

Explanatory Statement

Health Professionals Psychologists Board Appointment 2007 (No 1)

Disallowable instrument DI2007—242

made under the

**Health Professionals Act 2004, Health Professionals Regulation 2004 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 six other members (one of whom is a community representative) appointed by the Minister in accordance with *the Health Professionals Regulation 2004, Section 10* and two elected members. Section 7.5 of Schedule 7 to the *Health Professionals Regulation 2004* specifies the Board membership.

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 a member unless the person is a registered psychologist in the ACT or is a community representative. A psychologist also needs to have been registered for a continuous period of at least three years immediately before the day of appointment. The community representative may not be a registered psychologist - *Health Professionals Act 2004* Section 36. The proposed appointees meet the criteria specified in the legislation.

These appointments are made to fill vacancies left by two appointed members, Dr Richard O’Kearney and Ms Carol House, who have resigned from their appointments. Both were psychologists who were appointed to the Board by DI2006-201 (Dr O’Kearney) and by NI2006-309 (Ms House).

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 Vickie de Prazer (psychologist) and Wendy Preston (psychologist), neither of whom are public servants.

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