

CLAUSE NOTES

Health Practitioner Regulation National Law (Tasmania) (Consequential Amendments) Bill 2010

Clause 1	Short Title
Clause 2	The Act will commence on a day or days to be proclaimed.
Clause 3	This clause provides that any regulations, rules or by-laws that are amended by this Act may be amended or rescinded by a subsequent regulation, rule or by-law
Clause 4	This clause provides that the legislation set out in Schedule 1 is amended as specified in the Schedule.
Clause 5	This clause provides that the Act is repealed on the 90 th day after all the provisions of the Act commence.
Schedule 1	Consequential amendments The Schedule sets out the 75 Acts and regulations that are amended. See attached list for the titles of all Acts and regulations amended in the Schedule. Most of the amendments relate to the definitions and terminology of the various health practitioners. The following three Acts have specific amendments in response to the National Law. <i>Acts Interpretation Act 1931</i> New definitions of “medical practitioner”, “registered nurse” and “enrolled nurse” are inserted in the <i>Acts Interpretation Act</i> . As a result these terms are not defined in other Acts. Hence any definitions in those Acts are omitted by these consequential amendments. <i>Annulled Convictions Act 2003</i> The National Law provides that the relevant annulled convictions Acts in the participating jurisdictions do not apply to health practitioners’ police checks. The amendment to the <i>Annulled Convictions Act</i> confirms that such checks are non-exempt applications under that Act. <i>Health Complaints Act 1995</i> The National Law sets out the relationship between the National Boards and the Health Complaints Commissioner and the process for deciding which entity will deal with a complaint or notification about a health practitioner. The amendments to the <i>Health Complaints Act</i> complement the changes brought about by the National Law.

LIST OF LEGISLATION AMENDED IN SCHEDULE I

<i>Acts Interpretation Act 1931</i>	<i>Forensic Procedures Act 2000</i>
<i>Adoption Act 1988</i>	<i>Freedom of Information Act 1991</i>
<i>Adoption Regulations 2006</i>	<i>Guardianship and Administration Act 1995</i>
<i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i>	<i>Guardianship and Administration Regulations 2007</i>
<i>Alcohol and Drug Dependency Act 1968</i>	<i>Health (Fees) Regulations 2007</i>
<i>Ambulance Service (Fees) Regulations 2001</i>	<i>Health Complaints Act 1995</i>
<i>Annulled Convictions Act 2003</i>	<i>Health Professionals (Special Events Exemption) Act 1998</i>
<i>Births, Deaths and Marriages Registration Act 1999</i>	<i>Health Services Act 1960</i>
<i>Blood Transfusion (Limitation of Liability) Act 1986</i>	<i>HIV/AIDS Preventive Measures Act 1993</i>
<i>Burial and Cremation (Cremation) Regulations 2002</i>	<i>Human Tissue Act 1985</i>
<i>Burial and Cremation (Handling Of Human Remains) Regulations 2005</i>	<i>Industrial Relations Act 1984</i>
<i>Children, Young Persons and Their Families Act 1997</i>	<i>Juries Act 2003</i>
<i>Civil Liability Act 2002</i>	<i>Justices Act 1959</i>
<i>Conveyancing Act 2004</i>	<i>Legal Profession Act 2007</i>
<i>Coroners Act 1995</i>	<i>Long Service Leave (Casual Wharf Employees) Act 1982</i>
<i>Corrections Act 1997</i>	<i>Long Service Leave (State Employees) Act 1994</i>
<i>Criminal Code Act 1924</i>	<i>Marine Safety (Misuse of Alcohol) Act 2006</i>
<i>Criminal Justice (Mental Impairment) Act 1999</i>	<i>Marine Safety (Pilotage and Navigation) Regulations 2007</i>
<i>Dangerous Goods (Road and Rail Transport) Regulations 1998</i>	<i>Medical Radiation Science Professionals Registration Act 2000</i>
<i>Disability Services Act 1992</i>	<i>Mental Health Act 1996</i>
<i>Education Act 1994</i>	<i>Misuse of Drugs Act 2001</i>
<i>Family Violence Act 2004</i>	<i>Motor Accidents (Liabilities and Compensation) Act 1973</i>
<i>Firearms Act 1996</i>	<i>Motor Accidents (Liabilities and Compensation) Regulations 2000</i>
<i>Fluoridation Act 1968</i>	<i>Perinatal Registry Act 1994</i>

Personal Information Protection Act 2004
Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2008
Petroleum (Submerged Lands) (Occupational Health and Safety) Regulations 2008
Pharmacists Registration Act 2001
Poisons Act 1971
Poisons List Order 2001
Poisons Regulations 2008
Police Service Act 2003
Police Service Regulations 2003
Public Health Act 1997
Public Trustee Act 1930
Radiation Protection Regulations 2006
Rail Safety Regulations 1999
Retirement Benefits (Parliamentary Superannuation) Regulations 2002

Retirement Benefits Regulations 2005
Right to Information Act 2009
Road Rules 2009
Road Safety (Alcohol and Drugs) Act 1970
State Service Regulations 2001
Status of Children (Parentage Testing) Regulations 2007
Therapeutic Goods Act 2001
Traffic Act 1925
Vehicle and Traffic Act 1999
Workers' (Occupational Diseases) Relief Fund Act 1954
Workers Rehabilitation and Compensation Act 1988
Workplace Health and Safety Regulations 1998
Youth Justice Act 1997