



New South Wales

Health Services Amendment (PPP Prohibition) Bill 2025

Contents

		Page
	1 Name of Act	2
	2 Commencement	2
Schedule 1	Amendment of Health Services Act 1997 No 154	3

I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,* , 2025



New South Wales

Health Services Amendment (PPP Prohibition) Bill 2025

Act No , 2025

An Act to amend the *Health Services Act 1997* to prohibit new public-private partnership arrangements for the provision of acute hospitals and services; and for related purposes.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Health Services Amendment (PPP Prohibition) Act 2025*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Health Services Act 1997 No 154

Section 133E

Insert after section 133D—

133E Prohibition of certain public-private partnership arrangements

- (1) This section applies to the following entities—
 - (a) the State, including a Minister of the Crown or a person acting on behalf of the State, including the Health Secretary,
 - (b) a local health district,
 - (c) a statutory health corporation.
- (2) An entity to which this section applies must not enter into an arrangement with a private person for the purpose of the private person—
 - (a) constructing an acute hospital building or complex, and
 - (b) providing an acute hospital service to public patients in New South Wales at the acute hospital building or complex.
- (3) Subsection (2) applies only if under the arrangement—
 - (a) the entity has, or will have, an interest, liability or responsibility in the hospital building or complex, and
 - (b) the hospital building or complex is constructed in part or in whole through private sector financing, ownership or control.
- (4) However, subsection (2) does not apply to an arrangement, or an arrangement of a class, excluded from the operation of this section by the regulations.
- (5) Nothing in subsection (2), affects an arrangement in effect at the commencement of this section, including a variation to, or an option to extend, an existing arrangement.
- (6) In this section—

acute hospital building or complex means a hospital building or complex at which an acute hospital service is provided.

acute hospital service means a hospital service that includes the provision of—
 - (a) emergency services, and
 - (b) surgical services, and
 - (c) in-patient services.

private person means a person other than—
 - (a) the Commonwealth, a State or a Territory, including a Minister of the Crown in any of its capacities or a person acting on behalf of the Commonwealth, a State or a Territory, or
 - (b) a public or local authority of the Commonwealth, a State or a Territory, including a local council or a State owned corporation, however described, or

(c) a public health organisation.