Mrs Giulia Jones MLA  
Chair

Standing Committee on Justice and Community Safety

(Legislative Scrutiny Role)

London Circuit

CANBERRA ACT 2600

Dear Chair

Thank you for Scrutiny Report 12 of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) and your further comments on the Health Practitioner Regulation National Law and Other Amendments Act 2017 and the appropriate process for Assembly scrutiny of amendments of this nature.

ACT Health sought advice and has been advised by the ACT Parliamentary Counsel’s Office (PCO) that the ACT Legislative Assembly’s role in scrutiny of amendments or regulations made under national laws depends on the terms of the particular national law.

The requirements for the tabling of the amendments or regulation made under national laws are not the same in every case. Some amendments or regulations made under national laws do require tabling in the ACT Legislative Assembly, whilst some do not.

In this case there is no requirement for amendments of the national law itself or of national regulations made under that law to be tabled in the Assembly.

Amendments of the National Law and regulation apply automatically in the ACT and are brought about by the terms of the ACT legislation that originally applied the national law scheme in the Territory, that is, the *Health Practitioner Regulation National Law (ACT) Act 2010* (s 6 of that Act).

Given that there is no requirement to table any amendments to the National Law, it followed that no explanatory statement was required to be tabled with the *Health* *Practitioner Regulation National Law and Other Legislation Amendment Act 2017*.

The *Health* *Practitioner Regulation National Law and Other Legislation Amendment Act 2017* was only provided for information and noting by the members of ACT Legislative Assembly.

I trust this information will be helpful.

Yours sincerely

Meegan Fitzharris MLA

Minister for Health and Wellbeing