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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**National Health Amendment (National
HPV Vaccination Program Register) Bill
2007**

No. , 2007

(Health and Ageing)

**A Bill for an Act to amend the *National Health Act
1953*, and for related purposes**

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concerned, and any other item in a Schedule to this Act has effect according to its terms.

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Schedule 1—Amendment

National Health Act 1953

1 After section 9B

Insert:

9BA The National HPV Vaccination Program Register

Establishment

- (1) The Commonwealth must establish and keep a register known as the National HPV Vaccination Program Register.

Contents of the Register

- (2) The Register may contain the following kinds of personal information:
 - (a) the name, address, date of birth and Medicare card number of any person to whom HPV vaccine has been administered;
 - (b) the indigenous status of such a person;
 - (c) the names and addresses of parents or guardians of such a person (if the person is a child or is incapable of managing the person's affairs);
 - (d) information about when and where HPV vaccine was administered to such a person;
 - (e) information about who administered HPV vaccine to such a person;
 - (f) information about HPV vaccine that was administered to such a person.

Purposes of the Register

- (3) The purposes of the Register are to ensure the successful implementation of the National Human Papillomavirus (HPV) Vaccination Program, and in doing so facilitate:
 - (a) establishment and maintenance of an electronic database of records for monitoring vaccination of participants in the HPV Program; and

- 1 (b) monitoring of the effectiveness of HPV vaccine in preventing
2 certain cervical cancers by allowing for future cross
3 referencing of data against Pap Smear and other cervical
4 cytology or cervical cancer registers maintained by States
5 and Territories; and
6 (c) establishment of mechanisms to advise eligible persons, or
7 the parents or guardians of children, if doses of HPV vaccine
8 have been missed or if booster doses are required in the
9 future; and
10 (d) maintenance of a record of the HPV vaccination status of
11 eligible persons for the purposes of certifying the completion
12 of the course of vaccination; and
13 (e) promotion of the health and well being of persons by
14 providing information on new developments associated with
15 the Program to vaccination providers, eligible persons and
16 parents or guardians of children; and
17 (f) payment of general practitioners for entering information in
18 the Register.

19 *Opting out of the Register*

- 20 (4) A person may, in writing, request the Commonwealth to remove
21 from the Register personal information relating to:
22 (a) the person; or
23 (b) a child of whom the person is a parent or guardian.
24 The Commonwealth must comply with any such request as soon as
25 practicable.

26 *Effect of the Privacy Act 1988*

- 27 (5) The use by the Commonwealth of personal information for the
28 purposes of the Register is taken to be authorised by law for the
29 purposes of paragraph (1)(c) of Information Privacy Principle 10 in
30 section 14 of the *Privacy Act 1988*.
- 31 (6) The disclosure by the Commonwealth of personal information for
32 the purposes of the Register is taken to be authorised by law for the
33 purposes of paragraph (1)(d) of Information Privacy Principle 11 in
34 section 14 of the *Privacy Act 1988* if:
35 (a) the disclosure is made to a body that is:
36 (i) prescribed by the regulations; or

- 1 (ii) included in a class of bodies prescribed by the
2 regulations; or
3 (iii) a prescribed body within the meaning of Part IVA of the
4 *Health Insurance Act 1973*; or
5 (b) the disclosure is made to a vaccination provider for the
6 purpose of administering HPV vaccine.

7 *Definitions*

8 (7) In this section:

9 ***eligible person*** means a person who is eligible to receive
10 vaccination under the National Human Papillomavirus (HPV)
11 Vaccination Program.

12 ***HPV vaccine*** means Human Papillomavirus vaccine that the
13 Minister has determined under section 9B to be a designated
14 vaccine.

15 ***personal information*** means information or an opinion (including
16 information or an opinion forming part of a database), whether true
17 or not, and whether recorded in a material form or not, about an
18 individual whose identity is apparent, or can reasonably be
19 ascertained, from the information or opinion.

20 ***vaccination provider*** means:

- 21 (a) a general practitioner; or
22 (b) a nurse who is authorised by a State or Territory, or by an
23 authority of a State or Territory, to administer HPV vaccine.

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