

Health Legal Report – October 2024

Welcome to the October 2024 edition of the Health Legal Report.

In this issue of the Health Legal Report we discuss:

- Bulk Billing and Out of Pocket Fees
- *Health Insurance Legislation Amendment (Assignment of Medicare Benefits) Act 2024 (Cth)*
- *Breanna Roche v The Trustee For The Dolphin Hotel Unit Trust* [2024] FWC 606

We also set out some of the Bills we are tracking throughout Australia, as well as some useful information links.



Bulk Billing and Out of Pocket Fees

By Giovanni Marino, Special Counsel

Introduction

General practitioner (GP) clinics charging patients ‘membership fees’ to access Medicare bulk-billed services has been in the [news](#)¹ recently. Such practices have been alleged to be in breach of Medicare billing laws.

What are the Medicare bulk-billing requirements?

The payment of Medicare benefits and billing is governed by the *Health Insurance Act 1973* (Cth) (HIA).

The Medicare Benefits Schedule (MBS) lists the health services subsidised by the Australian Government. Medicare-eligible patients can claim Medicare benefits (rebates) back from Medicare for the fees they pay to health practitioners for MBS-listed services.

‘Bulk-billing’ refers to an arrangement where, where a health practitioner, with the patient’s agreement, accepts the patient’s Medicare benefit as full payment for a health service provided to the patient. The health practitioner then claims the benefit amount from Medicare directly, and the patient does not incur any out of pocket fees. This arrangement is most commonly used in GP clinics and other outpatient primary health care settings.

Section 20A(1) of the HIA provides that the bulk-billed amount is deemed to be accepted by the practitioner as the full payment ‘in respect of’ the professional service the practitioner has provided.

The MBS also provides guidance notes for billing. In line with section 20A(1) of the HIA, the notes to the MBS provide that if a practitioner bulk-bills for a service they must accept the relevant Medicare benefit as full payment for the service. Note GN.7.17 of the MBS, relevantly states:

Bulk billing

Under the *Health Insurance Act 1973*, a bulk billing facility for professional services is available to all persons in Australia who are eligible for a benefit under the Medicare program. If a practitioner bulk bills for a service the practitioner undertakes to accept the

relevant Medicare benefit as full payment for the service. Additional charges for that service cannot be raised. This includes but is not limited to:

- any consumables that would be reasonably necessary to perform the service, including bandages and/or dressings;
- record keeping fees;
- a booking fee to be paid before each service, or;
- **an annual administration or registration fee.**

...

It should be noted that, **where a service is not bulk billed, a practitioner may privately raise an additional charge against a patient, such as for a consumable. An additional charge can also be raised where a practitioner does not bulk bill a patient but instead charges a fee that is equal to the rebate for the Medicare service.** For example, where a general practitioner provides a professional service to which item 23 relates the practitioner could, in place of bulk billing the patient, charge the rebate for the service and then also raise an additional charge (such as for a consumable).

(our emphasis)

The above notes to the MBS make clear that additional fees for a service, such as an annual administration or registration fee (or a similar membership fee) are not permitted where bulk-billing is used.

The key wording in section 20A(1) to note, however, is that such additional fees are not permitted if they are charged ‘in respect of’ a health service that has been bulk-billed.



¹ See <https://www.abc.net.au/news/2024-09-05/gp-bulk-billing-memberships-medicare-breach/104305830>

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When are fees charged ‘in respect of’ a health service?

There are a limited number of cases which have considered whether additional fees are considered to be ‘in respect of’ the health service provided by a practitioner, for the purposes of section 20A(1) of the HIA.

In *Dalima Pty Ltd v Commonwealth of Australia*² a ‘facilities fee’ was charged to patients attending a medical centre in which radiologists provided bulk-billed services. A patient could only see a radiologist after payment of the facilities fee to the medical centre. The Court in *Dalima* accepted that the words ‘in respect of’ were wide enough to make the facilities fee an additional fee in respect of the bulk-billed medical service rendered by the radiologists – because the fee was charged to patients as a condition of them being able to use the medical centre and access services from a radiologist.

In *Dalima*, the radiologists paid 60 percent of their bulk-billing receipts to the medical centre owner, and the Court noted that within that ‘system’ it was difficult to argue that the radiologists, who presumably were aware of how the system operated, accepted the assignment from the patient of the bulk-billed amount as full payment in respect of their medical services. This case also indicates that payment of the additional fee to an entity other than the doctor (the medical centre owner in that case) will not affect whether the fee is ‘in respect of’ a health service.

In contrast to *Dalima*, in *Business and Professional Leasing P/L & Anor v Akuity*³, the Court found that a medical centre operator charging patients a \$5 facility fee in certain circumstances did not breach section 20A(1) of the HIA.

The Court in *Akuity* found that charging patients the facility fee in addition to a bulk-billed x-ray service did not breach section 20A(1) of the HIA, relevantly because:

- The \$5 facility fee was only requested of some patients, meaning it was not an essential precondition to receive bulk-billed x-ray services.
- There was no evidence that the relevant radiologist who provided the bulk-billed service

was aware that a facility fee was being charged, indicating that the radiologist accepted the Medicare benefit for the bulk-billed service from the patient as full payment in respect of their services. This distinguished the case from *Dalima*.

