



Private Health Insurance (National Joint Replacement Register Levy) Amendment Act 2015

No. 75, 2015

An Act to amend the *Private Health Insurance (National Joint Replacement Register Levy) Act 2009*, and for related purposes

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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An Act to amend the *Private Health Insurance (National Joint Replacement Register Levy) Act 2009*, and for related purposes

[Assented to 25 June 2015]

The Parliament of Australia enacts:

No. 75, 2015 Private Health Insurance (National Joint Replacement Register Levy) 1
Amendment Act 2015

1 Short title

This Act may be cited as the *Private Health Insurance (National Joint Replacement Register Levy) Amendment Act 2015*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	26 June 2015

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Private Health Insurance (National Joint Replacement Register Levy) Act 2009

1 Title

Omit “levy on sponsors of joint replacement prostheses”, substitute “the national joint replacement register levy”.

2 Subsection 5(1)

Insert:

register means the register known as the Australian Orthopaedic Association National Joint Replacement Registry.

3 Subsection 5(2)

Omit “for joint replacement prostheses”, substitute “for a joint replacement prosthesis”.

4 Paragraphs 5(2)(a) and (b)

Omit “a joint replacement prosthesis”, substitute “the joint replacement prosthesis”.

5 Subsection 5(3)

Omit “kinds”, substitute “classes”.

6 Subsection 6(1)

Omit “each sponsor for joint replacement prostheses”, substitute “the recording on the register of the provision of a joint replacement prosthesis”.

7 Paragraph 6(1)(b)

Omit “determined by the Minister, by legislative instrument”, substitute “specified in a determination under section 8A”.

8 Subsection 6(3)

Omit “by the Minister”, substitute “under section 8A”.

9 Subsection 7(1) (table item 1, column headed “is the rate that ...”, paragraph (a))

After “specified in”, insert “, or is calculated using the method specified in,”.

10 Subsection 7(1) (table item 2, column headed “is the rate that ...”, paragraph (a))

Omit “determined by the Minister by legislative instrument”, substitute “specified in, or is calculated using the method specified in, a determination under section 8A”.

11 Subsection 7(2)

Repeal the subsection, substitute:

- (2) The Private Health Insurance (National Joint Replacement Register Levy) Rules, and a determination under section 8A, may:
 - (a) specify different rates of levy, or different methods for calculating the rate of levy, in relation to different classes of joint replacement prostheses; and
 - (b) specify a rate of levy of zero in relation to one or more classes of joint replacement prostheses; and
 - (c) specify a rate of levy, or a method for calculating the rate of levy, that takes into account the number of times recordings were made on the register of the provision of a joint replacement prosthesis during a particular period.
- (3) Despite subsection (2), the total amount of levy for a financial year for recordings on the register of the provision of a joint replacement prosthesis must not exceed \$5,000.

12 After section 7

Insert:

7A Who must pay the national joint replacement register levy?

National joint replacement register levy imposed in relation to a joint replacement prosthesis is payable by the sponsor of the joint replacement prosthesis.

13 After section 8

Insert:

8A Ministerial determination

The Minister may, by legislative instrument, make a determination:

- (a) specifying a supplementary national joint replacement register levy day for a financial year (see section 6); and
- (b) specifying, or specifying a method for calculating, a rate of national joint replacement register levy (see section 7).

14 Application of amendments

The amendments made by this Schedule apply in relation to national joint replacement register levy that is imposed on a day that occurs on or after the commencement of this Schedule, whether the calculation of the rate of the levy is by reference to matters occurring before or after that commencement.

*[Minister's second reading speech made in—
House of Representatives on 27 May 2015
Senate on 16 June 2015]*

(83/15)

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