



Queensland

Health Legislation Amendment Regulation (No. 5) 2008

Subordinate Legislation 2008 No. 420

made under the

Chiropractors Registration Act 2001

Dental Practitioners Registration Act 2001

Dental Technicians and Dental Prosthetists Registration Act 2001

Health Act 1937

Health Services Act 1991

Medical Practitioners Registration Act 2001

Medical Radiation Technologists Registration Act 2001

Occupational Therapists Registration Act 2001

Optometrists Registration Act 2001

Osteopaths Registration Act 2001

Pharmacists Registration Act 2001

Physiotherapists Registration Act 2001

Podiatrists Registration Act 2001

Psychologists Registration Act 2001

Public Health Act 2005

Speech Pathologists Registration Act 2001

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health Legislation Amendment Regulation (No. 5) 2008*.

2 Commencement

Section 16 commences on 1 January 2009.

Part 2 Amendment of Chiropractors Registration Regulation 2002

3 Regulation amended in pt 2

This part amends the *Chiropractors Registration Regulation 2002*.

4 Amendment of s 3 (Qualifications for general registration—Act, s 44)

Section 3(2), after ‘Chiropractic Science’—
insert—

- Bachelor of Applied Science (Complementary Medicine)
- Master of Clinical Chiropractic’.

5 Insertion of new s 6A

After section 6—
insert—

[s 6]

‘6A Waiver of restoration component of restoration fee

- ‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—
- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
 - (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.
- ‘(2) In this section—
- restoration component*, of a restoration fee, means the amount of \$75.’.

6 Amendment of sch 1 (Qualifications for general registration)

- (1) Schedule 1, entry for Bachelor of Applied Science (Clinical Science) and Bachelor of Chiropractic Science—
omit.
- (2) Schedule 1—
insert—

‘Bachelor of Applied Science (Clinical Science), Bachelor of Chiropractic Science	Royal Melbourne Institute of Technology
Bachelor of Applied Science (Complementary Medicine) and Master of Clinical Chiropractic	Royal Melbourne Institute of Technology
Bachelor of Chiropractic and Master of Chiropractic	Macquarie University
Bachelor of Science (Chiropractic), Bachelor of Chiropractic	Murdoch University
Bachelor of Chiropractic	New Zealand College of Chiropractic’.

Part 3 Amendment of Dental Practitioners Registration Regulation 2001

7 Regulation amended in pt 3

This part amends the *Dental Practitioners Registration Regulation 2001*.

8 Insertion of new s 9A

After section 9—
insert—

‘9A Waiver of restoration component of restoration fee

- ‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—
- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
 - (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.
- ‘(2) In this section—
restoration component, of a restoration fee, means the amount of \$75.’.

Part 4

Amendment of Dental Technicians and Dental Prosthetists Registration Regulation 2002

9 Regulation amended in pt 4

This part amends the *Dental Technicians and Dental Prosthetists Registration Regulation 2002*.

10 Insertion of new s 6A

After section 6—

insert—

‘6A Waiver of restoration component of restoration fee

- ‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—
- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
 - (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.
- ‘(2) In this section—
- restoration component*, of a restoration fee, means the amount of \$75.’.

Part 5 **Amendment of Health Regulation 1996**

11 **Regulation amended in pt 5**

This part amends the *Health Regulation 1996*.

12 **Omission of s 133 (Prescribed proportions)**

Section 133—
omit.

13 **Omission of s 134 (Prescribed methods of analysis)**

Section 134—
omit.

14 **Omission of sch 11 (Prescribed methods of analysis and permissible levels of metal release)**

Schedule 11—
omit.

Part 6 **Amendment of Health Services Regulation 2002**

15 **Regulation amended in pt 6**

This part amends the *Health Services Regulation 2002*.

16 **Amendment of s 8 (Pharmaceuticals)**

(1) Section 8(2), '\$5.00'—

[s 17]

omit, insert—

‘\$5.30’.

- (2) Section 8(3), ‘\$31.30’—

omit, insert—

‘\$32.90’.

17 Amendment of sch 3 (Dictionary)

- (1) Schedule 3, definition *rent assistance amount*, ‘1064-D5’—

omit, insert—

‘1070L’.

