

AUSTRALIAN GOVERNMENT
HEALTH INSURANCE ACT 1973

Health Insurance (Eligible persons and citizens of Italy) Order (No.2) 2022

I, Nigel Murray, Assistant Secretary, Medical Benefits Division, delegate of the Minister for Health and Aged Care, pursuant to subsection 6(1) of the *Health Insurance Act 1973* ('the Act'), hereby:

- (1) REVOKE the Health Insurance (Eligible persons and citizens of Italy) Order 2022, made on 11 March 2022; and
- (2) DECLARE that every person included in the class of persons specified in section (4) who, but for this Order, would not be an eligible person for the purposes of the Act shall, for the period from 4 November 2022 until the end of the period of six months after the person's last entry to Australia be treated as having been or as being an eligible person for the purposes of the Act.
- (3) Where:
 - (a) a person is in the class of persons specified in section (4) and, but for this Order, would not be an eligible person for the purposes of the Act; and
 - (b) that person was provided with necessary medical treatment in Australia on or before the end of the period in section (2); and
 - (c) it is necessary for the treatment to continue after the end of that period;
that person shall be treated as having been or being an eligible person for the purposes of the Act for the period during which that further treatment is necessary.
- (4) The class is each person who is a citizen of Italy who is eligible for services under the national health legislation of Italy on entry to Australia.
- (5) This Order shall have effect from 4 November 2022.

Dated this 4th day of November 2022

Nigel Murray
Assistant Secretary
MBS Policy and Specialist Services Branch
Department of Health and Aged Care

ATTACHMENT – STATEMENT OF REASONS

Health Insurance Act 1973

Class Order under Subsection 6(1)

Health Insurance (Eligible persons and citizens of Italy) Order (No.2) 2022

ORDER NO: 818
DATE OF ORDER: 4 November 2022
RELATED ORDERS: 814 and 817
NAME OF PERSON OR GROUP: Citizens of Italy

REASONS FOR APPROVAL:

To ensure that citizens of Italy who are eligible for services under the national health legislation of Italy and are lawfully present in Australia are eligible for Medicare upon arrival in Australia, while on a visa that exceeds 6 months

This is an interim measure to address an anomaly in the Australia-Italy Reciprocal Health Care Agreement. Currently, the agreement does not permit a person entering Australia on a visa exceeding a 6 month period to be eligible for Medicare.