

## CLAUSE NOTES

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

**Clause 1:** Short title.

**Clause 2:** Commencement.

**Clause 3:** Provides that the legislation specified in Schedule 1 is amended.

#### **Schedule 1: Consequential Amendments**

Schedule 1 sets out the amendments to each of the eleven health professionals registration Acts

#### **Chiropractors and Osteopaths Registration Act 1997**

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Board.

2. A new section 12A **Registrar** is inserted.

Section 12A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Dental Practitioners Registration Act 2001**

1. Section 13 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 13 applies to employees of the Board.

2. A new section 13A **Registrar** is inserted.

Section 13A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 15 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Dental Prosthetists Registration Act 1996**

1. Section 13 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 13 applies to employees of the Board.

2. A new section 13A **Registrar** is inserted.

Section 13A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 15 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Medical Practitioners Registration Act 1996**

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Council.

2. A new section 12A **Registrar** is inserted.

Section 12A provides that the Council must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Council or a person whose services are made available to the Council under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Council.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

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

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Board.

2. A new section 12A **Registrar** is inserted.

Section 12A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Nursing Act 1995**

1. Amends the section 3 definition of Executive Officer to refer to the new section 13A.

2. Section 13 is amended by omitting reference to the Executive Officer in subsections (1A) and (2). The effect is that section 13 applies to employees of the Board.

3. A new section 13A **Executive Officer** is inserted.

Section 13A provides that the Board must appoint a registered nurse as Executive Officer. Subsection (2) provides that the Executive Officer may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Executive Officer is to act as secretary to the Board.

4. Section 15 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Optometrists Registration Act 1994**

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Board.

2. A new section 12A Registrar is inserted.

Section 12A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Pharmacists Registration Act 2001**

1. Section 14 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 14 applies to employees of the Board.

2. A new section 14A **Registrar** is inserted.

Section 14A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 16 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Physiotherapists Registration Act 1999**

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Board.

2. A new section 12A Registrar is inserted.

Section 12A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Podiatrists Registration Act 1995**

1. Section 12 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 12 applies to employees of the Board.

2. A new section 12A **Registrar** is inserted.

Section 12A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 14 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.

#### **Psychologists Registration Act 2000**

1. Section 13 is amended by omitting reference to the Registrar in subsections (1) and (2). The effect is that section 13 applies to employees of the Board.

2. A new section 13A **Registrar** is inserted.

Section 13A provides that the Board must appoint a Registrar. Subsection (2) provides that the Registrar may be an employee, an independent contractor to the Board or a person whose services are made available to the Board under an arrangement.

Subsection (3) states that the Registrar is to act as secretary to the Board.

3. Section 15 **Protection from liability** is amended by omitting subsection (1) and substituting a new subsection which extends the protection from personal liability to all persons engaged in the administration of the Act for an act done in good faith.