

Health Insurance Amendment (Compliance Administration) Act 2020

No. 150, 2020

An Act to amend the *Health Insurance Act 1973*, and for related purposes

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Health Insurance Amendment (Compliance Administration) Act 2020

No. 150, 2020

An Act to amend the *Health Insurance Act 1973*, and for related purposes

[*Assented to 17 December 2020*]

The Parliament of Australia enacts:

1 Short title

 This Act is the *Health Insurance Amendment (Compliance Administration) Act 2020*.

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. The whole of this Act | The day after this Act receives the Royal Assent. | 18 December 2020 |

Note: This table relates only to the provisions of this Act as originally enacted.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.

 (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Health Insurance Act 1973

1 Subsection 129AC(1) (heading)

Omit “*statements*”, substitute “*information*”.

2 Subsection 129AC(1)

Omit “making of a false or misleading statement”, substitute “giving of false or misleading information”.

3 Subsection 129AC(1)

Omit “statement was made”, substitute “information was given”.

4 Subsection 129AC(1)

Omit “making of the statement”, substitute “giving of the information”.

5 After subsection 129AC(1)

Insert:

 (1AAA) For the purposes of subsection (1), it is immaterial whether the false or misleading information is given:

 (a) in a document; or

 (b) in a statement; or

 (c) in any other form.

6 Paragraph 129ACA(1)(a)

Omit “making of a false or misleading statement”, substitute “giving of false or misleading information”.

7 After subsection 129ACA(1)

Insert:

 (1A) For the purposes of subsection (1), it is immaterial whether the false or misleading information is given:

 (a) in a document; or

 (b) in a statement; or

 (c) in any other form.

8 Subparagraphs 129ACA(2)(c)(i) and (ii)

Omit “making of the false or misleading statement”, substitute “giving of the false or misleading information”.

9 Paragraph 129ACA(6)(b)

Omit “making of the statement”, substitute “giving of the false or misleading information”.

10 Application provision

 (1) The amendments made by this Schedule apply in relation to an amount paid before, on or after the commencement of this Schedule.

 (2) However, the amendments made by this Schedule do not affect rights or liabilities arising between parties to proceedings:

 (a) in which judgment is reserved by a court on or before the commencement of this Schedule; or

 (b) which have been heard and finally determined by a court on or before the commencement of this Schedule;

to the extent those rights or liabilities arose from, or were affected by, the application of section 129AC or 129ACA, as in force before the commencement of this Schedule.

[*Minister’s second reading speech made in—*

*House of Representatives on 29 October 2020*

*Senate on 9 December 2020*]

(142/20)