

## Explanatory Statement

### Health Professionals (Medical Radiation Scientists Board) Appointment 2008 (No 2)

Disallowable instrument DI2008—213

made under the

**Health Professionals Regulation 2004 section 5 (Board president) and section 10 (Board members – election or appointment) and section 15.24 of Schedule 15 (Board membership – transitional)**

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Section 4 of the *Health Professionals Regulation 2004* provides for the establishment of health professions boards. Appointment of a board president is provided under section 5 of the *Health Professionals Regulation 2004*. Appointment of board members is provided under Section 10 of the *Health Professionals Regulation 2004*. Transitional arrangements for appointments are provided by section 15.24 of Schedule 15 to the *Health Professionals Regulation 2004*. The Board comprises the president and six other members appointed by the Minister in accordance with section 15.9 of Schedule 15 to the *Health Professionals Regulation 2004*.

The establishment of the Medical Radiation Scientists Board was approved by Disallowable Instrument DI2006-80.

The board is made up of 7 appointed members including the president.

The members must be—

- (a) 2 diagnostic radiographers; and
- (b) 2 radiation therapists; and
- (c) 2 nuclear medicine scientists; and
- (d) a community representative.

The president of the board must be a medical radiation scientist.

The *Health Professionals Act 2004* 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.

Section 15.24 of Schedule 15 to the *Health Professionals Regulation 2004* provides that the Minister may appoint a person to the Board if he or she has practised as a medical radiation scientist in the ACT or a local jurisdiction for a continuous period of at least 3 years immediately before the day of the appointment, whether or not the person is or has been registered. The Minister may appoint a person to be the first community representative member if satisfied that the person has interests, skills or qualifications that will help the board in carrying out the main object of the Act. All the appointees satisfy these requirements.

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 Mr Christopher Hicks, who is a diagnostic radiographer in private practice, to Mr James Percival, who is a diagnostic radiographer in private practice, to Ms Elizabeth Croft, who is a nuclear medicine scientist in private practice and to Ms Jean Shannon, a community representative who is in private practice.

Ms Wendy Amos and Ms Janelle Hawkins, who are both radiation therapists, and Mr Christopher McLaren, who is a nuclear medicine scientist, were appointed by a notifiable instrument (NI2008-296) on 16 July 2008. They are all public servants.

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