1988; No. 136, 1992; No. 43, 1996; No. 111, 2005; No. 73, 2010; No. 32, 2011; No 157, 2015 |
| s. 131A | ad. No. 29, 1997 |
|  | am. No. 111, 2005; No. 5, 2011 |
|  | rep. No. 32, 2011 |
| s. 132 | am. No. 112, 1982; No. 43, 1996; No 61, 2016 |
| s. 132A | ad. No. 76, 2012 |
| s. 133 | am. No. 101, 1976; No. 118, 1981; No. 54, 1983; No. 94, 1986; No. 43, 1996; No. 129, 1997; No. 76, 2012; No 61, 2016 |
| Schedule 1 | am. No. 58, 1975; No. 75, 1986; No. 57, 1991 |
|  | rep. No. 116, 1994 |
| Schedule 1A | ad. No. 75, 1986 |
|  | rs. No. 95, 1989 |
|  | am. No. 57, 1991 |
|  | rep. No. 116, 1994 |
| Schedule 2 | rs. No. 101, 1976 |
|  | am. No. 133, 1978; No. 53, 1979 |
|  | rep. No. 118, 1981 |
|  | ad. No. 54, 1983 |
|  | am. No. 70, 1985; No. 94, 1986; No. 155, 1988 |
|  | rep. No. 226, 1992 |
| Schedule 2A | ad. No. 226, 1992 |
|  | rep. No. 32, 2007 |