- The facility fee was separately categorised and was distinct from the bulk-billing transaction under which the patients assigned to the doctors the bulk-billed Medicare benefits.

In *Sood v R*⁴, the case was heard by the New South Wales Supreme Court, Court of Appeal. *Sood* concerned a doctor who bulk-billed patients for termination of pregnancy services, but patients were charged additional fees for preliminary counselling consultations and for theatre services.

Before the primary judge, the doctor appeared to make a concession that they made false declarations to Medicare that no additional payments were sought in respect of the bulk-billed services.

Chief Justice Spigelman in *Sood* found that the additional services were ‘in respect of’ the termination of pregnancy services for the purposes of section 20A(1) of the HIA, and the lack of entitlement to the bulk-billed fees was made out as a matter of law. Chief Justice Spigelman’s findings relevantly included:

- There was no basis for giving anything but a broad meaning to the words ‘in respect of a professional service’.
- The theatre services were a pre-requisite and essential part of the medical service provided. Under the bulk-billing arrangements, there was no more justification for charging extra for this service than there would be for charging extra for other matters necessarily incidental to the conduct of a physical facility in which the service is to be provided (and so was identical to the ‘facilities fee’ found to be linked to the bulk-billed service in *Dalima*).
- In relation to the consultation services, in some cases the termination of pregnancy services did not proceed following the consultation, and accordingly the consultation fees for those services could not be ‘in respect of’ a medical service. However, for any occasions for which the

² *Dalima Pty Ltd v Commonwealth of Australia* (NSW Supreme Court, unreported, 22 October 1987), as referred to in *Sood v R* [2006] NSWCCA 114 and in *Business and Professional Leasing P/L & Anor v Akuity P/L & Anor* [2008] QCA 215.

³ *Business and Professional Leasing P/L & Anor v Akuity P/L & Anor* [2008] QCA 215.

⁴ *Sood v R* [2006] NSWCCA 114.

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termination of pregnancy services did proceed, the words ‘in respect of’ were so wide that the preliminary consultation would be encompassed within the medical service. It was also an ‘essential precondition’ of any termination that the patient has such a consultation, and so the consultation was ‘inextricably linked’ to the medical service itself.

Chief Justice Spigelman in any case ordered a new trial on the basis that the primary judge erred in making directions to the jury in respect of whether the doctor was dishonest for the purposes of the relevant offences the doctor was charged with.

The other Justices in *Sood* made different findings, relevantly including the following:

- Justice Simpson did not agree that the lack of entitlement to the bulk-billed fees was made out as a matter of law, and found that this was a matter of fact that needed to be decided by a jury, and that a new trial should be ordered. Justice Simpson noted that this issue had been masked by what amounted to a concession on the part of the doctor that the bulk-billing declarations were false, and that the relationship between the additional services and the professional services the subject of the bulk-billing claim will vary from case to case.
- Justice Adams did not agree that the evidence substantiated that either the counselling or the theatre charges were made ‘in respect of’ the bulk-billed services, and the doctor maintained throughout her evidence that the additional charges were not ‘for the procedure which Medicare is paying us’. Justice Adams noted that the phrase ‘in respect of’ is capable of involving a wide range of circumstances focussed on a particular subject but not limited to that act or event, but could also simply mean ‘for’ the specific service. Justice Adams noted there was a lack of clarity in the language of the HIA in this regard.

In *Sood*, while a new trial was ordered, and there were subsequent proceedings involving the doctor, there are no reports of a new trial concerning breach of section 20A(1) of the HIA.

While noting the judgement of Justice Adams in *Sood*, the cases above indicate that fees ‘in respect

of’ a professional health service will include additional fees which are an essential requirement or precondition of any bulk-billed health service provided.

The *Akuity* case suggests that the risk of breach of section 20A(1) of the HIA may be mitigated where an additional ‘facility fee’ or other administrative type fee is separately categorised and is a service distinct from the actual health service transaction. The key additional factors in *Akuity*, however, were that not all patients were charged the facility fee, and that there was no evidence the facility fee was a requirement to access the bulk-billed services. *Akuity* will therefore be difficult to rely on where a clinic is uniformly charging membership fees in order for patients to access bulk-billed services.

Accordingly, if any GP clinics or other health service providers are bulk-billing for services, and are charging patients a membership, administration or similar type of fee simply to guarantee access to such bulk-billed health services, this will likely be in breach of the requirements under section 20A(1) of the HIA. The risk of breach will likely be increased if any part of those membership or similar fees are passed on to the providing practitioners, as this will indicate that they have not accepted the bulk-billed service fees as full payment of the service, as required by section 20A(1).

Guidance⁵ from the Federal Department of Health and Aged Care provides a firm position on this point and provides that:

An annual administration or registration fee is not permitted to guarantee bulk billed services to patients. It does not matter how the fee is described (record keeping fees, booking fees, annual administration or registration fees, or cooperative membership fees) or when it is charged (annually, quarterly, before each appointment, or before/after an initial professional service is rendered). If the reality is that the patient is charged an extra fee, then the Medicare benefit for the bulk billed service provided is not payable.

As reflected in note **GN.7.17 of the MBS**, an option which removes the risk of non-compliance with section 20A(1) of the HIA is for the patients to pay the fees for health services up front to the provider, and then the patient can seek the relevant rebate from Medicare. In those circumstances, additional membership or similar types of fees could be separately charged to the patient.

