

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**Health Professions Boards (Procedures)
(Amendment) Bill 1997**

EXPLANATORY MEMORANDUM

**Circulated by Authority of
Kate Carnell MLA
Minister for Health and Community Care**

HEALTH PROFESSIONS BOARD (PROCEDURES) (AMENDMENT) BILL 1997

OUTLINE

The *Health Professions Boards (Procedures) (Amendment) Bill 1997* (“the Bill”) amends the *Health Professions Boards (Procedures) Act 1981* (“the Act”) for the purposes of removing certain age discriminatory provisions which restrict persons who have attained the age of sixty five years, or who will attain the age of sixty five years during their term of appointment, from serving as a member of a health profession registration board.

The Health Professions Boards (Procedures) Act 1981

The Act makes provisions for procedures which need to be followed by certain health profession registration boards in administering their legislated responsibilities in accordance with the Acts under which they are established

- the Chiropractors and Osteopaths Board established under the *Chiropractors and Osteopaths Act 1983*
- the Dental Board established under the *Dentists Act 1931*
- the Medical Board established under the *Medical Practitioners Act 1930*
- the Nurses Board established under the *Nurses Act 1988*
- the Optometrists Board established under the *Optometrists Act 1956*
- the Pharmacy Board established under the *Pharmacy Act 1931*
- the Physiotherapists Board established under the *Physiotherapists Act 1977*
- the Podiatrists Board established under the *Podiatrists Act 1994*
- the Psychologists Board established under the *Psychologists Act 1994* and
- the Veterinary Surgeons Board established under the *Veterinary Surgeons Act 1965*

Section 8 of the Act makes provisions for members of health profession boards to be appointed by the Minister and to hold office for such period, not exceeding three years, as specified in the instrument of appointment

Subsection 8(2) of the Act provides, in part, that

“a person who has attained the age of sixty five years shall not be appointed or reappointed as a member, and a person shall not be appointed or reappointed as a member for a period that extends beyond the date on which he or she will attain the age of sixty five years”

This provision does not apply in relation to the position of Chairperson of the Veterinary Surgeons Board

DETAIL OF THE BILL**Clauses 1,2 and 3**

These are formal clauses stating the formal title of the Bill, the commencement provisions and the title of the Principal Act which this Bill is intended to amend.

The Bill will commence on the date on which notice of its enactment appears in the *Gazette*. The Principal Act is the *Health Professions Boards (Procedures) Act 1981*.

Clause 4

This clause removes the provisions of subsection 8(2) of the Act. This will enable persons who have reached the age of sixty five years, or will reach the age of sixty five years during the term of an appointment, to nominate and serve as a member of a health professions registration board.

Financial Implications

There are no financial implications arising from this Bill