

Australian Capital Territory

Explanatory Statement

Health Professionals (Pharmacy Board) Appointment 2008 (No 1)

Disallowable instrument DI2008—4

made under the

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

The Board is established under Section 10 of the *Health Professionals Regulation 2004* and comprises the President, three registered pharmacists and two community members, appointed by the Minister in accordance with *the Health Professionals Act 2004*, and three 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 pharmacist member unless the person is a registered pharmacist in the ACT. The person also needs to have been, at all times during the immediately preceding three years, under the law of State or Territory, registered to practise in that State or Territory. A community member must not be eligible for registration as a pharmacist.

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 Anne Maree Vogt, a community member who is not eligible for registration as a pharmacist and who is not a public servant.

Ms Maria Mitchell, a lawyer, is the other community representative on the ACT Pharmacy Board.

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