⁵ See <https://www.health.gov.au/sites/default/files/2023-10/medicare-bulk-billing-and-additional-charges.pdf>

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In Brief

- **Commencement of new Social Services Regulator**

On 1 July 2024, a new social services regulatory scheme commenced in Victoria under the *Social Services Act 2021* (Vic). Most relevantly, that Act provides for registration of social services providers and a worker and carer exclusion scheme. Services which are within the scope of the scheme are defined in the *Social Services Regulations 2023* (Vic) and include:

- disability services provided or funded by the Department of Families Fairness and Housing, Transport Accident Commission or WorkSafe Victoria;
- family violence services provided or funded by the Department of Families, Fairness and Housing;
- sexual assault services provided or funded by the Department of Families, Fairness and Housing; and
- supported residential services.

These (and other kinds) of covered services are defined in further detail in the *Social Services Regulations 2023* (Vic). Those Regulations also prescribe certain kinds of organisations that engage workers to provide services associated with the child protection system – such as foster care, out of home care or services and secure welfare services – as “WCES services” that are subject to the worker and care exclusion scheme. The worker and carer exclusive scheme prohibits prescribed services from WCES services from having an excluded worker or carer from working in the service. This scheme replaces the old Victorian Carer Register. There are other obligations imposed by the Act. Further information about the obligations can be found on the new Social Services Regulator’s website: [Social Services Regulator](#).

- **Office of the Victorian Information Commissioner: Investigation concerning use of ‘generative AI’ by child protection workers**

On 24 September 2024, the Office of the Victorian Information Commissioner (**OVIC**) published an investigation report into the use of ChatGPT by a child protection worker at the Department of Families, Fairness and Housing (**DFFH**) to prepare a report provided to Court that ultimately contained inaccurate information. The relevant child protection worker admitted to using ChatGPT but denied inputting identifying information. Other workers claimed they had seen the worker in question input identifying information into ChatGPT. The investigation report concluded that ‘the controls DFFH had in place were insufficient to manage the risks associated with the use of GenAI tools in a child protection context’ and that DFFH had seriously contravened Information Privacy Principles IPP 3.1 (Data Quality) and 4.1 (Data security) in the *Privacy and Data Protection Act 2014* (Vic). The OVIC issued a compliance notice requiring DFFH to direct its staff not to use generative AI tools (such as ChatGPT and Microsoft 365 Copilot), to block those tools and to report on the steps taken to comply with the notice. Further information, including the entire investigation report, can be found on the OVIC’s website: [OVIC finds department responsible for breaches of privacy through use of ChatGPT – Office of the Victorian Information Commissioner](#). This report is a timely reminder that use generative AI poses privacy risks. Organisations may wish to consider whether there is a risk that generative AI is being used in a way that may contravene privacy laws.

Staff News

This month we welcomed **Karen Cusack** to our team, as a Senior Consultant. Karen will be well known to our clients, as she was the first Health Complaints Commissioner in Victoria and also the Corporate Counsel at The Royal Women’s Hospital and the Senior Legal Counsel at Eastern Health. Karen brings a wealth of experience ranging from contract and commercial law to regulatory expertise in the areas of public health, mental health and general health law. We are very pleased to have Karen join our growing team.



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Health Insurance Legislation Amendment (Assignment of Medicare Benefits) Act 2024 (Cth)

Introduction

The *Health Insurance Legislation Amendment (Assignment of Medicare Benefits) Act 2024 (Cth)* (the **Amending Act**) passed the Federal Parliament. The Amending Act will commence on a day yet to be proclaimed. However, if the provisions do not commence within the period of 18 months after 9 July 2024, the Amending Act commences on the day after the end of that period.

Operationally Significant Changes

The Amending Act inserts a range of amendments into the *Health Insurance Act 1973 (Cth)* (the **Act**). The most significant changes (from an operational perspective), include:

- amending section 19(6) of the Act to allow any person authorised by the professional (not just their employee) to record the particulars in relation to the service provided;
- replacing section 20A of the Act (bulk billing assignments) to enable an assignment to be agreed to before or after the service has been provided, and provide for other requirements to be set out in the regulations, such as the contents of agreements, and information or notifications that must be given;
- introducing section 20AAA into the Act which will provide three new methods for simplified billing by assignment where a service is provided as part of hospital treatment or hospital-substitute treatment;
- replacing section 127 of the Act which contains requirements for the assignor of a Medicare benefit to be given notifications and information, and will create offences to ensure eligible persons are able to review information relating to the assignment of their benefit; and
- introducing section 127A of the Act which contains new obligations for specific record keeping requirements in relation to assignment and claim of benefits.

Further Information

Simplified billing by assignment arrangements

Section 20AAA of the Act will create the following three new methods for simplified billing by

assignment arrangements where a service is provided as part of hospital treatment or hospital-substitute treatment:

- where the assignor, being a private health insurer, has an agreement regarding fees for the service, the benefit will be taken to be assigned to the insurer unless the benefit is claimed by an approved billing agent;
- where the assignor makes a request to the provider of the service (the operator of the hospital for hospital treatment, and the organisation or the professional for hospital-substitute treatment) that the benefit be assigned to their insurer or an approved billing agent, then the benefit will be taken to be assigned in accordance with the request. This method will permit the modification of the request by the provider of the service details of which will be set out in the regulations;
- where the service is related to another service, but unplanned, such as for treatment provided for complications, the benefit will be taken to be assigned to the insurer or approved billing agent.

