



AUSTRALIAN CAPITAL TERRITORY

Psychologists Amendment Act 2000

No 84 of 2000

An Act to amend the *Psychologists Act 1994*

[Notified in ACT Gazette S69: 21 December 2000]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Psychologists Amendment Act 2000*.

2 Commencement

This Act commences on the day it is notified in the Gazette.

3 Act amended

This Act amends the *Psychologists Act 1994*.

4 Interpretation

Section 3 is amended—

- (a) by omitting the heading and substituting the following heading:
“**3 Definitions**”; and

- (b) by omitting “(1) In this Act, unless the contrary intention appears—” and substituting “In this Act:”; and
- (c) by omitting subsection (2).

5 Insertion

After section 3 the following section is inserted:

“3A When does a person *practise psychology*

For this Act, a person is taken to *practise psychology* if—

- (a) the person practises psychology on his or her own account; or
- (b) the person practises psychology as an officer or employee of someone else.”.

6 Addition

At the end of the Act the following Part is added:

“PART 7—TRANSITIONAL

“57 Definitions for pt 7

In this Part:

commencement day means the day this Part comes into operation.

government psychology employee means a person who was, immediately before the commencement day, employed by the Territory, the Commonwealth or a public authority of the Territory or the Commonwealth to provide psychology services.

“58 Application of various provisions

“(1) Sections 42, 44 and 45 do not apply to a government psychology employee until the earlier of—

- (a) the day the employee is registered; or
- (b) the end of 12 months after the commencement day.

“(2) If a government psychology employee applies for registration as a psychologist within 12 months after the commencement day, sections 42, 44 and 45 do not apply to the employee until—

- (a) the board registers the employee; or
- (b) if the board refuses to register the employee—30 days after the day the employee is notified under section 49 of the decision of the board to refuse the employee registration.

“59 Registration

“(1) This section applies to a government psychology employee who has provided psychology services for a period of 4 years, or for periods totalling 4 years, during the 10 years immediately before the commencement day.

“(2) If—

- (a) a government psychology employee mentioned in subsection (1) applies for registration as a psychologist; but
- (b) the employee would not be entitled to be registered under section 8;

the board may register the person as a psychologist under this Act if the board is satisfied the person is otherwise competent to practise psychology.

“(3) The board may impose any conditions it considers appropriate on the registration of a person under subsection (2).

“60 Temporary registration

“(1) If—

- (a) a person who was a government psychology employee immediately before the commencement day—
 - (i) applies for temporary registration as a psychologist; and
 - (ii) gives the board a written undertaking that he or she will undertake education or training to obtain the qualifications mentioned in subparagraph 8 (1) (a) (i) or (b) (i); and
- (b) the board is satisfied the person is competent to practise psychology;

the board may temporarily register the person as a psychologist.

“(2) Temporary registration of a person as a psychologist under this section remains in effect until—

- (a) the person is given written notice that the board has—
 - (i) registered the person under section 8; or
 - (ii) refused an application by the person for registration under section 8; or
 - (iii) cancelled the person’s registration; or
- (b) the end of 3 years beginning on the commencement day.

“(3) The board may cancel a person’s registration under this section for any reason it considers appropriate.

“(4) If the board cancels a person’s registration under subsection (3), it must immediately give the person notice of the cancellation.

“(5) A person who holds temporary registration under this section is taken to be a registered psychologist only for the person’s employment as a government psychology employee.

“61 Review of decisions under pt 7

Application may be made to the administrative appeals tribunal for review of a decision of the board—

- (a) under subsection 59 (2) to refuse to register a person; or
- (b) under subsection 59 (3) to impose conditions on the registration of a person; or
- (c) under subsection 60 (1) to refuse to temporarily register a person; or
- (d) under subsection 60 (3) to cancel the registration of a person.

“62 Notification of decisions

“(1) If the board makes a decision mentioned in section 61, it must give written notice of the decision to the person affected by the decision.

“(2) A notice under subsection (1) must be in accordance with the code of practice in force under subsection 25B (1) of the *Administrative Appeals Tribunal Act 1989*.

“63 Expiry of pt 7

This Part expires 3 years after the commencement day.”.

Endnote

Act amended

- 1 Republished as in force on 31 July 1999 (Republication No 1).

[Presentation speech made in Assembly on 25 May 2000]