

Serial 82
Private Hospitals Amendment Bill 2026
Mr Edgington

A Bill for an Act to amend the *Private Hospitals Act 1981*

NORTHERN TERRITORY OF AUSTRALIA

PRIVATE HOSPITALS AMENDMENT ACT 2026

Act No. [] of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2026

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An Act to amend the *Private Hospitals Act 1981*

[Assented to [] 2026]
[Introduced [] 2026]

The Legislative Assembly of the Northern Territory enacts as follows:

10

1 Short title

This Act may be cited as the *Private Hospitals Amendment Act 2026*.

2 Commencement

15

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Private Hospitals Act 1981*.

4 Long title amended

Long title

20

omit

regulate private hospitals,

insert

25

provide for the control and regulation of private hospitals and the delivery of medical and surgical treatment and other services by or at private hospitals,

5 Section 3 amended (Object of Act)

(1) Section 3, heading

omit

Object

insert

Objects

(2) Section 3(1)

omit, insert

(1) The objects of this Act are:

(a) to protect the health and welfare of people receiving medical or surgical treatment or other services in private hospitals; and

(b) to plan for and provide for the delivery of comprehensive, balanced and coordinated health services throughout the Territory to meet the needs of people in the Northern Territory.

(3) Section 3(2)

omit

the object,

insert

these objects,

(4) Section 3(2)(b), after 'the'

insert

regulation,

6 Section 4 amended (Definitions)

(1) Section 4

insert

CEO means the Chief Executive Officer.

condition means an imposed condition or a prescribed condition.

designated private hospital, see section 4AB.

imposed condition means a condition of a licence that is imposed under section 10A(1)(b).

prescribed condition means a condition of the licence of a designated private hospital that is prescribed under section 10A(1)(a).

(2) Section 4, definition **approved**

omit

Chief Health Officer.

insert

CEO.

7 Section 4AB inserted

After section 4A

insert

4AB Designated private hospitals

The regulations may prescribe a private hospital to be a **designated private hospital**.

8 Section 6 amended (Offences relating to conduct of private hospital)

(1) Section 6(3)

omit

the conduct,

insert

conduct that contravenes an imposed condition,

(2) Section 6(3)(b)

omit

26(1)(e)

insert

26(1)(b)

9 Section 9 amended (Application for licence)

(1) Section 9(1), (2) and (3)(f)

omit

Chief Health Officer

5 *insert*

CEO

(2) After section 9(3)(b)

insert

10 (ba) the medical or surgical treatment and other services to be
provided at the private hospital; and

10 Section 10 amended (Determination of application)

(1) Section 10(1)

omit

(1)

15 (2) Section 10(1)

omit

Chief Health Officer

insert

CEO

20 (3) Section 10(2)

omit

11 Section 10A inserted

After section 10

insert

10A Licence conditions

- 5 (1) A licence granted under section 10 to conduct a private hospital is subject to:
- (a) if the hospital is a designated private hospital – the conditions prescribed by regulation for the designated private hospital; and
- 10 (b) the conditions the CEO thinks fit to impose and specifies in the licence.
- (2) A condition prescribed under subsection (1)(a) does not apply in relation to a licence for a designated private hospital that was granted before the condition was prescribed.
- 15 (3) If there is any inconsistency between a prescribed condition and an imposed condition of a licence to conduct a designated private hospital, the prescribed condition prevails to the extent of the inconsistency.
- 20 (4) Without limiting subsection (1), a condition of a licence may provide for the following:
- (a) the medical or surgical treatment and other services that may, must or must not be provided at the private hospital;
- (b) the extent to which and the periods and times during which any treatment or service is to be provided or made available;
- 25 (c) the standards in accordance with which any treatment or service is to be provided or made available.

12 Section 16 amended (Determination of application for transfer of licence)

- (1) Section 16(1) and (2)

30 *omit*

Chief Health Officer

insert

CEO

(2) Section 16(3)

omit

be conditions

insert

5 be imposed conditions

(3) After section 16(3)

insert

10 (4) If the licence is a licence to conduct a designated private hospital and there is any inconsistency between a prescribed condition and a condition imposed under subsection (3), the prescribed condition prevails to the extent of the inconsistency.

13 Section 24 amended (Chief Health Officer's action following inspection)

(1) Section 24, heading

15 *omit*

Chief Health Officer's

insert

CEO's

(2) Section 24, before 'After'

20 *insert*

(1)

(3) Section 24

omit

Chief Health Officer

25 *insert*

CEO

(4) Section 24, at the end

insert

5

(2) In addition, if after an inspection of a private hospital under section 23 the CEO believes on reasonable grounds that the licensee has contravened this Act or a condition of the licensee's licence, the CEO may, by written notice given to the licensee, require the licensee to take steps to do any of the following within the time specified in the notice:

10

(a) remedy the contravention;

(b) prevent the continuation or recurrence of the contravention;

(c) address any related risk to patient health or welfare.

14 Part 7 inserted

After section 35

insert

15

Part 7 Transitional matter for Private Hospitals Amendment Act 2026

36 Application of amendments in relation to existing licence

20

The amendments to this Act made by the *Private Hospitals Amendment Act 2026* do not apply in relation to a licence that was in force immediately before the commencement of that Act and this Act, as in force before the commencement, continues to apply in relation to the licence.

15 Act further amended

The Schedule has effect.

25

16 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 15

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 5, heading	Chief Health Officer	CEO
sections 5 and 12	Chief Health Officer (all references)	CEO
section 12	to conditions,	to imposed conditions,
sections 13(2), 15, 17 and 19(4) and (5)	Chief Health Officer (all references)	CEO
section 21, heading	Chief Health Officer	CEO
section 21(1)	Chief Health Officer (all references)	CEO
section 22, heading	conditions	imposed conditions
section 22(1)	the conditions Chief Health Officer (all references)	the imposed conditions CEO
section 22(2)	the conditions	the imposed conditions
sections 23(1), (2) and (4), 25(1), (2)(a) and (3) and 26(1)	Chief Health Officer (all references)	CEO
section 26(1)	conditions	imposed conditions
section 26(1)(f)(ii)	fails to comply with	contravenes
section 26(2)	Chief Health Officer (all references)	CEO
	conditions	imposed conditions
	Chief Health Officer's	CEO's
section 27(1), (2) and (3)	Chief Health Officer (all references)	CEO

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 28, heading	Chief Health Officer	CEO
sections 28(1) and (2) and 29(1), (2)(c), (3), (4) and (5)(a) to (d)	Chief Health Officer (<i>all references</i>)	CEO
section 29(1)	10,	10 or 10A,
section 29(5)(c)	it's	its
section 30	Chief Health Officer	CEO
	Chief Health Officer's	CEO's
sections 32 and 33(2)	Chief Health Officer (<i>all references</i>)	CEO
section 33(1)(a)	10(1)(b)	10(b)