Assignor of Medicare benefit to be given notifications etc

Section 127 of the Act will be replaced and create various offences to ensure assignors of Medicare benefits are given notifications and are able to review information relating to the assignment of their benefit. For example, it is an offence if a professional (mentioned in section 20A(1)(b) of the Act) does not provide the assignor with a copy of the terms of the agreement as soon as practicable after requested by the assignor. Similar offences apply to responsible providers, insurers or approved billing agents. The civil penalty for the offences in section 127 will be 5 penalty units (currently, **\$1,565**).

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Record-keeping in relation to assignments

Section 127A of the Act introduces record keeping requirements for relevant persons under the Act. A relevant person must keep all records specified by the regulations which are relevant to the assignment of the right to payment of a medicare benefit to the relevant person, any claim for a medicare benefit assigned to the relevant person, or any matter specified in the regulations.

A **relevant person** includes an insurer, an approved billing agent, or a professional (mentioned in section 20A(1)). Further, if the right to the payment of a medicare benefit in respect of a professional service is taken to have been assigned and the professional service was rendered by, or on behalf of, the

professional while hospital treatment or hospital-substitute treatment was provided, then the following persons are also relevant persons:

- for hospital treatment authorised by the operator of a hospital—the operator of the hospital;
- for hospital-substitute treatment authorised by an organisation—the organisation;
- in the case of hospital-substitute treatment to which the above dot point does not apply—the professional.

The civil penalty for section 127A of the Act is 5 penalty units (currently, **\$1,565**).

Please [click here](#) to access the full Amending Act.

Frequently Asked Medico-Legal Questions

Health Legal (in conjunction with Austin Health) has developed a Handbook covering all of the medico-legal questions which are frequently asked by health service staff. The Handbook is extensive (more than 100 pages) and focuses on the needs of the Victorian public and private health sectors.

Specifically, the Handbook covers a wide range of topics, including consent, refusal/withdrawal of treatment, patient privacy/confidentiality and dealing with adverse events and patient complaints.

The Handbook is updated every 6 months and is provided in an electronic format so that it can be easily placed on your intranet. The next update is due in March 2025.

*For further information or to receive our Handbook, please contact
Lauren Heyward on (03) 9865 1300 or email lauren.heyward@healthlegal.com.au.*

Cybersecurity and IT Management

Health Legal and Law Compliance are aware that everyone is constantly aiming to have the highest possible cybersecurity in place from spam and hackers, as we are too. Sometimes, unfortunately firewalls and spam filters are also preventing us from sending emails to our clients.

To ensure you receive all future communications promptly and avoid difficulties with our Law Compliance and Health Legal emails reaching you and/or your team (because of these varied spam filtering services falsely classifying emails as spam or going into junk folders), we ask that you please let your IT team know to whitelist the following addresses:

- **healthlegal.com.au**;
- **info@mailgun.lawcompliance.com.au**;
- **lawcompliance.com.au**;
- our account system **accountright@apps.myob.com**

Should you or your IT team have further questions regarding this, please feel free to contact us.

Breanna Roche v The Trustee For The Dolphin Hotel Unit Trust [2024] FWC 606

By Maria Toma, Compliance Solicitor

Introduction

This case concerned an application to the Fair Work Commission in relation to an unfair dismissal.

Under the *Fair Work Act 2009 (Cth) (FW Act)*, employees may apply for reinstatement of their employment or compensation in relation to their dismissal on the basis that there was no valid reason for the dismissal, or the dismissal was otherwise unfair.

In this case, the employee, Breanna Roche, was terminated by her employer, the Trustee for the Dolphin Hotel Unit Trust (**Dolphin Hotel**), after several complaints and concerns regarding her behaviour and attitude, particularly in relation to her role as a bar supervisor.

Deputy Principal Cross found in favour of the employer, in particular, that the grounds of the dismissal were valid and not considered 'harsh, unjust or unreasonable'. Consequently, Ms Roche's application was dismissed.

Facts

Background

Ms Roche commenced working as a casual employee for the Dolphin Hotel in April 2021. At the time her employment was terminated in November 2023, she was employed as a bar supervisor. During the period of her employment, Ms Roche took several breaks from work by choice, including two periods of 4 months and one period of one month. After one of her breaks, Ms Roche returned to work in April 2023. Her hours ranged from 2 hours per week to 36 hours per week. In August 2023, Mr Dodds, the General Manager of the Dolphin Hotel and Mr Bailey, the Operations Manager, met with Ms Roche to address changes in her behaviour which included ignoring management decisions or requests, arriving late to her shifts, closing the bar without management approval and several complaints from customers. The issues raised in the meeting were not challenged by Ms Roche, instead she advised that the decline in her performance was due to a co-worker passing away in May 2023. Ms Roche said she still wanted to work for the Dolphin



Hotel and would put effort into improving her customer interactions.

