



Health Care (Appropriation) Act 1998

Act No. 74 of 1998 as amended

This compilation was prepared on 2 January 2003
taking into account amendments up to Act No. 109 of 2002

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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Contents

1	Short title [<i>see</i> Note 1]	1
2	Commencement	1
3	Definitions	1
4	Grants of financial assistance.....	1
5	Terms and conditions of grants of financial assistance	2
6	Grants to States conditional on adherence to specified principles	3

Notes

5

An Act to provide financial assistance for the period of 5 years starting on 1 July 1998 in respect of health care services

1 Short title [see Note 1]

This Act may be cited as the *Health Care (Appropriation) Act 1998*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Definitions

In this Act:

eligible person means a person who is an *eligible person* as defined in subsection 3(1) of the *Health Insurance Act 1973*.

State includes the Australian Capital Territory and the Northern Territory.

4 Grants of financial assistance

- (1) The Minister may grant financial assistance to a State, or to a hospital or other person, for the purpose of:
 - (a) providing, or paying for, health and emergency services of a kind or kinds that are currently, or were historically, provided by hospitals; or
 - (b) funding projects or programs that are designed:
 - (i) to improve the efficiency and effectiveness of, or reduce the demand for, health and emergency services of a kind or kinds that are currently, or were historically, provided by hospitals; or
 - (ii) to improve patient outcomes in relation to the delivery of such services.

Section 5

- (2) Financial assistance under this section is only payable in respect of services provided, or projects or programs conducted, during the period of 5 years starting on 1 July 1998.
- (3) The total amount paid by way of financial assistance under this section must not exceed \$31,800,000,000.
- (4) The Consolidated Revenue Fund is appropriated for the purpose of making payments of financial assistance under this section.
- (5) The Minister must present to each House of the Parliament as soon as practicable after 30 June 2003 a statement of the total amount paid by way of financial assistance under this section.

5 Terms and conditions of grants of financial assistance

- (1) The following matters in relation to grants of financial assistance under section 4 are to be as determined by the Minister, or as worked out in accordance with a determination by the Minister:
 - (a) the amount of a grant;
 - (b) the method for payment of a grant (for example, whether it is to be paid in a lump sum or by instalments);
 - (c) the time or times for payment of a grant or instalments of a grant.
- (2) A grant of financial assistance under section 4 to a State is (in addition to the condition specified in section 6) subject to:
 - (a) the conditions specified in an agreement in force between the Commonwealth and the State that specifies conditions to apply in relation to the provision to the State of financial assistance to which this Act applies; or
 - (b) if there is no such agreement in force between the Commonwealth and the State—the conditions determined by the Minister.
- (3) A grant of financial assistance under section 4 to a hospital or other person (not being a State) is subject to the conditions (if any) determined by the Minister.
- (4) A determination under this section is to be in writing.

6 Grants to States conditional on adherence to specified principles

- (1) A grant of financial assistance under section 4 is not payable to a State unless the Minister is satisfied that the State is adhering to the principles set out in subsection (2).
- (2) The principles are as follows:

Principle 1

Eligible persons are to be given the choice to receive, free of charge as public patients, health and emergency services of a kind or kinds that are currently, or were historically, provided by hospitals.

Principle 2

Access to such services by public patients free of charge is to be on the basis of clinical need and within a clinically appropriate period.

Principle 3

Arrangements are to be in place to ensure equitable access to such services for all eligible persons, regardless of their geographic location.

Table of Acts**Notes to the *Health Care (Appropriation) Act 1998*****Note 1**

The *Health Care (Appropriation) Act 1998* as shown in this compilation comprises Act No. 109, 2002 amended as indicated in the Tables below.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Health Care (Appropriation) Act 1998</i>	74, 1998	30 June 1998	30 June 1998	
<i>Health Care (Appropriation) Amendment Act 2002</i>	109, 2002	2 Dec 2002	2 Dec 2002	—

Table of Amendments

Table of Amendments

ad. = added or inserted	am. = amended	rep. = repealed	rs. = repealed and substituted
Provision affected		How affected	
S. 4.....		am. No. 109, 2002	