

Explanatory Statement

Health Professions Boards (Procedures) - Medical Board of the ACT Appointments 2002 (No.1)

Disallowable instrument DI2002—174

made under the

Health Professions Boards (Procedures) Act 1981, section 5 (Appointment of chairperson and members)

The Medical Board of the ACT is established under section 7 of the *Medical Practitioners Act 1931* and comprises a chairperson, six medical practitioner members and two community representatives. The chairperson and three of the medical practitioners are appointed by the Minister in accordance with the *Health Professions Boards (Procedures) Act 1981* and three medical practitioner members are elected by members of the profession registered in the ACT in accordance with the *Health Professions Boards (Elections) Act 1980*. The two community representatives must not be entitled to be registered by a Board within the meaning of the Procedures Act or under the *Dental Technicians and Dental Prosthetists Act 1988*. One of the community representatives is to be a legal practitioner.

The Act provides for the registration of suitably qualified medical practitioners, to enable them to practice in the ACT.

Ms Higgins is a practising solicitor in the ACT and is eligible for appointment as a community representative to the Board under the *Health Professions Boards (Procedures) Act 1981*. Her experience in legal matters including medical negligence cases support her claim and she is well placed to undertake the responsibilities of this position.

Ms Higgins is not a public servant.

Consultation with the Standing Committee for Health has taken place in accordance with the *Legislation Act 2001*. This instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, the instrument is a disallowable instrument (see *Legislation Act 2001*, s 229).