In November 2023, Ms Roche was spoken to about inappropriate use of the Dolphin Hotel staff Facebook chat group. The chat group was set up as a social platform only and was for staff to invite each other to events or ask questions relating to work. Ms Roche used the forum to criticise the management team. Despite being spoken to, Ms Roche continued to use the forum to criticise management and began excluding fellow employees from another staff chat group on WhatsApp. Her employer was concerned that her comments incited a negative and combative environment among the team by encouraging them to do the same. On 10 November 2023, at the start of Ms Roche's shift, she was asked to meet with Mr Dodds who advised that the continued decline in her behaviour and attitude could no longer be accepted and consequently, her employment was terminated. Ms Roche lodged an application pursuant to section 394 of the FW Act on 17 November 2023.

Issues

Whether Ms Roche's employment was of a regular and systematic basis

The employer contended that Ms Roche was not protected from unfair dismissal under the FW Act on 10 November 2023 because at that time she was a casual employee without regular and systematic

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employment. Deputy Principal Cross referred to Sections 383 and 384 of the FW Act to determine whether Ms Roche's employment was on a regular and systematic basis. Under section 384, casual employment may be protected from unfair dismissal if the employment was on a regular and systematic basis and during the period of service as a casual employee, the employee had a reasonable expectation of continuing employment by the employer on a regular and systematic basis. It was determined by the Commission that Ms Roche's employee payment summary showed a clear pattern or roster of hours which was strong evidence of regular and systematic employment and which indicated that Ms Roche, in the last 6 months of her employment at least, was employed in almost every week and would have given Ms Roche a reasonable expectation of continuing employment with the Dolphin Hotel. Accordingly, the employer's jurisdictional objection was dismissed.

Whether Ms Roche's dismissal was 'harsh, unjust or unreasonable'

The Commission referred to the criteria listed under section 387 of the FW Act when determining whether the dismissal was unfair. The criteria under section 387 focuses on the following:

- whether there was a valid reason for the dismissal related to the person's capacity or conduct (including its effect on the safety and welfare of other employees);
- whether the person was notified of that reason;
- whether the person was given an opportunity to respond to any reason related to the capacity or conduct of the person;
- any unreasonable refusal by the employer to allow the person to have a support person present to assist at any discussions relating to dismissal;
- if the dismissal related to unsatisfactory performance by the person—whether the person had been warned about that unsatisfactory performance before the dismissal;
- the degree to which the size of the employer's enterprise would be likely to impact on the procedures followed in effecting the dismissal;
- the degree to which the absence of dedicated human resource management specialists or

expertise in the enterprise would be likely to impact on the procedures followed in effecting the dismissal; and

- any other matters that the Commission considers relevant.

Deputy Principal Cross referred to a number of documents submitted to the Commission by both parties, including the employment contract, the termination letter, the employee payment summary and the submissions made by each party when addressing the criteria under section 387 of the FW Act. When determining whether the dismissal was harsh, unjust or unreasonable, Deputy Principal Cross referred to the termination letter noting it outlined a general reason regarding "persistent concerns regarding her behaviour and attitude, particularly in relation to her role as a Bar Supervisor", and also a more specific concern relating to her role in the group chat which fostered negative comments about the management team creating a divisive atmosphere between the Front of House staff and the management team.

Deputy Principal Cross questioned Ms Roche about management's concerns and she conceded that she had taken breaks during peak service, inappropriately turned off lights and music and had behaved inconsistently. Whilst Ms Roche contended that she thought that the chat group was "private", Deputy Principal Cross found that there was "no sensible basis for describing the group as a private group chat". As a consequence, the Tribunal concluded that the Dolphin Hotel had valid grounds for terminating Ms Roche's employment. The Tribunal also found that although Ms Roche was notified of the valid reasons for her dismissal and was given an opportunity to respond, there was no evidence indicating that she provided a response or requested the presence of a support person during the meeting on 10 November 2023. In this regard, Deputy Principal Cross found that the Dolphin Hotel had complied with the requirements outlined in section 387 of the FW Act.

Decision

After considering all the evidence, along with the submissions by both parties, Deputy Principal Cross determined that the employer had valid reasons for the dismissal and that there was no evidence that the dismissal was harsh, unjust or unreasonable.

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Consequently, Ms Roche’s application was dismissed.

Compliance Impact

In addition to providing a summary of what constitutes unfair dismissal under the FW Act, this case gives a good outline of what constitutes casual employment and when it is subject to the ambit of the FW Act. It also serves as a reminder for

organisations to ensure their policies are clear, and their employees are made aware, about what constitutes inappropriate or unprofessional commentary on social media platforms.

We recommend seeking legal advice if your organisation is uncertain of the legal implications and consequences regarding the dismissal of an employee.

Law Compliance Update

Law Compliance is a legislative compliance business of Health Legal.

Whilst initially focussed on health care organisations Law Compliance now provides compliance services to hundreds of organisations across Australia and this number grows each month. Our aim is to make compliance easy.

