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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

As passed by both Houses

**Australian Immunisation Register
(Consequential and Transitional
Provisions) Bill 2015**

No. , 2015

**A Bill for an Act to amend the *Australian
Immunisation Register Act 2015* and to deal with
consequential and transitional matters arising from
the enactment and amendment of that Act, and for
related purposes**

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2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	
2. Schedule 1	At the same time as the <i>Australian Immunisation Register Act 2015</i> commences. However, if that Act does not commence, the provisions do not commence at all.	
3. Schedule 2	The earlier of: (a) a single day to be fixed by Proclamation; and (b) the day after the end of the period of 12 months beginning on the day this Act receives the Royal Assent. However, if the <i>Australian Immunisation Register Act 2015</i> does not commence, the provisions do not commence at all.	
4. Schedule 3	1 January 2017. However, if the <i>Australian Immunisation Register Act 2015</i> does not commence, the provisions do not commence at all.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

1 **Schedule 1—Amendments commencing**
2 **1 January 2016**
3

4 ***A New Tax System (Family Assistance) Act 1999***

5 **1 Subsection 3(1) (definition of *recognised immunisation***
6 ***provider*)**

7 Repeal the definition, substitute:

8 *recognised immunisation provider* has the same meaning as
9 *recognised vaccination provider* in the *Australian Immunisation*
10 *Register Act 2015*.

11 ***Child Support (Registration and Collection) Act 1988***

12 **2 Subsection 16AB(3) (after paragraph (c) of the definition of**
13 ***designated program Act*)**

14 Insert:

15 (ca) the *Australian Immunisation Register Act 2015*; or

16 ***Freedom of Information Act 1982***

17 **3 Schedule 3**

18 Insert in its appropriate alphabetical position, determined on a
19 letter-by-letter basis:

Australian Immunisation Register Act 2015, section 23

20 ***Healthcare Identifiers Act 2010***

21 **4 Section 5 (definition of *Australian Childhood Immunisation***
22 ***Register*)**

23 Repeal the definition, substitute:

24 *Australian Childhood Immunisation Register* means the
25 Australian Childhood Immunisation Register kept under Part 2 of
26 the *Australian Immunisation Register Act 2015*.

1 ***Health Insurance Act 1973***

2 **5 Part IVA**

3 Repeal the Part.

4 **6 Subsections 130(3B), (3C), (3D), (3E), (3F) and (3G)**

5 Repeal the subsections.

6 **7 After subsection 130(5F)**

7 Insert:

8 (5G) This section does not prohibit a person from providing information
9 for inclusion in the register kept under Part 2 of the *Australian*
10 *Immunisation Register Act 2015*.

11 **8 Subsection 130(11)**

12 Omit “or section 46E”.

13 **9 Subsection 130(13)**

14 Omit “or section 46E”.

15 ***Human Services (Centrelink) Act 1997***

16 **10 Subsection 40A(3) (after paragraph (b) of the definition of**
17 ***designated program Act*)**

18 Insert:

19 (ba) the *Australian Immunisation Register Act 2015*; or

20 ***Human Services (Medicare) Act 1973***

21 **11 Subsection 43A(3) (after paragraph (b) of the definition of**
22 ***designated program Act*)**

23 Insert:

24 (ba) the *Australian Immunisation Register Act 2015*; or

1 ***National Health Act 1953***

2 **12 Subparagraph 9BA(6)(a)(iii)**

3 Repeal the subparagraph, substitute:

4 (iii) a prescribed body within the meaning of the *Australian*
5 *Immunisation Register Act 2015*; or

6 **13 At the end of subsection 135A(5C)**

7 Add:

8 ; or (d) a person from providing information for inclusion in the
9 register kept under Part 2 of the *Australian Immunisation*
10 *Register Act 2015*.

1 **Schedule 2—Amendments commencing later**
2 **in 2016**
3

4 ***Australian Immunisation Register Act 2015***

5 **1 Section 3**

6 Repeal the section, substitute:

7 **3 Simplified outline of this Act**

8 This Act establishes a register of information about vaccinations.

9 The purposes of the register relate to supporting Australian
10 vaccination programs, and vaccination matters more broadly.

11 Sensitive information in the register is protected.

12 **2 Section 4 (definition of *ACI register*)**

13 Repeal the definition.

14 **3 Section 4**

15 Insert:

16 ***AI register*** means the Australian Immunisation Register.

17 ***legal personal representative***, of an individual, means:

- 18 (a) a parent or guardian of the individual, if the individual is
19 under the age of 18 years; or
20 (b) a trustee of an estate of the individual, if the individual is
21 under a legal disability; or
22 (c) a person who holds an enduring power of attorney granted by
23 the individual.

