

EXPLANATORY STATEMENT
STATUTORY RULES 1987 No 100

ISSUED BY AUTHORITY OF THE MINISTER FOR HEALTH

NATIONAL HEALTH ACT 1953
NATIONAL HEALTH REGULATIONS (AMENDMENT)

Section 140 of the National Health Act 1953 (the Act) provides, among other things, that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters which are required or permitted to be prescribed by the Act or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Sub-section 4(1) of the Act defines 'basic private table' or 'basic table' in relation to a registered health benefits organization to mean a table that includes benefits in respect of certain services rendered to in-patients or day only patients of a day hospital facility, as provided in paragraphs (da), (dc) and (dd) of the definition.

A 'day hospital facility' is defined in sub-section 4(1) of the Act to mean:

'(a) premises registered as a hospital under a law of a State or Territory relating to the registration of hospitals; or

(b) premises, or premises included in a class of premises, prescribed for the purposes of this paragraph.'

2.

Regulation 3D of the National Health Regulations prescribes the day hospital facility premises to which paragraph (b) of the definition applies.

This regulation prescribes an additional day hospital facility by amending Regulation 3D to include the NIB Day Hospital Centre, situated at 182 Christo Road, Lambton in the State of New South Wales.

There is at present no New South Wales legislation providing for registration of day hospitals. New South Wales day hospitals which are not part of a registered hospital may therefore come within the meaning of a "day hospital facility" in sub-section 4(1) of the Act only if prescribed by regulation.