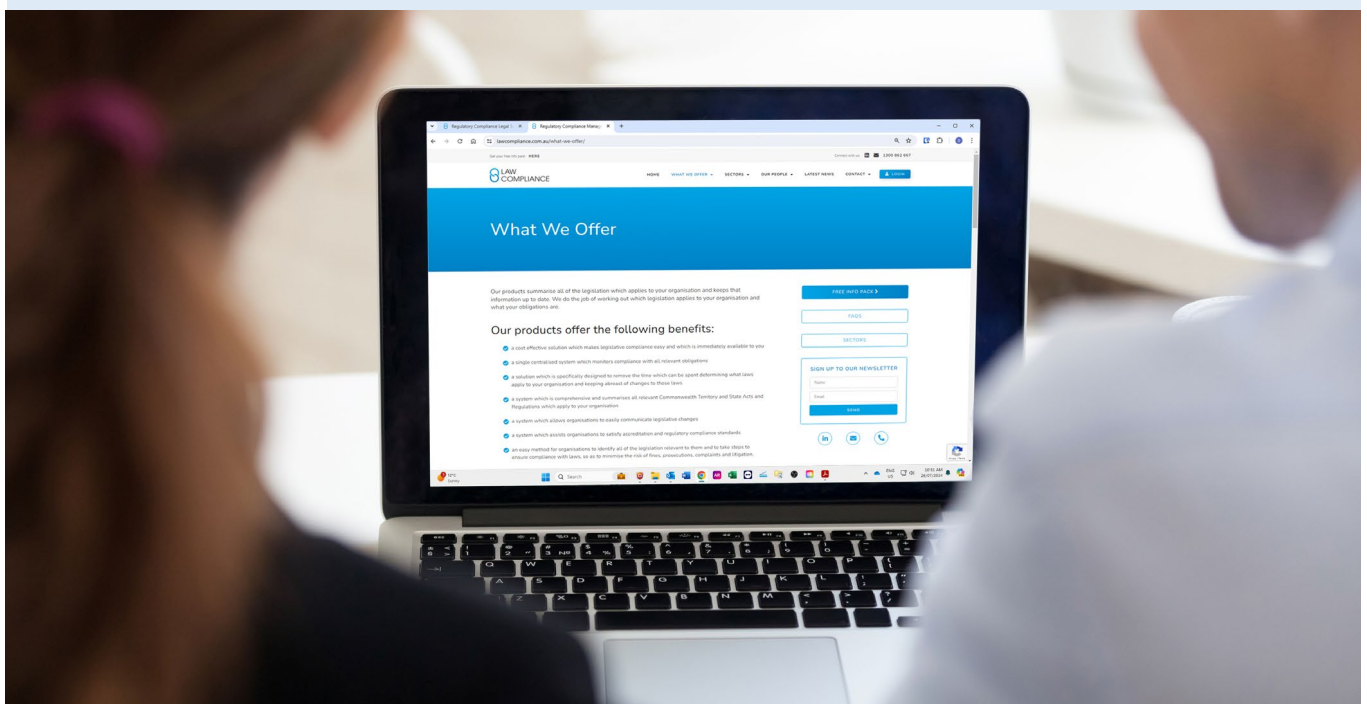
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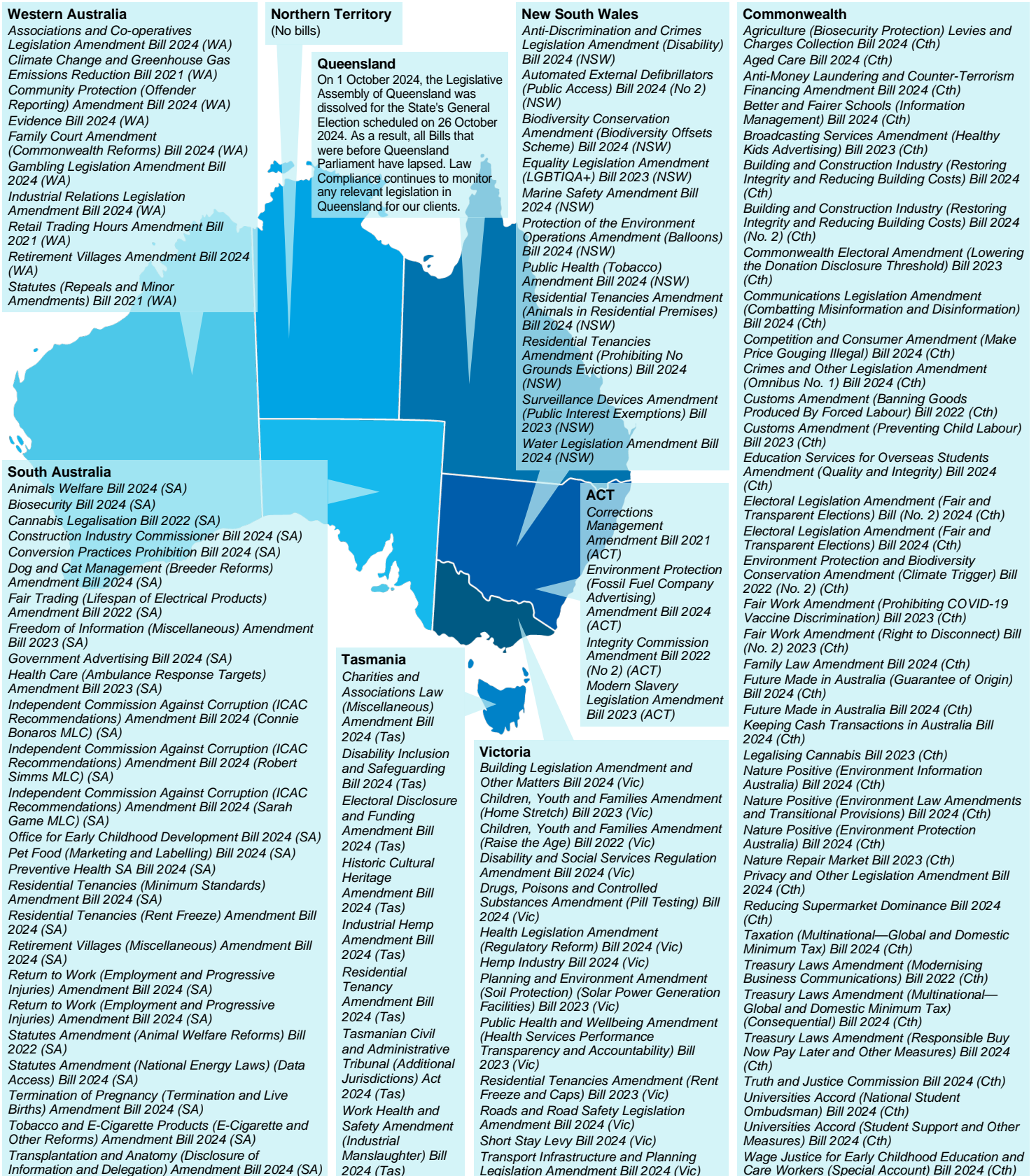