24 **4 Section 4 (definition of *purposes of the ACI register*)**

25 Repeal the definition.

1 **5 Section 4**

2 Insert:

3 *purposes of the AI register* means the purposes set out in
4 section 10.

5 **6 Section 4 (subparagraph (b)(i) of the definition of**
6 ***recognised vaccination provider***

7 Omit “ACI register”, substitute “AI register”.

8 **7 Section 4 (paragraph (d) of the definition of *relevant***
9 ***identifying information***

10 Omit “parent or guardian”, substitute “legal personal representative”.

11 **8 Section 4 (definition of *young individual*)**

12 Repeal the definition.

13 **9 Part 2 (heading)**

14 Repeal the heading, substitute:

15 **Part 2—Australian Immunisation Register**

16 **10 Section 7**

17 Repeal the section, substitute:

18 **7 Simplified outline of this Part**

19 The Australian Immunisation Register is established to keep
20 information about vaccinations of individuals.

21 The purposes of the register relate to supporting Australian
22 vaccination programs, and vaccination matters more broadly.

23 Individuals can opt out from receiving certain information from the
24 register. They can also request for their information in the register
25 not to be disclosed for certain purposes.

- 1 (a) paragraph (1)(f) also applies to checking of the individual's
2 vaccination status by a legal personal representative of the
3 individual; and
4 (b) paragraphs (1)(h), (i) and (j) also apply to advising, or giving
5 a certificate or information to, a legal personal representative
6 of the individual.

7 **21 Subsection 11(1) (note)**

8 Repeal the note, substitute:

- 9 Note: The request could be made by a legal personal representative of an
10 individual who is incapable of managing his or her health affairs (see
11 subsection 10(2)).

12 **22 Subsection 11(2)**

13 Repeal the subsection, substitute:

- 14 (2) An individual may, in the approved form, request that personal
15 information on the AI register relating to or identifying:
16 (a) the individual; or
17 (b) if the individual is a legal personal representative of another
18 individual who is incapable of managing his or her health
19 affairs—that other individual;
20 not be disclosed from the AI register for one or more purposes of
21 the AI register.

22 **23 Paragraph 12(1)(a)**

23 Omit “ACI register”, substitute “AI register”.

24 **24 Subparagraph 12(1)(b)(i)**

25 Omit “a young individual”, substitute “an individual”.

26 **25 Subparagraph 12(1)(b)(iii)**

27 Omit “ACI register”, substitute “AI register”.

28 **26 Paragraph 12(2)(a)**

29 Omit “ACI register”, substitute “AI register”.

1 **27 Subsection 13(1)**

2 Omit “ACI register”, substitute “AI register”.

3 **28 Section 21**

4 Omit “ACI register”, substitute “AI register”.

5 **29 Subsection 22(1) (heading)**

6 Repeal the heading, substitute:

7 *Uploading personal information etc. to the AI register*

8 **30 Subsection 22(1)**

9 Omit “in the ACI register”, substitute “in the AI register”.

10 **31 Subsection 22(2) (heading)**

11 Repeal the heading, substitute:

12 *Using or disclosing protected information in the AI register*

13 **32 Subsection 22(2)**

14 Omit “ACI register” (wherever occurring), substitute “AI register”.

15 **33 Subsection 26(2)**

16 Omit “the person’s parent or guardian”, substitute “the person’s legal
17 personal representative”.

18 ***Healthcare Identifiers Act 2010***

19 **34 Section 5 (definition of *Australian Childhood*
20 *Immunisation Register*)**

21 Repeal the definition.

22 **35 Subparagraph 22D(2)(a)(ii)**

23 Repeal the subparagraph, substitute:

24 (ii) information included on the Australian Immunisation
25 Register kept under Part 2 of the *Australian*
26 *Immunisation Register Act 2015*;

1 **Schedule 3—Amendments commencing**
2 **1 January 2017**
3

4 *Australian Immunisation Register Act 2015*

5 **1 Subsection 8(2)**

6 Repeal the subsection, substitute:

7 (2) Parts of the register may be kept separate from each other, and be
8 called different names.

9 Note: For example, the parts of the register dealing with vaccinations given
10 through school programs could be kept separately and be called the
11 Australian School Vaccination Register.

12 **2 Paragraph 22(2)(f)**

13 Omit “coroner; or”, substitute “coroner.”.

14 **3 Paragraph 22(2)(g)**

15 Repeal the paragraph.

16 *National Health Act 1953*

17 **4 Section 9BA**

18 Repeal the section.

19 **5 Paragraph 135A(5C)(c)**

20 Omit “powers; or”, substitute “powers.”.

21 **6 Paragraph 135A(5C)(d)**

22 Repeal the paragraph.
23

(147/15)
