

TASMANIA

**HEALTH PRACTITIONERS REGISTRATION
(MISCELLANEOUS AMENDMENTS) BILL 2006**

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**HEALTH PRACTITIONERS REGISTRATION
(MISCELLANEOUS AMENDMENTS) BILL 2006**

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

A BILL FOR

An Act to amend the *Dental Practitioners Registration Act 2001*, *Medical Practitioners Registration Act 1996* and *Pharmacists Registration Act 2001*

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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Health Practitioners Registration (Miscellaneous Amendments) Act 2006*.

2. Commencement

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

Health Practitioners Registration (Miscellaneous Amendments)
Act 2006
Act No. of

s. 3

Part 2 – Dental Practitioners Registration Act 2001 Amended

**PART 2 – DENTAL PRACTITIONERS REGISTRATION
ACT 2001 AMENDED**

3. Principal Act

In this Part, the *Dental Practitioners Registration Act 2001** is referred to as the Principal Act.

4. Section 73 amended (Medical practitioners’ notices relating to fitness to practise)

Section 73 of the Principal Act is amended by omitting “that prescribed instrument” and substituting “the order or recommendation”.

*No. 20 of 2001

Health Practitioners Registration (Miscellaneous Amendments)
Act 2006
Act No. of

Part 3 – Medical Practitioners Registration Act 1996 Amended

s. 5

**PART 3 – MEDICAL PRACTITIONERS
REGISTRATION ACT 1996 AMENDED**

5. Principal Act

In this Part, the *Medical Practitioners Registration Act 1996** is referred to as the Principal Act.

6. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of “contravene”.

7. Section 74 repealed

Section 74 of the Principal Act is repealed.

8. Schedule 2 amended (Provisions with respect to meetings of Council)

Clause 6 of Schedule 2 to the Principal Act is amended by inserting after subclause (4) the following subclauses:

- (5) A person must not fail to comply with an order under subclause (3)(a).

*No. 2 of 1996

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s. 9

Part 3 – Medical Practitioners Registration Act 1996 Amended

Penalty: Fine not exceeding 25 penalty units.

- (6) A person must not fail to comply with an order under subclause (3)(b).

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
- (b) an individual, a fine not exceeding 25 penalty units.

9. Schedule 3 amended (Powers and procedures of assessment committees and investigators)

Clause 2 of Schedule 3 to the Principal Act is amended by inserting after subclause (3) the following subclauses:

- (4) However, a responsible entity that is conducting any proceedings in public may do either or both of the following if it considers that there are compelling grounds to do so:
- (a) make an order excluding any person from the proceedings;
 - (b) make an order prohibiting the reporting or other disclosure of all or any of the proceedings or

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prohibiting the reporting or other disclosure of particular information in respect of the proceedings.

- (5) Without limiting the range of grounds that may be relevant for the purposes of subclause (4), the responsible entity may exercise its power under that subclause if –
- (a) it is dealing with privileged information or information that has been communicated to the responsible entity in confidence; or
 - (b) it is dealing with information concerning the personal affairs, finances or business arrangements of a registered medical practitioner; or
 - (c) the disclosure of the proceedings or the information may be unfairly prejudicial to the reputation of a registered medical practitioner or any other person.
- (6) A person must not fail to comply with an order made under subclause (4)(a).

Penalty: Fine not exceeding 25 penalty units.

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s. 10

Part 3 – Medical Practitioners Registration Act 1996 Amended

- (7) A person must not fail to comply with an order made under subclause (4)(b).

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or
- (b) an individual, a fine not exceeding 25 penalty units.

10. Schedule 5 amended (Provision with respect to powers and procedures of Tribunal)

Schedule 5 to the Principal Act is amended by inserting after subclause (4) in clause 2 of Part 1 the following subclauses:

- (5) A person must not fail to comply with an order under subclause (2)(a).

Penalty: Fine not exceeding 25 penalty units.

- (6) A person must not fail to comply with an order under subclause (2)(b).

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units; or

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- (b) an individual, a fine not exceeding 25 penalty units.

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Act 2006
Act No. of

s. 11

Part 4 – Pharmacists Registration Act 2001 Amended

**PART 4 – PHARMACISTS REGISTRATION ACT 2001
AMENDED**

11. Principal Act

In this Part, the *Pharmacists Registration Act 2001** is referred to as the Principal Act.

12. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting the definition of “contravene”.

13. Section 38 amended (Removal from register)

Section 38(4)(b) of the Principal Act is amended by omitting “subsection (1)(b)(ii), (iii) or (iv)” and substituting “subsection (1)(b)(ii) or (iv)”.

14. Section 73 amended (Information about bodies corporate)

Section 73(5) of the Principal Act is amended by omitting “time” and substituting “period”.

*No. 90 of 2001