

Explanatory Statement

Health Professionals (Podiatrists Board) Appointment 2007 (No 1)

Disallowable instrument DI2007—309

made under the

Health Professionals Act 2004, Health Professionals Regulation 2004 section 10 (Appointment of Board Members)

Section 4 of the *Health Professionals Regulation 2004* provides for the establishment of health professions boards. Appointment of board members is provided under Section 10 of the *Health Professionals Regulation 2004*. The Board comprises the president and three other members appointed by the Minister and one elected member in accordance with section 9.5 of Schedule 9 to the *Health Professionals Regulation 2004*.

The *Health Professionals Act 2004* protects the public from risk of harm by ensuring that the people who provide health services regulated by the Act are competent to provide health services, and for other purposes.

The Minister may appoint a person as a member of the Podiatrists Board if the person is a registered podiatrist and has been a registered podiatrist for a continuous period of at least three years immediately before the day of the appointment in accordance with section 10 (2) of the *Health Professionals Regulation 2004*. Matthew Hotchkis will have been continuously registered as a podiatrist in the ACT for three years on 23 December 2007. His appointment is from 24 December 2007.

The Minister must appoint from the Community Representative List, the one community representative required by section 9.5 of the Podiatrists schedule 9. In accordance with section 36 of the *Health Professionals Act 2004* a community representative must not be eligible for registration as a podiatrist. Fiona Oliver is included on the ACT Podiatrists Board Community Representatives List as notified in NI2007-201.

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) and applies to Matthew Hotchkis, who is a podiatrist in private practice, and to Fiona Oliver, a community representative who is in private practice.

Consultation with the Standing Committee for Health and Disability has taken place in accordance with the *Legislation Act 2001*.