

SUBJECT AREA	COMMONWEALTH	STATE GOVERNMENT	NSW HEALTH	LHD / NETWORK
<p>Key Legislation and Regulatory Instruments</p>	<p>Health-related Legislation</p> <ul style="list-style-type: none"> • <u>Health Insurance Act 1973</u>: establishes provisions for payment of Medical Benefits and Hospital Services by the Commonwealth, as well as restrictions to those payments; • <u>National Health Act 1953</u>: establishes Commonwealth requirements and systems for the provision of pharmaceutical, sickness and hospital benefits, and of medical and dental services including the PBS and s100 highly specialised drugs program • <u>Therapeutic Goods Act 1989</u>- establishes a national system of controls for the quality, safety, efficacy and timely availability of therapeutic goods and is administered by the Therapeutic Goods Administration (TGA) <p>General laws</p> <ul style="list-style-type: none"> • Taxation legislation, including FBT cap/deductible gift recipient status provisions, employee tax and other deductions, superannuation payments, GST • Australian Competition law <p>Agreements</p> <ul style="list-style-type: none"> • National Health Reform Agreement (NHRA) including ABF funding to Local Health Districts/Networks, reporting and performance requirements for State and Territory public health systems 	<p>Financial Legislation</p> <ul style="list-style-type: none"> • <u>Public Finance and Audit Act 1983</u>: establishes the financial and accounting framework for the NSW Public Sector, including requirements for use of appropriated funds, auditing of accounts, the role of the NSW Auditor General, Audit Office and Public Accounts Committee of Parliament. • <u>Public Authorities (Financial Arrangements) Act 1987</u>: establishes additional requirements in relation to certain financial arrangements including investments, joint financing arrangements and joint ventures. • <u>Charitable fundraising legislation (including Charitable Fundraising Act 1991, Charitable Trusts Act 1993)</u>: ensures a level of accountability and oversight relating to the operation of trusts and authorities to raise money as a moiety. <p>Workplace Related Legislation</p> <ul style="list-style-type: none"> • <u>Public Sector Employment and Management Act 2002</u>: provides the framework for the establishment of the NSW public sector workforce. • <u>Workplace Health and Safety Act 2011</u>: implements in NSW the model WHS law and establishes the framework for WHS obligations for employers including notification and general safety obligations in the workplace. • <u>Workers Compensation Act 1987 and Workplace Injury Management and Workers Compensation Act 1988</u>: establishes the NSW workplace injury management and compensation systems including: <ul style="list-style-type: none"> o treatment of and management of injuries at work o medical and vocational rehabilitation. <p>Oversight & Accountability Legislation</p> <ul style="list-style-type: none"> • Independent Commission Against Corruption Act 1988 • Ombudsman Act 1974 • Public Interest Disclosures Act 1994 • Government Information (Public Access) Act 2009 • Privacy and Personal Information Protection Act 1998 • Health Care Complaints Act • Mental Health Commission Act <p>Mandatory Directives</p> <ul style="list-style-type: none"> • Premier’s Memoranda • Dept Premier and Cabinet Circulars • Treasurer’s Directives • Treasury Circulars • Public Service Commission Policy Directives and Guidelines 	<p>Health Sector Specific Legislation</p> <ul style="list-style-type: none"> • <u>Health Administration Act 1982</u>: establishes the role and functions of the Minister, Director General and the Health Administration Corporation • <u>Health Services Act 1997</u>: establishes the governance structure for the NSW Public Health System, including LHDs, Specialty networks, and pillars, provides for the recognition of affiliated health services and a range of functions of the Director General, including providing shared services, ambulance services and the Director General’s role as manager of the system. • <u>Public Health Act 2010</u>: sets out the public health regulatory framework, including in relation to drinking water, legionella control and management of public health risks, including from infectious disease. • <u>Mental Health Act 2007</u>: establishes provision for the care and treatment of persons with mental in NSW, including treatment in facilities and under community treatment orders • <u>Health Records and Information Privacy Act 2002</u>: establishes the Health Privacy Principles that govern the collection, use management and disclosure of health information in NSW • <u>Health Practitioner Regulation National Law (NSW) No 86a</u>: adopts the national system of accreditation and registration of health practitioners in NSW, as well as setting out the NSW specific processes for managing complaints, health and performance matters in NSW <p>Agreements</p> <ul style="list-style-type: none"> • Service Agreements between Director-General and public health organisations <p>Mandatory Directives</p> <ul style="list-style-type: none"> • Accounts and Audit Determination and other conditions of subsidy paid to public health organisations • NSW Health Policy Directives 	<ul style="list-style-type: none"> • Public Health Organisation By-Laws • Local Directives