

# Health Ombudsman Act 2013

## Explanatory notes for SL 2014 No. 15

made under the

*Health Ombudsman Act 2013*

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## General Outline

### Short title

*Health Ombudsman Act 2013.*

### Authorising law

Section 2 of the *Health Ombudsman Act 2013*.

### Policy objectives and the reasons for them

The objective of the proclamation is to commence certain sections of the *Health Ombudsman Act 2013* on 17 February 2014 and provide for all remaining provisions of the Act that have not already commenced, to commence on 1 July 2014.

The provisions that are to commence on 17 February 2014 will enable the Health Ombudsman (once appointed), to hire staff, enter into contracts and leases, and take necessary actions to establish the Office ready for it to commence full functions on 1 July 2014. Specifically, these sections will:

- establish that there is to be a Health Ombudsman;
- establish the Office of the Health Ombudsman, including employment of staff under the *Public Service Act 2008*, control of the Office, and establishing the Office as a statutory body for the purposes of the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982*;
- enable the appointment of the Director of Proceedings; and
- enable the Health Ombudsman to approve forms for use under the *Health Ombudsman Act 2013*.

The commencement of remaining provisions of the *Health Ombudsman Act 2013* on 1 July 2014 will enable the full functions of the Health Ombudsman to take effect from that date.

### Achievement of policy objectives

The proclamation will commence sections 24, 253, 255(1), 256-258 and 291 on 17 February 2014 and all remaining sections of the Act that have not yet commenced, on 1 July 2014.

### Consistency with policy objectives of authorising law

The proclamation is consistent with the main objectives of the *Health Ombudsman Act 2013*.

### **Inconsistency with policy objectives of other legislation**

No inconsistencies with the policy objectives of other legislation have been identified.

### **Alternative ways of achieving policy objectives**

The proclamation is the only effective means of commencing certain sections of the *Health Ombudsman Act 2013* on 17 February 2014 and for all remaining provisions of the Act to commence on 1 July 2014.

### **Benefits and costs of implementation**

As outlined in the Explanatory Notes to the Health Ombudsman Bill 2013, it is intended that the implementation of the *Health Ombudsman Act 2013* will be cost neutral for government.

### **Consistency with fundamental legislative principles**

The proclamation is consistent with fundamental legislative principles, as set out in section 4 of the *Legislative Standards Act 1992*.

### **Consultation**

Stakeholders and relevant Government agencies have been consulted or advised of the commencement date, during development of the proclamation.

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#### **ENDNOTES**

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is Queensland Health.