

TASMANIA

**HEALTH PROFESSIONALS REGISTRATION
(MISCELLANEOUS AMENDMENTS) BILL 2008**

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**HEALTH PROFESSIONALS REGISTRATION
(MISCELLANEOUS AMENDMENTS) BILL 2008**

*(Brought in by the Minister for Health and Human Services,
the Honourable Larissa Tahireh Giddings)*

A BILL FOR

An Act to amend the State's health professionals registration Acts so as to allow the various registration bodies greater flexibility with regard to the appointment of Registrars or other like officers and for related purposes

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Health Professionals Registration (Miscellaneous Amendments) Act 2008*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Legislation amended

The legislation specified in Schedule 1 is amended as specified in that Schedule.

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SCHEDULE 1 – LEGISLATION AMENDED

Section 3

Chiropractors and Osteopaths Registration Act 1997

1. Section 12 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
- (b) by omitting subsection (2).

2. After section 12, the following section is inserted in Division 3:

12A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 13.
- (3) The Registrar is to act as secretary to the Board.

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3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:

- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Dental Practitioners Registration Act 2001

1. Section 13 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
- (b) by omitting subsection (2).

2. After section 13, the following section is inserted in Division 3:

13A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
- (a) an employee of the Board; or
- (b) an independent contractor to the Board; or

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- (c) a person whose services are made available to the Board pursuant to an arrangement under section 14.
 - (3) The Registrar is to act as secretary to the Board.
- 3.** Section 15 is amended by omitting subsection (1) and substituting the following subsection:
- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Dental Prosthetists Registration Act 1996

- 1.** Section 13 is amended as follows:
- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
 - (b) by omitting subsection (2).
- 2.** After section 13, the following section is inserted in Division 3:

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13A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 14.
- (3) The Registrar is to act as secretary to the Board.

3. Section 15 is amended by omitting subsection (1) and substituting the following subsection:

- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Medical Practitioners Registration Act 1996

1. Section 12 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such

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other employees” and substituting “may employ such persons”;

(b) by omitting subsection (2).

2. After section 12, the following section is inserted in Division 3:

12A. Registrar

(1) The Council must appoint a Registrar.

(2) The Registrar may be –

(a) an employee of the Council; or

(b) an independent contractor to the Council; or

(c) a person whose services are made available to the Council pursuant to an arrangement under section 13.

(3) The Registrar is to act as secretary to the Council.

3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:

(1) A person engaged in the administration of this Act does not incur any personal liability for any act done or purported or

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omitted to be done by the person in good faith for that purpose.

***Medical Radiation Science Professionals Registration Act
2000***

1. Section 12 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
- (b) by omitting subsection (2).

2. After section 12, the following section is inserted in Division 3:

12A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 13.

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(3) The Registrar is to act as secretary to the Board.

3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:

(1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Nursing Act 1995

1. Section 3(1) is amended by omitting “section 13(1)” from the definition of “Executive Officer” and substituting “section 13A”.

2. Section 13 is amended as follows:

(a) by omitting from subsection (1A) “must appoint a registered nurse as Executive Officer and may appoint such other employees” and substituting “may employ such persons”;

(b) by omitting subsection (2).

3. After section 13, the following section is inserted in Division 3:

13A. Executive Officer

- (1) The Board must appoint a registered nurse as Executive Officer.
- (2) The Executive Officer may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 14.
- (3) The Executive Officer is to act as secretary to the Board.

4. Section 15 is amended by omitting subsection (1) and substituting the following subsection:

- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Optometrists Registration Act 1994

1. Section 12 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such

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other employees” and substituting “may employ such persons”;

(b) by omitting subsection (2).

2. After section 12, the following section is inserted in Division 3:

12A. Registrar

(1) The Board must appoint a Registrar.

(2) The Registrar may be –

(a) an employee of the Board; or

(b) an independent contractor to the Board; or

(c) a person whose services are made available to the Board pursuant to an arrangement under section 13.

(3) The Registrar is to act as secretary to the Board.

3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:

(1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Pharmacists Registration Act 2001

1. Section 14 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
- (b) by omitting subsection (2).

2. After section 14, the following section is inserted in Division 3:

14A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 15.
- (3) The Registrar is to act as secretary to the Board.

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3. Section 16 is amended by omitting subsection (1) and substituting the following subsection:

- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Physiotherapists Registration Act 1999

1. Section 12 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
- (b) by omitting subsection (2).

2. After section 12, the following section is inserted in Division 3:

12A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
- (a) an employee of the Board; or
- (b) an independent contractor to the Board; or

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- (c) a person whose services are made available to the Board pursuant to an arrangement under section 13.
 - (3) The Registrar is to act as secretary to the Board.
3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:
- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Podiatrists Registration Act 1995

- 1. Section 12 is amended as follows:
 - (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such other employees” and substituting “may employ such persons”;
 - (b) by omitting subsection (2).
- 2. After section 12, the following section is inserted in Division 3:

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12A. Registrar

- (1) The Board must appoint a Registrar.
- (2) The Registrar may be –
 - (a) an employee of the Board; or
 - (b) an independent contractor to the Board; or
 - (c) a person whose services are made available to the Board pursuant to an arrangement under section 13.
- (3) The Registrar is to act as secretary to the Board.

3. Section 14 is amended by omitting subsection (1) and substituting the following subsection:

- (1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.

Psychologists Registration Act 2000

1. Section 13 is amended as follows:

- (a) by omitting from subsection (1) “must appoint a Registrar and may appoint such

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other employees” and substituting “may employ such persons”;

(b) by omitting subsection (2).

2. After section 13, the following section is inserted in Division 3:

13A. Registrar

(1) The Board must appoint a Registrar.

(2) The Registrar may be –

(a) an employee of the Board; or

(b) an independent contractor to the Board; or

(c) a person whose services are made available to the Board pursuant to an arrangement under section 14.

(3) The Registrar is to act as secretary to the Board.

3. Section 15 is amended by omitting subsection (1) and substituting the following subsection:

(1) A person engaged in the administration of this Act does not incur any personal liability for an act done or purported or omitted to be done by the person in good faith for that purpose.