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Some of the Legislative Changes being tracked



Western Australia
 Associations and Co-operatives Legislation Amendment Bill 2024 (WA)
 Climate Change and Greenhouse Gas Emissions Reduction Bill 2021 (WA)
 Community Protection (Offender Reporting) Amendment Bill 2024 (WA)
 Evidence Bill 2024 (WA)
 Family Court Amendment (Commonwealth Reforms) Bill 2024 (WA)
 Gambling Legislation Amendment Bill 2024 (WA)
 Industrial Relations Legislation Amendment Bill 2024 (WA)
 Retail Trading Hours Amendment Bill 2021 (WA)
 Retirement Villages Amendment Bill 2024 (WA)
 Statutes (Repeals and Minor Amendments) Bill 2021 (WA)

Northern Territory
 (No bills)

Queensland
 On 1 October 2024, the Legislative Assembly of Queensland was dissolved for the State's General Election scheduled on 26 October 2024. As a result, all Bills that were before Queensland Parliament have lapsed. Law Compliance continues to monitor any relevant legislation in Queensland for our clients.

New South Wales
 Anti-Discrimination and Crimes Legislation Amendment (Disability) Bill 2024 (NSW)
 Automated External Defibrillators (Public Access) Bill 2024 (No 2) (NSW)
 Biodiversity Conservation Amendment (Biodiversity Offsets Scheme) Bill 2024 (NSW)
 Equality Legislation Amendment (LGBTIQ+) Bill 2023 (NSW)
 Marine Safety Amendment Bill 2024 (NSW)
 Protection of the Environment Operations Amendment (Balloons) Bill 2024 (NSW)
 Public Health (Tobacco) Amendment Bill 2024 (NSW)
 Residential Tenancies Amendment (Animals in Residential Premises) Bill 2024 (NSW)
 Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024 (NSW)
 Surveillance Devices Amendment (Public Interest Exemptions) Bill 2023 (NSW)
 Water Legislation Amendment Bill 2024 (NSW)

Commonwealth
 Agriculture (Biosecurity Protection) Levies and Charges Collection Bill 2024 (Cth)
 Aged Care Bill 2024 (Cth)
 Anti-Money Laundering and Counter-Terrorism Financing Amendment Bill 2024 (Cth)
 Better and Fairer Schools (Information Management) Bill 2024 (Cth)
 Broadcasting Services Amendment (Healthy Kids Advertising) Bill 2023 (Cth)
 Building and Construction Industry (Restoring Integrity and Reducing Building Costs) Bill 2024 (Cth)
 Building and Construction Industry (Restoring Integrity and Reducing Building Costs) Bill 2024 (No. 2) (Cth)
 Commonwealth Electoral Amendment (Lowering the Donation Disclosure Threshold) Bill 2023 (Cth)
 Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 (Cth)
 Competition and Consumer Amendment (Make Price Gouging Illegal) Bill 2024 (Cth)
 Crimes and Other Legislation Amendment (Omnibus No. 1) Bill 2024 (Cth)
 Customs Amendment (Banning Goods Produced By Forced Labour) Bill 2022 (Cth)
 Customs Amendment (Preventing Child Labour) Bill 2023 (Cth)
 Education Services for Overseas Students Amendment (Quality and Integrity) Bill 2024 (Cth)
 Electoral Legislation Amendment (Fair and Transparent Elections) Bill (No. 2) 2024 (Cth)
 Electoral Legislation Amendment (Fair and Transparent Elections) Bill 2024 (Cth)
 Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2022 (No. 2) (Cth)
 Fair Work Amendment (Prohibiting COVID-19 Vaccine Discrimination) Bill 2023 (Cth)
 Fair Work Amendment (Right to Disconnect) Bill (No. 2) 2023 (Cth)
 Family Law Amendment Bill 2024 (Cth)
 Future Made in Australia (Guarantee of Origin) Bill 2024 (Cth)
 Future Made in Australia Bill 2024 (Cth)
 Keeping Cash Transactions in Australia Bill 2024 (Cth)
 Legalising Cannabis Bill 2023 (Cth)
 Nature Positive (Environment Information Australia) Bill 2024 (Cth)
 Nature Positive (Environment Law Amendments and Transitional Provisions) Bill 2024 (Cth)
 Nature Positive (Environment Protection Australia) Bill 2024 (Cth)
 Nature Repair Market Bill 2023 (Cth)
 Privacy and Other Legislation Amendment Bill 2024 (Cth)
 Reducing Supermarket Dominance Bill 2024 (Cth)
 Taxation (Multinational—Global and Domestic Minimum Tax) Bill 2024 (Cth)
 Treasury Laws Amendment (Modernising Business Communications) Bill 2022 (Cth)
 Treasury Laws Amendment (Multinational—Global and Domestic Minimum Tax) (Consequential) Bill 2024 (Cth)
 Treasury Laws Amendment (Responsible Buy Now Pay Later and Other Measures) Bill 2024 (Cth)
 Truth and Justice Commission Bill 2024 (Cth)
 Universities Accord (National Student Ombudsman) Bill 2024 (Cth)
 Universities Accord (Student Support and Other Measures) Bill 2024 (Cth)
 Wage Justice for Early Childhood Education and Care Workers (Special Account) Bill 2024 (Cth)

