



# Family Assistance (Meeting the Immunisation Requirements) Principles Amendment 2017

*A New Tax System (Family Assistance) Act 1999*

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I, CHRISTIAN PORTER, Minister for Social Services, acting under subsection 6(7) of the *A New Tax System (Family Assistance) Act 1999*, and on behalf of the Minister for Education and Training, make this instrument.

Dated 2 August 2017

The Hon Christian Porter MP  
Minister for Social Services

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## **1 Name**

This instrument is the *Family Assistance (Meeting the Immunisation Requirements) Principles Amendment 2017*.

## **2 Commencement**

This instrument commences on the day after it is registered.

## **3 Authority**

This instrument is made under subsection 6(7) of the *A New Tax System (Family Assistance) Act 1999*.

## **4 Schedules**

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

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## Schedule 1—Amendments

### *Family Assistance (Meeting the Immunisation Requirements) Principles 2015*

#### **1 Subsection 4(1), definition of *medical practitioner***

Omit.

#### **2 Subsection 4(1)**

Insert in alphabetical order:

*listed medical practitioner* means a medical practitioner whose name has been given to the Commonwealth Chief Medical Officer by the Chief Health Officer of a State or Territory for the purpose of giving certificates under section 13.

*overseas medical practitioner* means a person authorised to practise as a medical practitioner under a law of another country and who is not also registered or licensed as a medical practitioner under a State or Territory law that provides for the registration or licensing of medical practitioners.

#### **3 Subsection 7(1)**

Omit “11 or 12”, substitute “11, 12 or 13”.

#### **4 After subsection 7(1)**

Add:

(1A) If, when making a determination under subsection 6(6) of the Act in relation to a child, the Secretary is satisfied that the child is likely to meet the usual immunisation requirements within a particular period, the Secretary must make the determination for no longer than that period.

*Note* The Secretary is able to make another determination under subsection 6(6) of the Act in relation to the child at the end of the period.

#### **5 Section 8**

Omit “15 years” (wherever occurring), substitute “14 years”.

#### **6 Paragraph 11(d)**

Omit “medical practitioner”, substitute “overseas medical practitioner”.

#### **7 After section 12**

Add:

#### **13 Unacceptable risk of harm to child or another person**

The requirements of this section are met if:

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- (a) a listed medical practitioner has certified in writing, in a form and manner, if any, required by the Secretary, that, for the reasons set out in the certificate, immunisation of the child would result in an unacceptable risk of physical harm to the child or a person administering a vaccination to the child; and
  - (b) the Commonwealth Chief Medical Officer has certified in writing that he or she agrees with the listed medical practitioner.

*Example* A child with a disruptive behavioural disorder or developmental disorder who reacts with aggression or defiant behaviour when faced with a medical procedure.

*Note* Subsection 6(3) of the Act provides that a child meets the immunisation requirements if immunisation of the child would be medically contraindicated, the child has developed natural immunity, or the child is participating in a vaccine study.