

Australian Capital Territory

HEALTH PROFESSIONALS AMENDMENT REGULATION 2007 (No 3)

Explanatory Statement

Circulated with the authority of
Simon Corbell MLA
Acting Minister for Health

EXPLANATORY STATEMENT

Authority

This Regulation is authorised by section 134 of the *Health Professionals Act 2004*.

Outline

The amendments proposed in this Regulation provide for the appointment of the first members of the medical radiation scientist board. These changes allow the first board to be appointed from persons who have been *employed* as medical radiation scientists in the last three years immediately before the date of appointment. These changes are necessary because the current provisions require that the board members be appointed from persons who have been *registered* in the profession for a continuous period of three years immediately before the date of appointment. As the new profession does not have any registered members of the profession it is not possible for a board to be appointed under the existing provisions. These amendments are only to be relied upon for the appointment of the first members of the medical radiation scientist board. Any subsequent appointments will be made under the existing provisions of the *Health Professionals Regulation 2004*.

Revenue/Cost Implications

There is no additional cost involved in this Regulation.

Formal Clauses

Clause 1 – Name of Regulation – states the title of the Regulation, which is the *Health Professionals Amendment Regulation 2007 (No 3)*.

Clause 2 – Commencement – states when the Regulation commences. The Regulation commences on the day after notification.

Clause 3 – Legislation amended – provides that this Regulation amends the *Health Professionals Regulation 2004*.

Clause 4 – Schedule 15, new section 15.3 – inserts a new section to provide that the Minister can appoint the first members of the medical radiation scientist board including the President of the board from persons who have practised as a medical radiation scientist for a continuous period of at least three years immediately before the day of the appointment. Subsection (3) of the new section also provides that the Minister may appoint a person other than a medical radiation scientist to be a community representative if satisfied that the person has interests, skills or qualifications that will help the board in carrying out the main object of the Act. The purpose of subsection (3) is to overcome the requirement in section 12 of the *Health Professionals Regulation 2004* which requires the board, rather than the Minister, to appoint the community representative from an approved community representative list. Subsection (4) also makes it clear that subsections (1) to (3) of the new section applies despite the application of existing sections 5 (2) (Board President), section 10 (2) and (4) (Appointment of Board Members) and section 12 (Community representatives) of the *Health Professionals Regulation 2004*.