Australian Institute of Health Bill 1987

Date Introduced: 25 February 1987
House: House of Representatives

Digest of Bill

Purpose
To establish the Australian Institute of Health (AIH) as a statutory corporation that will collect and release data on health and evaluate health related programs.

Background
As noted by the Minister in the second reading speech for this Bill the need for a more comprehensive and co-ordinated approach to the collection of health statistics has been raised for many years. The matter was raised by the Senate Standing Committee on Social Welfare in 1979 and by the Joint Committee of Public Accounts the next year. The matter has also been reviewed in more recent times.

In the 1984 Budget it was announced that an AIH would be established and that the new body would comprise the School of Public Health and Tropical Medicine and two new units, the Health Status Unit and the Health Services Unit as well as an Administrative and Grants Unit. The Health Status Unit is responsible for monitoring and research into the health of the population. The Unit is also to attempt to improve the data base of health statistics. The Health Services Unit is responsible for the conduct of research into the provision and use of health services.

In January 1986 a report prepared by Professor Kerr White, a consultant from the U.S.A., and titled Independant Review of Research and Educational Requirements for Public Health and Tropical Health in Australia, was delivered to the Minister. The report noted the innovative approach represented by the existing AIH but concluded that it was hampered in the performance of it’s functions by it’s ‘inadequately defined responsibilities and ambiguous relationships to the Commonwealth and State Governments’. To solve these problems the report made three recommendations. First, it was recommended that the AIH be strengthened by giving it the clearly defined role of being the policy analysis and 'intelligence' group working directly for the Minister and Secretary. Secondly, it was recommended that a National Centre for Health Statistics be established by legislation to form national standards for the collection of health statistics and to collect and expand the existing health statistics. Thirdly, the report recommended that a National Centre for Technology and
Health Services Assessment be established by legislation. It was recommended that the proposed body contain a majority of expert scientists and be responsible for the analysis of health programs.\(^2\)

The Government disagreed with the need to establish separate bodies largely on the grounds that such a course of action would result in administrative duplication and an overlap with the functions performed by the AIH. Instead, the Government decided to give the additional functions to the AIH which would be created as a statutory corporation.

**Main Provisions**

The Australian Institute of Health (the Institute) will be established as a corporation by clause 4. The functions of the Institute are listed in clause 5 and include to collect health related information and statistics, co-ordinate and provide assistance for the collection of such information by other bodies, assess the provision, use, cost and effectiveness of health services and technologies, to promote and conduct research into health and to make recommendations to the Minister on the prevention and treatment of disease.

The Institute's powers will include to enter into contracts for the performance of its functions; appoint agents and, subject to clause 29, to release or publish data (clause 6).

The Minister may, after consultation with the Chairperson, direct the Institute as to how to perform its functions (clause 7).

The constitution of the Institute is dealt with in clause 8. It shall consist of the Australian Statistician, the Secretary of the Department (or their delegates), the Chairperson, Director, three persons nominated by the Australian Health Ministers' Advisory Council, a member nominated by the Public Health Association of Australia and New Zealand and three persons nominated by the Minister.

Clauses 9 to 15 deal with administrative matters such as acting members, remuneration, termination, disclosure of interests and meetings.

The Institute is to establish a committee known as the Australian Institute of Health Ethics Committee. The Committee is to perform prescribed functions and may appoint other committees to assist in the performance of its functions (clause 16).

The Minister is to appoint a Director of the Institute on a full or part time basis for a period of up to five years. The Director is to be younger than 65 years (clause 17). The function of the Director will be to manage the Institute in accordance with the policies determined by the Institute (clause 18).

The Institute will be able to engage consultants and advisors and its staff are to either be employed under the Public Service Act 1922 or under terms and conditions determined by the Public Service Board (clause 19).

Part III of the Bill deals with finance. Parliament is to appropriate money for the Institute (clause 20) and the Institute's funds are to consist of such appropriation and other money paid to it. Such funds are to be spent only on the performance of its functions, for remuneration and for other
purposes authorised by the Bill (clause 22).

The Institute is not to enter into contracts for more than $200,000 (or a higher limit if prescribed) or enter into leases for a period in excess of ten years without Ministerial approval (clause 23).

Part XI of the Audit Act 1901 will apply to the Institute (clause 24).

Trust funds are to be kept in a separate account and may only be used for the purposes in the trust deed or such other uses as allowed at law (clause 25).

The Institute will be tax exempt (clause 26).

It will be an offence for a person to pass on information gained due to their position at the Institute other than to the Minister where the subject of the information is not identified, to a person specified in writing by the Ethics Committee or as conclusions based on statistical information where the subject of the information is not identified (clause 29).

Reports are to be prepared on the operation of the Institute to 31 December 1987 and thereafter every second year (clause 31).

Clause 32 will allow the Governor-General to make regulations under the Bill.

References


2. Ibid., p.19-22.

For further information, if required, contact the Education and Welfare Group.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.