



Health Practitioners (Protected Quality Assurance Activity—Breast Surgeons of Australia & New Zealand Incorporated) Notice 2024

This notice is made by the Minister of Health under section 54(3) of the Health Practitioners Competence Assurance Act 2003 on being satisfied of the matters set out in that subsection.

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Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—Breast Surgeons of Australia & New Zealand Incorporated) Notice 2024.

2 Commencement

This notice comes into force on the 28th day after it is notified in the *Gazette*.

3 Interpretation

In this notice, **specified health practitioner** means a surgeon who is involved in the treatment of early breast cancer in Australia and New Zealand and who participates in the BreastSurgANZ Quality Audit.

4 Declaration of protected quality assurance activity

- (1) The quality assurance activity described in subclause (2) is protected to the extent that it is undertaken by Breast Surgeons of Australia & New Zealand Incorporated in relation to specified health practitioners.
- (2) The activity is conducting the BreastSurgANZ Quality Audit and involves—

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Explanatory note

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- (a) collecting from specified health practitioners clinical and pathological data about patients with early breast cancer; and
- (b) collating and analysing that data; and
- (c) applying bi-national standards and clinical guidelines to that data to evaluate the surgical care and management performance of specified health practitioners; and
- (d) providing individual specified health practitioners with feedback on that evaluation of their performance; and
- (e) making recommendations on how specified health practitioners may improve their performance to ensure that they provide their patients with the highest possible standard of surgical care and management; and
- (f) facilitating and monitoring any recommendation made under paragraph (e).

Dated at Wellington this 12th day of December 2024.

Dr Diana Sarfati for Hon Dr Shane Reti,
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 28th day after it is notified in the *Gazette*. It declares the quality assurance activity described in *clause 4* to be protected. A quality assurance activity is an activity that is undertaken to improve the practices or competence of 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
- any documents brought into existence solely for the purposes 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 remains in force for 5 years, unless sooner revoked.

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**Health Practitioners (Protected Quality Assurance
Activity—Breast Surgeons of Australia & New Zealand
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Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 19 December 2024.
This notice is administered by the Ministry of Health.

Wellington, New Zealand:

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