



Key State Legislation Which May Impact WA Health Service Boards

Selective list of legislation which may impact on the roles, responsibilities and accountabilities of Chairs and Members of the WA Health Service Boards

This list is not exhaustive and is provided as a guide only to some of the State legislation applicable to the administration of the health service.

<i>Anatomy Act 1930</i>	An Act to provide for the establishment and regulation of schools of anatomy and to authorise the practice of anatomy thereat.
<i>Animal Resources Authority Act 1981</i>	An Act to establish and incorporate an Authority to supply laboratory animals for teaching, research, and diagnostic purposes, and for incidental and other purposes.
<i>Auditor General Act 2006</i>	An Act to provide for the appointment of an Auditor General, to set out the Auditor General's functions, and for related purposes.
<i>Births, Deaths and Marriages Registration Act 1998</i>	An Act to provide for the registration of births, deaths, marriages, changes of name and information about certain parentage changes in Western Australia and for related matters.
<i>Blood Donation (Limitation of Liability) Act 1985</i>	An Act to limit liability in respect of the transmission of the disease known as acquired immune deficiency syndrome through the transfusion of blood and blood products and for purposes connected therewith or incidental thereto.
<i>Carers Recognition Act 2004</i>	An Act to provide for the recognition of carers by certain persons and bodies, and for related purposes.
<i>Charitable Trusts Act 1962</i>	An Act to amend the law relating to charitable trusts.

<i>Children and Communities Services Act 2004</i>	An Act to confer functions in relation to the provision of social services, the provision of financial and other assistance, and other matters concerning the wellbeing of children, other individuals, families and communities and to make provisions about the protection and care of children.
<i>Coroners Act 1996</i>	An Act to establish the office of State Coroner, to provide for a State coronial system to inquire into Western Australian deaths.
<i>Corruption, Crime and Misconduct Act 2003</i>	An Act to provide for the establishment and operation of a Corruption and Crime Commission with functions with respect to serious misconduct by public officers and organised crime; and confer on the Public Sector Commissioner functions with respect to misconduct by public officers; and provide for the establishment and operation of a Parliamentary Inspector of the Corruption and Crime Commission.
<i>Cremation Act 1929</i>	An Act to regulate cremation.
<i>Criminal Code Act Compilation Act 1913</i>	An Act to enact a compilation of the <i>Criminal Code Act 1902</i> , with its amendments and portion of the <i>Secret Commissions Act 1905</i> , and for other related purposes.
<i>Disability Services Act 1993</i>	An Act for the establishment of the Disability Services Commission and the Ministerial Advisory Council on Disability, for the furtherance of principles applicable to people with disability, for the funding and provision of services to such people that meet certain objectives, for the resolution of complaints by such people, and for related purposes.
<i>Duties Act 2008</i>	An Act dealing with the imposition of a number of kinds of duty.
<i>Emergency Management Act 2005</i>	An Act to provide for prompt and coordinated organisation of emergency management in the State, and for related purposes.
<i>Environmental Protection Act 1986</i>	An Act to provide for an Environmental Protection Authority, for the prevention, control and abatement of pollution and environmental harm, for the conservation, preservation, protection, enhancement and management of the environment and for matters incidental to or connected with the foregoing.

<i>Equal Opportunity Act 1984</i>	An Act to promote equality of opportunity in Western Australia and to provide remedies in respect of discrimination on the grounds of sex, marital status, pregnancy, sexual orientation, family responsibility or family status, race, religious or political conviction, impairment, age, or publication of details on the Fines Enforcement Registrar's website, or involving sexual or racial harassment or, in certain cases, on gender history grounds.
<i>Fair Trading Act 2010</i>	An Act to promote and encourage fair trading practices and a competitive and fair market, and protect the interests of consumers, by applying the Australian Consumer Law (with modifications) as a law of Western Australia, and providing for codes of practice; and provide for the powers and functions of a Commissioner, including powers to carry out investigations into alleged breaches of this Act.
<i>Financial Management Act 2006</i>	An Act to provide for the management, administration and reporting of the public finances of the State, and for related purposes.
<i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>	An Act to provide for the enforcement of the payment of fines and other penalties and for the enforcement of infringement notices and for related purposes.
<i>Fluoridation of Public Water Supplies Act 1966</i>	An Act relating to the fluoridation of public water supplies.
<i>Food Act 2008</i>	An Act providing for the safety and suitability of food for human consumption, and for related purposes.
<i>Freedom of Information Act 1992</i>	An Act to provide for public access to documents, and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading, and for related purposes.
<i>Guardianship and Administration Act 1990</i>	An Act to provide for the guardianship of adults who need assistance in their personal affairs, for the administration of the estates of persons who need assistance in their financial affairs, to confer on the State Administrative Tribunal jurisdiction in respect of guardianship and administration matters, to provide for the appointment of a public officer with certain functions relative thereto, to provide for enduring powers of attorney, enduring powers of

