



National Health Regulation 2016

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 01 September 2016

Peter Cosgrove
Governor-General

By His Excellency's Command

Sussan Ley
Minister for Health and Aged Care

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Part 1—Preliminary

1 Name

This is the *National Health Regulation 2016*.

2 Commencement

- (1) Each provision of this instrument 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 instrument	The day after this instrument is registered.	2 September 2016

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under the *National Health Act 1953*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Act means the *National Health Act 1953*.

insulin pump consumables includes the following equipment manufactured for use with an insulin pump:

- (a) cannulae;
- (b) tubing;
- (c) insulin reservoirs;
- (d) insulin cartridges, other than insulin cartridges that contain insulin when the cartridges are supplied.

Section 6

Part 2—Prescribed medical or surgical aids etc.

6 Prescribed medical or surgical aids etc.

- (1) For paragraph 9A(1)(a) of the Act, the medical or surgical aids, equipment and appliances specified in the following table are prescribed.

Prescribed medical or surgical aids, equipment and appliances	
Item	Description
1	Haemodialysis machines
2	Medical or surgical aids, equipment and appliances used in conjunction with haemodialysis machines
3	Peritoneal dialysis machines
4	Medical or surgical aids, equipment and appliances used in conjunction with peritoneal dialysis machines
5	Stoma appliances
6	Medical or surgical aids, equipment and appliances used in conjunction with stoma appliances
7	Wheelchairs
8	Orthoses
9	Wigs
10	Mammary prostheses
11	Electrolarynxes
12	Aids for incontinence
13	Walking aids
14	Equipment and appliances for personal use
15	Insulin syringes and needles
16	Equipment used for testing and monitoring the diabetic condition
17	Dressings, bandages, padding and ancillary items
18	Needles for the delivery of injectable blood glucose lowering medications other than insulin
19	Insulin pump consumables

- (2) For subsection 9A(2) of the Act, the medical or surgical aids, equipment and appliances specified in items 1 to 4 of the table in subsection (1) of this section are prescribed.

Part 3—Payment for supply of benefits

7 Payment for supply of benefits—prescribed date

For subsection 99(7) of the Act, 1 May 2002 is prescribed.

Part 4—Procedure of Committees of Inquiry

8 Operation of this Part

For section 121 of the Act, this Part makes provision for and in relation to the procedure of Committees of Inquiry.

9 Meetings

- (1) A Committee of Inquiry must hold such meetings as are necessary for the efficient performance of its functions.
- (2) The Chairperson of a Committee of Inquiry may convene a meeting at any time.

10 Quorum

At a meeting of a Committee of Inquiry, a quorum is constituted by 3 members.

11 Record of proceedings

A Committee of Inquiry must keep a record of its proceedings, including a transcript of all evidence given before the Committee.

Part 5—Fees and allowances for members of committees

12 Fees and allowances for members of committees

- (1) For paragraph 140(a) of the Act, this section prescribes the fees and allowances payable to members of a committee established under the Act, other than:
- (a) the Drug Utilisation Sub-Committee; and
 - (b) the Economics Sub-Committee.

Note: The sub-committees mentioned in paragraphs (a) and (b) were established by the Pharmaceutical Benefits Advisory Committee under section 101A of the Act.

Fees and allowances payable to Chairpersons

- (2) The fees and allowances payable to the Chairperson of a committee are the amounts payable to the Chairperson in accordance with a determination made by the Remuneration Tribunal, as in force from time to time.

Fees and allowances payable to other members

- (3) The fees and allowances payable to a member (other than the Chairperson) of a committee are the amounts payable to a member (other than the Chairperson) of the committee in accordance with a determination made by the Remuneration Tribunal, as in force from time to time.

References to Chairperson

- (4) In this section, a reference to Chairperson does not include a person elected to preside at a meeting of the committee.

Schedule 1—Repeals

National Health Regulations 1954

1 The whole of the Regulations

Repeal the Regulations.