



National Health and Medical Research Council Regulations 2006¹

Select Legislative Instrument 2006 No. 353

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *National Health and Medical Research Council Act 1992*.

Dated 13 December 2006

P. M. JEFFERY
Governor-General

By His Excellency's Command

TONY ABBOTT
Minister for Health and Ageing

Contents

1	Name of Regulations	2
2	Commencement	2
3	Repeal	2
4	Definitions	2
5	Consultation about regulatory recommendations — manner and form of notices	3
6	Consultation about guidelines — manner and form of notice	4
7	Interim regulatory recommendations and guidelines — manner and form of notices	4
8	Proposal to dispense with consultation requirements — manner and form of notice	5

1 Name of Regulations

These Regulations are the *National Health and Medical Research Council Regulations 2006*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Repeal

The *National Health and Medical Research Council Regulations 1993* are repealed.

4 Definitions

In these Regulations:

Act means the *National Health and Medical Research Council Act 1992*.

NHMRC website means a website established and maintained by the NHMRC.

5 Consultation about regulatory recommendations — manner and form of notices

- (1) A notice under subsection 12 (2) or paragraph 12 (3) (a) or (b) of the Act must be published:
 - (a) in a daily newspaper that circulates throughout Australia; and
 - (b) on an NHMRC website.
- (2) A notice under subsection 12 (2) of the Act must include the following:
 - (a) the subject matter of the proposed recommendation;
 - (b) a summary of the proposed recommendation;
 - (c) the last day, being a day at least 30 days after the notice is first published under subregulation (1), on which the Council will accept submissions relating to the proposed recommendation;
 - (d) the manner in which a submission is to be made.

Note A notice under subsection 12 (2) of the Act must also include the information mentioned in that subsection.

- (3) A notice under paragraph 12 (3) (a) of the Act must include the following:
 - (a) the subject matter of the draft recommendation;
 - (b) the last day, being a day at least 30 days after the notice is first published under subregulation (1), on which the Council will accept submissions relating to the draft recommendation;
 - (c) the manner in which a submission is to be made.

Note A notice under paragraph 12 (3) (a) of the Act must also include the information mentioned in that paragraph.

- (4) A notice under paragraph 12 (3) (b) of the Act must include the following:
 - (a) the subject matter of the recommendation;

- (b) the reasons why the Council no longer proposes to provide the recommendation to the CEO.

Note A notice under paragraph 12 (3) (b) of the Act must also include the information mentioned in that paragraph.

6 Consultation about guidelines — manner and form of notice

- (1) A notice under paragraph 13 (d) of the Act must be published:
 - (a) in a daily newspaper that circulates throughout Australia; and
 - (b) on an NHMRC website.
- (2) A notice under paragraph 13 (d) must include the following:
 - (a) the subject matter of the draft guidelines;
 - (b) the last day, being a day at least 30 days after the notice is first published under subregulation (1), on which the Council or the Australian Health Ethics Committee will accept submissions relating to the draft guidelines;
 - (c) the manner in which a submission is to be made.

Note A notice under paragraph 13 (d) of the Act must also include the information mentioned in that paragraph.

7 Interim regulatory recommendations and guidelines — manner and form of notices

- (1) A notice under subsection 14 (2) or (4) of the Act relating to the making of an interim regulatory recommendation must be published:
 - (a) in a daily newspaper that circulates throughout Australia; and
 - (b) on an NHMRC website.
- (2) A notice under subsection 14 (2), (4) or (6) of the Act relating to the issuing of interim guidelines must be published on an NHMRC website.

- (3) A notice under subsection 14 (2), (4) or (6) of the Act must include the following:
- (a) the subject matter of the interim regulatory recommendation or interim guidelines;
 - (b) a statement about where copies of the interim regulatory recommendation or interim guidelines can be obtained;
 - (c) the last day, being a day at least 30 days after the notice is first published under subregulation (1) or (2), as the case requires, on which the Council or the Australian Health Ethics Committee will accept submissions relating to the interim regulatory recommendation or interim guidelines;
 - (d) the manner in which a submission is to be made.

Note A notice under subsection 14 (2), (4) or (6) of the Act must also include the information mentioned in subsection 14 (2), (4) or (6) of the Act, as the case requires.

8 Proposal to dispense with consultation requirements — manner and form of notice

- (1) A notice under subsection 14B (2) of the Act must, within 30 days after the day on which the decision to propose to dispense with the requirements set out in section 12 or 13 or subsection 14A (2) of the Act was made, be published:
- (a) in a daily newspaper that circulates throughout Australia; and
 - (b) on an NHMRC website.
- (2) A notice under subsection 14B (2) of the Act must include the following:
- (a) the subject matter of the proposed regulatory recommendation or the proposed guidelines in relation to which the Council or the Australian Health Ethics Committee proposes to dispense with the requirements set out in section 12 or 13 or subsection 14A (2) of the Act, as the case requires;
 - (b) a summary of the proposed regulatory recommendation or the proposed guidelines.

Note A notice to which this regulation applies must also include the information mentioned in subsection 14B (2) of the Act.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.