	guardianship and advance health directives, and for connected purposes.
<i>Health (Miscellaneous Provisions) Act 1911</i>	An Act to deal with certain matters concerning public health.
<i>Health and Disability Services (Complaints) Act 1995</i>	An Act to establish a readily accessible agency to which complaints may be made about the provision of health and disability services, to establish a means of having such complaints dealt with in confidence, and for related purposes.
<i>Health Legislation Administration Act 1984</i>	An Act relating to the administration of certain Acts and to facilitate the provision of health services to the people of the State.
<i>Health Practitioner Regulation National Law (WA) Act 2010</i>	An Act to provide for a national registration and accreditation scheme for health practitioners.
<i>Health Professionals (Special Events Exemption) Act 2000</i>	An Act to allow visiting health professionals to provide health care services to visitors to the State in connection with special events, and for related purposes.
<i>Health Services Act 2016</i>	An Act to provide for health services in Western Australia.
<i>Health Services (Quality Improvement) Act 1994</i>	An Act to provide for the approval and protection of quality improvement committees reviewing, assessing and monitoring the quality of health services, and for related purposes.
<i>Human Reproductive Technology Act 1991</i>	An Act to establish the Western Australian Reproductive Technology Council; to require the compilation of a Code relating to the practice of, the procedures used in, and the ethics governing, human reproductive technology; to make provision with respect to the use of that technology in relation to artificially assisted human conception and for the regulation of certain research; and for related purposes.
<i>Human Tissue and Transplant Act 1982</i>	An Act to make provision for and in relation to the removal of human tissues for transplantation, other therapeutic purposes, or medical or scientific purposes, for post-mortem examinations.
<i>Industrial Relations Act 1979</i>	An Act to consolidate and amend the law relating to the prevention and resolution of conflict in respect of industrial matters, the mutual rights and duties of employers and employees, the rights and duties of

	organisations of employers and employees, and for related purposes.
<i>Medicines and Poisons Act 2014</i>	An Act to regulate and control the manufacture and supply of medicines and poisons.
<i>Mental Health Act 2014</i>	An Act to provide for the treatment, care, support and protection of people who have a mental illness; and to provide for the protection of the rights of people who have a mental illness; and to provide for the recognition of the role of carers and families in providing care and support to people who have a mental illness, and for related purposes.
<i>Misuse of Drugs Act 1981</i>	An Act to prevent the misuse of certain drugs and plants and to provide for matters incidental thereto or connected therewith.
<i>National Health Funding Pool Act 2012</i>	An Act to provide for the appointment of the Administrator of the National Health Funding Pool; and provide for the establishment and management of a State Pool Account.
<i>Nuclear Waste Storage and Transportation (Prohibition) Act 1999</i>	An Act to prohibit the storage, disposal or transportation in Western Australia of certain nuclear waste.
<i>Occupational Safety and Health Act 1984</i>	An Act to promote and improve standards for occupational safety and health, to establish the Commission for Occupational Safety and Health, to provide for a tribunal for the determination of certain matters and claims, to facilitate the coordination of the administration of the laws relating to occupational safety and health and for incidental and other purposes.
<i>Parliamentary Commissioner Act 1971</i>	An Act to provide for the appointment of a Parliamentary Commissioner for Administrative Investigations with functions relating to the investigation of administrative action taken by or on behalf of certain departments and authorities and to the deaths of certain children and for incidental purposes.
<i>Pay-roll Tax Assessment Act 2002</i>	An Act relating to the assessment and collection of tax on wages paid by employers.
<i>Pharmacy Act 2010</i>	An Act to provide for the registration of premises as pharmacies, to control such premises and pharmacy businesses, make consequential amendments to various Acts and for related purposes.

