

LEGISLATIVE COUNCIL

TRANSPARENCY IN GOVERNMENT BILL 2015

(Amendments and New Clauses to be proposed in Committee by Mr RICH-PHILLIPS)

1. Clause 3, lines 20 to 23, omit all words and expressions on these lines and insert—
 "**board** means—
 (a) in relation to a public health service, a board of directors established in respect of a public health service under section 65S of the **Health Services Act 1988**;
 (b) in relation to a public hospital, a board of management established in respect of a public hospital under section 33 of the **Health Services Act 1988**;"
2. Clause 3, page 3, after line 14 insert—
 "**dental service** means a dental service provided by a service listed in Schedules 1 to 5 to the **Health Services Act 1988** or a registered community health centre within the meaning of that Act;"
3. Clause 3, page 4, after line 21 insert—
 "**public hospital** has the same meaning as in the **Health Services Act 1988**;"
4. Clause 3, page 5, after line 14 insert—
 "(d) in relation to a public hospital, a statement of priorities prepared by a public hospital and agreed to by the board of the public hospital and the Department Head (within the meaning of the **Public Administration Act 2004**) of the Department of Health and Human Services;"
5. Heading to clause 11, after "**service**" insert "**and public hospital**".
6. Clause 11, line 22, omit "(2)" and insert "(3)".
7. Clause 11, after line 29 insert—
 "() The Minister administering the **Health Services Act 1988** must cause any statement of priorities in relation to a public hospital to be published on a website managed and administered by the relevant government department on or before 1 November in the financial year to which the statement of priorities relates."
8. Clause 11, page 16, line 10, omit "(2)" and insert "(3)".
9. Heading to clause 13, after "**service**" insert "**and public hospital**".
10. Clause 13, line 12, after "service" insert ", and any public hospital in respect of which a statement of priorities has been agreed to,".

11. Clause 13, lines 21 to 23, omit all words and expressions on these lines and insert—
 - "() A report prepared under this section—
 - (a) must, if data has not been reported in respect of a performance indicator and the performance indicator is not an excepted performance indicator within the meaning of section 18, provide reasons for the omission of the data; and
 - (b) must provide an explanation for how the data in respect of each performance indicator has been calculated; and
 - (c) in relation to a public health service, may present data in respect of individual hospitals that constitute the public health service."
12. Clause 13, line 28, after "service" insert "or public hospital".
13. Clause 13, page 19, line 1, after "service" insert "or public hospital".
14. Clause 14, lines 20 to 22, omit all words and expressions on these lines and insert—
 - "() A report prepared under this section—
 - (a) must, if data has not been reported in respect of a performance indicator and the performance indicator is not an excepted performance indicator within the meaning of section 18, provide reasons for the omission of the data; and
 - (b) must provide an explanation for how the data in respect of each performance indicator has been calculated; and
 - (c) may present data in respect of individual hospitals that constitute the denominational hospital."
15. Clause 17, page 23, line 2, omit "Division." and insert "Division including in relation to the following performance indicator categories—".
16. Clause 17, page 23, after line 2 insert—
 - "(a) performance indicators for public health services, public hospitals and denominational hospitals with emergency departments or with funded urgent care centres;
 - (b) performance indicators for public health services, public hospitals and denominational hospitals with 2 or more operating theatres;
 - (c) performance indicators for each dental service."
17. Heading to clause 19, after "**service**" insert "**, public hospital**".
18. Clause 19, line 19, omit "service" and insert "service, public hospital".
19. Clause 19, line 24, omit "service" and insert "service, public hospital".
20. Clause 22, line 7, omit "health service" and insert "health service, public hospital".
21. Clause 22, line 19, omit "service" and insert "service, public hospital".

NEW CLAUSES

22. Insert the following New Clauses to follow clause 22—

"A Requirement to make statutory declaration in relation to accuracy of report

- (1) A Minister who is required to cause the preparation and publication of a report under this Act and the Secretary to the relevant government department of the Minister must each make a statutory declaration in respect of that report providing that the Minister or the Secretary (as appropriate) is not aware of any circumstances which would render any of the particulars in the report inaccurate or misleading.
- (2) A statutory declaration made by a Minister or a Secretary under subsection (1) must be published with, and may be incorporated in, the report to which the statutory declaration relates.

B Further publication requirements for reports

- (1) Any report prepared under this Act must be published in a recognised machine-readable format.
- (2) Any report published under this Act must remain accessible to the public on the website managed and administered by the relevant government department or Emergency Management Victoria (as appropriate).
- (3) For the purposes of subsection (2), if a report published under this Act is updated, any iteration of the report published before the incorporation of the update (a *previous iteration*) must also be accessible on the website managed and administered by the relevant government department or Emergency Management Victoria (as appropriate).
- (4) For the purposes of subsection (3), any previous iteration of a report must be annotated to note that it is a previous iteration."