



## Health Practitioners (Protected Quality Assurance Activity—Australian and New Zealand Tripartite Anaesthetic Data Committee: Incident Recording and Reporting Project) Notice 2019

Pursuant to section 54(3) of the Health Practitioners Competence Assurance Act 2003, the Minister of Health, being satisfied of the matters set out in that subsection, gives the following notice.

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### Notice

#### 1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—Australian and New Zealand Tripartite Anaesthetic Data Committee: Incident Recording and Reporting Project) Notice 2019.

#### 2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

#### 3 Interpretation

In this notice, **specified health practitioner** means a health practitioner, or health practitioner in training, who—

- (a) practises anaesthesia in New Zealand or Australia; and
- (b) is a member of—
  - (i) the New Zealand Society of Anaesthetists Incorporated; or

- (ii) the Australian and New Zealand College of Anaesthetists; or
- (iii) the Australian Society of Anaesthetists Limited.

#### **4 Declaration of protected quality assurance activity**

The following quality assurance activities are protected to the extent that they are undertaken by the Australian and New Zealand Tripartite Anaesthetic Data Committee in relation to specified health practitioners:

- (a) participating in the Australian and New Zealand Tripartite Anaesthetic Data Committee Incident Recording and Reporting Project; and
- (b) carrying out the following activities in relation to the project:
  - (i) protecting data and information recorded in a Web-based reporting system, including information about incidents and near misses, while the data or information is being recorded, analysed, or stored; and
  - (ii) distributing results of analysis of the data or information mentioned in paragraph (b)(i) to anaesthetists for the purpose of improving the quality of care that anaesthetists provide.

#### **5 Revocation**

The Health Practitioners (Quality Assurance Activity—Australian and New Zealand Tripartite Anaesthetic Data Committee) Notice 2014 (LI 2014/113) is revoked.

Dated at Wellington this 25th day of July 2019.

Hon Dr David Clark,  
Minister of Health.

### **Explanatory note**

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice comes into force on the day after the date of its notification in the *Gazette*. It declares the quality assurance activities described in *clause 4* to be protected. Quality assurance activities are activities that are undertaken to improve the practices or competence of specified health practitioners by assessing the health services performed by those practitioners. The effect of protecting a quality assurance activity is that—

- any information that becomes known solely as a result of the activity is confidential; and

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Explanatory note

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- any documents brought into existence solely for the purpose of the activity are confidential; and
- the persons who engage in the activity in good faith are immune from civil liability.

The protections afforded by this notice are subject to certain statutory exceptions. For example, this notice does not prohibit the disclosure of information that does not identify, either expressly or by implication, a particular individual.

This notice revokes the Health Practitioners (Quality Assurance Activity—Australian and New Zealand Tripartite Anaesthetic Data Committee) Notice 2014.

This notice remains in force for 5 years unless sooner revoked.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 8 August 2019.

This notice is administered by the Ministry of Health.