- (2) Schedule 3, definition *under 18 rent assistance amount*, ‘1066A-EA12’—

omit, insert—

‘1070N’.

- (3) Schedule 3, definition *under 21 rent assistance amount*, ‘1066A-EB13’—

omit, insert—

‘1070P’.

Part 7 Amendment of Medical Practitioners Registration Regulation 2002

18 Regulation amended in pt 7

This part amends the *Medical Practitioners Registration Regulation 2002*.

19 Insertion of a new pt 3A

After section 9—

insert—

‘Part 3A Special purpose registration

‘9A Prescribed body for special purpose registration—Act, s 138(2)

‘For section 138(2) of the Act, the Australian College of Rural and Remote Medicine is a prescribed body.’.

20 Amendment of s 10A (Exemption from payment of fee—concurrent general and specialist registration)

(1) Section 10A(3) and (4)—

renumber as section 10A(4) and (5).

(2) Section 10A—

insert—

‘(3) A specialist registrant who makes an application for general registration is exempt from payment of the general registration fee for the application.’.

21 Amendment of sch 1 (Qualifications for specialist registration)

Schedule 1, entry for ‘Occupational medicine’—

omit, insert—

‘Occupational and environmental medicine	Fellowship of Australasian Faculty of Occupational and Environmental Medicine (FAFOEM) Fellowship of Australasian Faculty of Occupational Medicine (FAFOM)	Specialist in occupational and environmental medicine’.
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[s 22]

Part 8 Amendment of Medical Radiation Technologists Registration Regulation 2002

22 Regulation amended in pt 8

This part amends the *Medical Radiation Technologists Registration Regulation 2002*.

23 Amendment of s 4 (Qualifications for general registration—Act, s 44)

Section 4—

insert—

- ‘(2) However, if a person holds a qualification stated in more than 1 part of schedule 1, column 1, with a major in medical imaging technology, the qualification is a qualification for general registration only in the medical imaging technology profession.
- ‘(3) Also, if a person holds a qualification stated in more than 1 part of schedule 1, column 1, with a major in nuclear medicine technology, the qualification is a qualification for general registration only in the nuclear medicine technology profession.
- ‘(4) Also, if a person holds a qualification stated in more than 1 part of schedule 1, column 1, with a major in radiation therapy, the qualification is a qualification for general registration only in the radiation therapy profession.’

24 Amendment of s 8 (What is practice of the profession—medical imaging technology—Act, s 61)

Section 8(2)—

omit.

-
- 25 Amendment of s 19 (Competencies to be demonstrated for completion of supervised practice program—medical imaging technology—Act, s 61)**
Section 19(a) and (b)—
omit, insert—
(a) general and contrast radiographic examinations of the genito-urinary, respiratory and skeletal systems and the alimentary tract;
(b) paediatric imaging;’.
- 26 Amendment of s 21 (Competencies to be demonstrated for completion of supervised practice program—radiation therapy—Act, s 61)**
Section 21(f)(iv)—
omit.
- 27 Amendment of s 23 (Staff at professional practice setting—medical imaging technology)**
Section 23(a), ‘and who is working on a full-time basis’—
omit, insert—
‘of a probationary registrant’.
- 28 Amendment of s 24 (Equipment at professional practice setting—medical imaging technology)**
Section 24, ‘a fluoroscopy X-ray unit,’—
omit.
- 29 Amendment of s 25 (Procedures carried out at professional practice setting—medical imaging technology)**
(1) Section 25(1)(b)—
omit.

[s 30]

- (2) Section 25 (1)(c)—
renumber as section 25(1)(b).
- (3) Section 25(1)—
insert—
'(c) paediatric imaging;'
- (4) Section 25(1)(f), 'radiography'—
omit, insert—
'imaging'.
- (5) Section 25(2)(e)—
omit.

30 Amendment of s 27 (Staff at professional practice setting—nuclear medicine technology)

Section 27(1)(a)—
omit, insert—

- '(a) for each section 57(2)(a) registrant who is undertaking the supervised practice program in the setting—at least 1 nuclear medicine technologist who is eligible under section 40 to be a supervisor and who is working on a full-time basis;'

31 Amendment of s 30 (Procedures carried out at professional practice setting—nuclear medicine technology)

Section 30(4), 'and therapeutic'—
omit, insert—
'and assist with therapeutic'.

