



Supplementary Notice Paper

Health and Disability Services (Complaints) Amendment Bill 2021 [60-2]

SNP 60, Issue No. 2

Thursday, 13 October 2022

When in committee on the *Health and Disability Services (Complaints) Amendment Bill 2021*:

Clause 28

Committee recommendation 1:

1/28 Page 14, after line 10 — To insert:

- (3A) An offence cannot be prescribed for the purposes of subsection (3)(a)(ii) unless the commission of the offence —
- (a) would involve harm to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public;
 - or
 - (b) is capable of giving rise to a serious risk to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public.

Committee recommendation 2:

2/28 Page 17, after line 22 — To insert:

- (4) An offence cannot be prescribed for the purposes of subsection (3)(a)(ii) unless the commission of the offence —
- (a) would involve harm to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public;
 - or
 - (b) is capable of giving rise to a serious risk to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public.

Committee recommendation 3:

3/28 Page 23, after line 7 — To insert:

- (2A) An offence cannot be prescribed for the purposes of subsection (2)(a)(ii) unless the commission of the offence —
- (a) would involve harm to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public;
 - or
 - (b) is capable of giving rise to a serious risk to —
 - (i) the life, health, safety or welfare of a person; or
 - (ii) the health, safety or welfare of the public.

Parliamentary Secretary to the Minister for Culture and the Arts: To move —

5/28 Page 24, after line 17 — To insert:

52U. Review of the decision to publish public health warning statement

If the Director publishes a public health warning statement setting out the name of a person, the person may apply to the State Administrative Tribunal for a review of the Director’s decision to publish the public health warning statement.

Clause 30

Parliamentary Secretary to the Minister for Culture and the Arts: To move —

6/30 Page 24, line 22 — To delete “52T” and insert:

52U

New Clause 42A

Committee recommendation 4:

4/NC42A Page 33, after line 17 — To insert:

42A. Section 79A inserted:

After section 79 insert:

79A. Review of amendments made by *Health and Disability Services (Complaints) Amendment Act 2022*

- (1) The Minister must review the operation and effectiveness of the amendments made to this Act by the *Health and Disability Services (Complaints) Amendment Act 2022*, and prepare a report based on the review, as soon as practicable after the

5th anniversary of the day on which the *Health and Disability Services (Complaints) Amendment Act 2022* section 42A comes into operation.

- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 5th anniversary.

