



Australian Capital Territory

Medical Services (Fees) Act 1984 No 7

Republication No 2

Republication date: 17 July 2002

Act not amended up to this date

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Medical Services (Fees) Act 1984* as in force on 17 July 2002. It includes any commencement, repeal or expiry affecting the republished law and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Medical Services (Fees) Act 1984

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Australian Capital Territory

Medical Services (Fees) Act 1984

An Act to regulate fees that may be charged in relation to certain medical services

1 Name of Act

This Act is the *Medical Services (Fees) Act 1984*.

2 Definitions for Act

In this Act:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

hospital means—

- (a) the premises known as the Royal Canberra Hospital; and
- (b) the premises known as the Woden Valley Hospital, other than ward 10A; and
- (c) the premises known as Calvary Hospital.

medical practitioner means a person registered as a medical practitioner under the *Medical Practitioners Act 1930*.

prescribed fee, in relation to a prescribed medical service, means the fee specified in relation to that service in relation to New South Wales in an item in the table.

prescribed medical service means a medical service specified in an item in the table, being an item the number of which is referred to in the *Health Insurance Regulations 1975* (Cwlth), schedule 5 made under the *Health Insurance Act 1973* (Cwlth).

private patient—see the *Health Commission (Charges) Regulations*.

table means the table of medical services set out in the *Health Insurance (Variation of Fees and Medical Services) (No 31) Regulations* (Cwlth), schedule made under the *Health Insurance Act 1973* (Cwlth).

3 Fees for certain medical services

- (1) If a medical practitioner renders a prescribed medical service to a person who is a private patient in a hospital, the medical practitioner is not entitled to receive for that service any amount that exceeds the amount of the prescribed fee in relation to that service.
- (2) If a medical practitioner receives for a prescribed medical service rendered by the medical practitioner to a person who is a private patient in a hospital an amount that exceeds the amount of the prescribed fee in relation to that service, the amount by which the amount so received exceeds that prescribed fee is a debt due to that person.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	s = section/subsection
LRA = Legislation (Republication) Act 1996	sch = schedule
mod = modified / modification	sdiv = subdivision
No = number	sub = substituted
num = numbered	SL = Subordinate Law
o = order	<u>underlining</u> = whole or part not commenced or to be expired
om = omitted/repealed	

3 Legislation history

This Act was originally a Commonwealth ordinance—the *Medical Services (Fees) Ordinance* No 7 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

Legislation before becoming Territory enactment

Medical Services (Fees) Act 1984 No 7

notified 23 March 1984

commenced 23 March 1984

4 Amendment history

Name of Act

s 1 hdg am R2 LA

s 1 am R2 LA

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	31 July 1991

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