

|  |
| --- |
| Feedback template  Reforms to health regulation in Victoria – consultation paper – 29 April 2024 |
|  |

# Providing feedback on the consultation paper

The Department of Health has released a consultation paper – ***Reforms to health regulation in Victoria*** – to seek stakeholder views, to build understanding of the reforms and to support their implementation.

The consultation paper is available on the Department of Health’s website at [Reforms to health regulation in Victoria](http://www.health.vic.gov.au/legislation/reforms-to-health-regulation-in-victoria) <www.health.vic.gov.au/legislation/reforms-to-health-regulation-in-victoria>.

Stakeholders are invited to submit responses to the consultation paper.

Questions about the consultation can be emailed to the [Department of Health’s Legislative and Regulatory Reform Team](mailto:legandregreform@health.vic.gov.au) at <legandregreform@health.vic.gov.au>.

## How to make a submission

Once you have completed your response to the consultation paper, please email it to the [Department of Health’s Legislative and Regulatory Reform Team](mailto:legandregreform@health.vic.gov.au) at <legandregreform@health.vic.gov.au>.

You may use this feedback template to submit your response or provide your feedback in another written format. You may choose to respond to all or only some of the consultation questions.

Please read the below privacy collection notice before completing a submission.

**Submissions will be accepted until midnight 31 May 2024.**

## Publication of submissions

Submissions will not be made public, however an anonymised summary of submissions may be published. Please clearly indicate if you do not wish any part of your submission to be made public by marking your submission as ‘private and confidential’.

## Privacy collection notice

Participation in this consultation is voluntary and by providing your submission you will be taken to have provided consent for collection and use of the information provided.

The Department of Health (department) is committed to protecting your privacy, and any personal information you provide is collected and handled in accordance with the *Privacy and Data Protection Act 2014* (Vic).

The information you provide in your submission will be used by the department to administer the consultation process associated with the *Reforms to health regulation in Victoria – consultation paper*. This information will be used to prepare for any further required consultation, design the proposed reforms and support their implementation. Your email address may also be used to send you updates as the consultation and reforms progress.

When you email your submission, the department will collect your email address. Your contact email address will not be shared with any third party. You are not required to provide any further personal or contact information in order to contribute to this consultation.

You are asked not to provide any identifying information about yourself or any third party in your submission. If personally identifying information is inadvertently provided/collected, we will take reasonable steps to delete it.

Material in submissions may be published unless you have clearly indicated that you do not wish it to be made public by marking your submission as ‘private and confidential’.

For more information on the department’s privacy collection practices, please refer to the department’s [Privacy policy](https://www.health.vic.gov.au/department-of-health-privacy-policy) <https://www.health.vic.gov.au/department-of-health-privacy-policy>.

You may contact the Legislative and Regulatory Reform team supervising the consultation by emailing [Legislation and Regulation Reform](mailto:Legislation%20and%20Regulation%20Reform%20(HEALTH)%20%3clegandregreform@health.vic.gov.au%3e) <legandregreform@health.vic.gov.au>.

You may contact the department’s Privacy team by emailing [Privacy team](mailto:privacy@health.vic.gov.au) <privacy@health.vic.gov.au>.

**By providing your submission, you acknowledge that you have read and understood all the information detailed in this collection notice and agreed to provide your submission.**

## Submission details

| Question | Your response |
| --- | --- |
| Name and title (optional) |  |
| Email address (optional) |  |
| Organisation / association / peak body / regulator / government agency (if relevant) |  |
| Are you authorised to provide this submission on behalf of your organisation (if relevant)? | Yes         No           N/A ​ |
| Please select which category best describes you (optional). | ​ Member of the public/health consumer  ​ Regulated service or individual  Public or health consumer organisation/peak  ​ Industry or professional organisation/peak  Regulator or government entity  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Is your submission ‘private and confidential’ and you do not want any part of your submission made public? | Yes   ​​           No   ​​ |
| Would you or your organisation like to receive project updates via email? | Yes   ​​           No   ​​ |

# Consultation questions

## Part 1 – Improved compliance and enforcement tools

### Question one

Do you support the Health Regulator having access to the proposed compliance and enforcement tools across the regulatory schemes it is responsible for?

|  |
| --- |
|  |

### Question two

Do you agree that these compliance and enforcement powers will enable the Health Regulator to adopt a more graduated, risk-based and proportionate approach to compliance and enforcement?

|  |
| --- |
|  |

### Question three

Can you provide examples of a regulator that has used similar compliance and enforcement tools in a manner that you consider to be effective, or ineffective?

|  |
| --- |
|  |

### Question four

Are there any other matters that should be considered in implementing the proposed compliance and enforcement tools (including any specific impacts or benefits for you, your sector or the regulated services you use)?

|  |
| --- |
|  |

### Question five

Do you have any feedback on the penalties that are proposed to apply in relation to the new compliance and enforcement tools?

|  |
| --- |
|  |

### Question six

Do you have any other feedback or suggestions in relation to the Health Regulator’s compliance and enforcement approach or other related matters?

|  |
| --- |
|  |

## Part 2 – Reforms to the regulation of assisted reproductive treatment (ART)

### Question one

Do you have any feedback on the proposals for the management of regulatory and other functions under the *Assisted Reproductive Treatment Act 2008* (including the transfer of regulatory functions to the Department of Health and donor registry functions to the new Donor Conception Registrar)?

|  |
| --- |
|  |

### Question two

Do you support the proposed compliance and enforcement powers for the Health Regulator under the ART Act?

|  |
| --- |
|  |

### Question three

Are the proposed matters included in the information provision requirements in relation to accessing information on the donor conception registers appropriate? Is there anything that should be added?

|  |
| --- |
|  |

### Question four

Do you have any feedback on the proposed criteria that must be addressed in the certification for bringing donor gametes/embryos into/taking them out of Victoria (see Appendix 2)? Are there any that should be added, amended, or removed?

|  |
| --- |
|  |

### Question five

Do you have any comments on the operation of the certification process for bringing donor gametes/embryos into/taking them out of Victoria?

|  |
| --- |
|  |

### Question six

Are there any transitional matters that you think should be considered as part of the transition of VARTA’s functions under the proposed reforms?

|  |
| --- |
|  |

### Question seven

Are there any other matters you think should be considered in implementation of the reforms?

|  |
| --- |
|  |

### Question eight

Are there other reforms relating to ART that you would like the department to consider as part of any future reforms?

|  |
| --- |
|  |

|  |
| --- |
| To receive this document in another format, email the [Department of Health’s Legislative and Regulatory Reform Team](mailto:legandregreform@health.vic.gov.au) at [<legandregreform@health.vic.gov.au](mailto:%3clegandregreform@health.vic.gov.au)>.  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, April 2024.  **ISBN** 978-1-76131-548-0 **(pdf/online/MS word)**  Available on the Department of Health’s website at [Reforms to health regulation in Victoria](http://www.health.vic.gov.au/legislation/reforms-to-health-regulation-in-victoria) <www.health.vic.gov.au/legislation/reforms-to-health-regulation-in-victoria>. |