

Explanatory Statement

Health Professionals (Optometrists Board) Appointment 2006 (No 1)

Disallowable instrument DI2006—203

made under the

Health Professionals Act 2004, Health Professionals Regulation 2004 Section 5 (Appointment of President) and Section 10 (Appointment of Board Members)

The Board is established under Section 4 of the *Health Professionals Regulation 2004* and comprises the President appointed by the Minister in accordance with *the Health Professionals Regulation 2004, Section 5* and two other members, appointed by the Minister in accordance with *the Health Professionals Regulation 2004, Section 10*, and two elected members.

The Act 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.

A person is not eligible for appointment as president or as a member unless the person is a registered optometrist in the ACT or is a community representative. An optometrist also needs to have been, at all times during the immediately preceding 3 years, under the law of a State or Territory, registered to practise in that State or Territory. The community representative may not be a member of the profession of optometry.

This instrument makes appointments 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 Mark Feltham (optometrist), Joanne Thomas (optometrist) and Joanne Baumgartner (community representative).

Consultation with the Standing Committee for Health and Disability has taken place in accordance with the *Legislation Act 2001*. The appointees are not public servants.