South Australia
 Animals Welfare Bill 2024 (SA)
 Biosecurity Bill 2024 (SA)
 Cannabis Legalisation Bill 2022 (SA)
 Construction Industry Commissioner Bill 2024 (SA)
 Conversion Practices Prohibition Bill 2024 (SA)
 Dog and Cat Management (Breeder Reforms) Amendment Bill 2024 (SA)
 Fair Trading (Lifespan of Electrical Products) Amendment Bill 2022 (SA)
 Freedom of Information (Miscellaneous) Amendment Bill 2023 (SA)
 Government Advertising Bill 2024 (SA)
 Health Care (Ambulance Response Targets) Amendment Bill 2023 (SA)
 Independent Commission Against Corruption (ICAC Recommendations) Amendment Bill 2024 (Connie Bonaros MLC) (SA)
 Independent Commission Against Corruption (ICAC Recommendations) Amendment Bill 2024 (Robert Simms MLC) (SA)
 Independent Commission Against Corruption (ICAC Recommendations) Amendment Bill 2024 (Sarah Game MLC) (SA)
 Office for Early Childhood Development Bill 2024 (SA)
 Pet Food (Marketing and Labelling) Bill 2024 (SA)
 Preventive Health SA Bill 2024 (SA)
 Residential Tenancies (Minimum Standards) Amendment Bill 2024 (SA)
 Residential Tenancies (Rent Freeze) Amendment Bill 2024 (SA)
 Retirement Villages (Miscellaneous) Amendment Bill 2024 (SA)
 Return to Work (Employment and Progressive Injuries) Amendment Bill 2024 (SA)
 Return to Work (Employment and Progressive Injuries) Amendment Bill 2024 (SA)
 Statutes Amendment (Animal Welfare Reforms) Bill 2022 (SA)
 Statutes Amendment (National Energy Laws) (Data Access) Bill 2024 (SA)
 Termination of Pregnancy (Termination and Live Births) Amendment Bill 2024 (SA)
 Tobacco and E-Cigarette Products (E-Cigarette and Other Reforms) Amendment Bill 2024 (SA)
 Transplantation and Anatomy (Disclosure of Information and Delegation) Amendment Bill 2024 (SA)

Tasmania
 Charities and Associations Law (Miscellaneous) Amendment Bill 2024 (Tas)
 Disability Inclusion and Safeguarding Bill 2024 (Tas)
 Electoral Disclosure and Funding Amendment Bill 2024 (Tas)
 Historic Cultural Heritage Amendment Bill 2024 (Tas)
 Industrial Hemp Amendment Bill 2024 (Tas)
 Residential Tenancy Amendment Bill 2024 (Tas)
 Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024 (Tas)
 Work Health and Safety Amendment (Industrial Manslaughter) Bill 2024 (Tas)

ACT
 Corrections Management Amendment Bill 2021 (ACT)
 Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024 (ACT)
 Integrity Commission Amendment Bill 2022 (No 2) (ACT)
 Modern Slavery Legislation Amendment Bill 2023 (ACT)

Victoria
 Building Legislation Amendment and Other Matters Bill 2024 (Vic)
 Children, Youth and Families Amendment (Home Stretch) Bill 2023 (Vic)
 Children, Youth and Families Amendment (Raise the Age) Bill 2022 (Vic)
 Disability and Social Services Regulation Amendment Bill 2024 (Vic)
 Drugs, Poisons and Controlled Substances Amendment (Pill Testing) Bill 2024 (Vic)
 Health Legislation Amendment (Regulatory Reform) Bill 2024 (Vic)
 Hemp Industry Bill 2024 (Vic)
 Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023 (Vic)
 Public Health and Wellbeing Amendment (Health Services Performance Transparency and Accountability) Bill 2023 (Vic)
 Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023 (Vic)
 Roads and Road Safety Legislation Amendment Bill 2024 (Vic)
 Short Stay Levy Bill 2024 (Vic)
 Transport Infrastructure and Planning Legislation Amendment Bill 2024 (Vic)

If you would like details of these new Bills please contact the Law Compliance team on **1300 862 667** or visit our website www.lawcompliance.com.au

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Contact us

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