<i>Private Hospitals and Health Services Act 1927</i>	An Act to provide for the control and regulation of private hospitals and private psychiatric hostels and for related purposes.
<i>Prostitution Act 2000</i>	An Act to make provisions about prostitution and for related purposes, and to amend certain other Acts.
<i>Public Health Act 2016</i>	An Act to protect, promote and improve the health and wellbeing of the public of Western Australia and to reduce the incidence of preventable illness, and for related purposes.
<i>Public Interest Disclosure Act 2003</i>	An Act to facilitate the disclosure of public interest information, to provide protection for those who make disclosures and for those the subject of disclosures, and, in consequence, to amend various Acts, and for related purposes.
<i>Public Sector Management Act 1994</i>	An Act to provide for the administration of the Public Sector of Western Australia and the management of the Public Service and of other public sector employment.
<i>Public Works Act 1902</i>	An Act relating to public works.
<i>Queen Elizabeth II Medical Centre Act 1966</i>	An Act to enable a medical centre to be established at Hollywood by reserving certain lands therefor and constituting a body corporate for the development, management and control of those lands and for incidental and other purposes.
<i>Radiation Safety Act 1975</i>	An Act to regulate the keeping and use of radioactive substances, irradiating apparatus and certain electronic products, and for matters incidental thereto.
<i>Spent Convictions Act 1988</i>	An Act to make provision for a person who has been convicted of an offence against the law of this State or of a foreign country and who has not re-offended during a specified period to be rehabilitated by limiting the effects of the conviction, to enable that limitation to apply to a conviction against the law of another State or Territory to which a corresponding law thereof applies, to limit the effects of a dismissal or withdrawal of a charge, and for connected purposes.
<i>State Records Act 2000</i>	An Act to provide for the keeping of State records and for related purposes.

<i>State Superannuation Act 2000</i>	An Act to provide for superannuation contributions and superannuation schemes for and in respect of people working or formerly working in the public sector and for related purposes.
<i>State Supply Commission Act 1991</i>	An Act to establish the State Supply Commission to arrange for and co-ordinate the supply of goods and services to, and disposal of goods on behalf of, public authorities and certain other persons and bodies, to regulate the supply of goods and services to public authorities, and the disposal of goods not required by public authorities, to monitor that supply and disposal, to effect the sale of government businesses that are to be sold.
<i>Statutory Corporations (Liability of Directors) Act 1996</i>	An Act to declare the duty that persons who control the affairs of a statutory corporation owe to the corporation, to provide for particular duties in the case of certain statutory corporations and for the recovery of compensation for breaches, to make provision in respect of Ministerial directions.
<i>Surrogacy Act 2008</i>	An Act about arrangements for surrogate births and children born under those arrangements and for related purposes.
<i>Tobacco Products Control Act 2006</i>	An Act to prohibit the supply of tobacco products and smoking implements to young persons; regulate the sale and promotion of tobacco products; prohibit the sale of products that resemble tobacco products; reduce the exposure of people to tobacco smoke from tobacco products that are smoked by other people.
<i>University Medical School, Teaching Hospitals, Act 1955</i>	An Act to provide facilities in certain hospitals for the teaching of medical students of the University of Western Australia Medical School.
<i>Western Australian Health Promotion Foundation Act 2016</i>	An Act to make provision for the Western Australian Health Promotion Foundation.
<i>Workers' Compensation and Injury Management Act 1981</i>	An Act to amend and consolidate the law relating to compensation for, and the management of, employment-related injuries, to provide for the WorkCover Western Australia Authority to provide for the resolution of disputes, and for related purposes.

<i>Working with Children (Criminal Record Checking) Act 2004</i>	An Act to provide for procedures for checking the criminal record of people who carry out, or propose to carry out, child-related work; to prohibit people who have been charged with or convicted of certain offences from carrying out child-related work, and to provide for related matters.
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Regulatory and Administrative Requirements

- Regulations, Orders and Determinations under the *Health Services Act 2016*
- Relevant subsidiary legislation under other Acts
- Administrative Instructions
- Public Sector Commissioner's Circulars
- Premiers Circulars
- Treasurer's Instructions
- Policy Frameworks
- Ministerial Directions
- Department CEO Directions
- Service Agreements
- Code of Ethics (CI No.7)
- Codes of conduct and integrity training (CI No. 8)
- Public sector standards in human resource management

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