32 Amendment of s 34 (Procedures carried out at professional practice setting—radiation therapy)

Section 34(2)—

omit, insert—

- ‘(2) A professional practice setting for the radiation therapy profession must also allow a registrant to observe, and assist with specialised and non routine treatment and planning procedures.’.

33 Amendment of s 40 (Eligibility criteria for supervisors—Act, s 231)

Section 40(a)(i) and (ii)—

omit, insert—

- ‘(i) has been a general registrant or held equivalent registration under the law of another state or country continuously during the year immediately preceding the general registrant’s registration in Queensland; or
- (ii) holds a qualification stated in schedule 1 and has practised in the profession in South Australia or New South Wales continuously during the year immediately preceding the general registrant’s registration in Queensland; or
- (iii) has been registered in the profession under section 233 of the Act; and’.

34 Amendment of s 58 (Waiver of restoration fee for general registration)

Section 58—

insert—

- ‘(3) In this section—
- registration component*, of a restoration fee, means the amount of the restoration fee less \$75.’.

35 Insertion of new s 58A

After section 58—

[s 36]

insert—

‘58A Waiver of restoration component of restoration fee

- ‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—
- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
 - (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.
- ‘(2) In this section—
- restoration component*, of a restoration fee, means the amount of \$75.’.

36 Amendment of s 61 (Refund of registration component of restoration fee)

Section 61—

insert—

- ‘(7) In this section—
- registration component*, of a restoration fee, means the amount of the restoration fee less \$75.’.

37 Amendment of sch 1 (Qualifications for general registration)

Schedule 1, entry for Bachelor of Health Science (Conversion Program)—

omit, insert—

‘Bachelor of Health Science
(Conversion Program), conferred or
awarded before 2004

Wellington Institute of
Technology, New Zealand’.

Part 9 **Amendment of Occupational Therapists Registration Regulation 2001**

38 **Regulation amended in pt 9**

This part amends the *Occupational Therapists Registration Regulation 2001*.

39 **Insertion of new s 6A**

After section 6—

insert—

'6A Waiver of restoration component of restoration fee

'(1) The board may waive payment of the restoration component of a restoration fee by a person if—

(a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and

(b) the board is satisfied that, because of circumstances relating to the non-renewal of the person's registration, the restoration component of the restoration fee should be waived.

'(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.'

[s 40]

Part 10 **Amendment of Optometrists Registration Regulation 2001**

40 **Regulation amended in pt 10**

This part amends the *Optometrists Registration Regulation 2001*.

41 **Insertion of new s 6A**

After section 6—

insert—

‘6A **Waiver of restoration component of restoration fee**

‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—

(a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and

(b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.

‘(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.’.

Part 11 **Amendment of Osteopaths Registration Regulation 2002**

42 Regulation amended in pt 11

This part amends the *Osteopaths Registration Regulation 2002*.

43 Insertion of new s 6A

After section 6—

insert—

‘6A Waiver of restoration component of restoration fee

‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—

(a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and

(b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.

‘(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.’.

[s 44]

Part 12 Amendment of Pharmacists Registration Regulation 2001

44 Regulation amended in pt 12

This part amends the *Pharmacists Registration Regulation 2001*.

45 Insertion of new s 8A

After section 8—

insert—

‘8A Waiver of restoration component of restoration fee

‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—

- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
- (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.

‘(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.’.

Part 13 Amendment of Physiotherapists Registration Regulation 2001

46 Regulation amended in pt 13

This part amends the *Physiotherapists Registration Regulation 2001*.

47 Insertion of new s 6A

After section 6—

insert—

‘6A Waiver of restoration component of restoration fee

‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—

(a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and

(b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.

‘(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.’.

[s 48]

Part 14 **Amendment of Podiatrists Registration Regulation 2002**

48 Regulation amended in pt 14

This part amends the *Podiatrists Registration Regulation 2002*.

49 Insertion of new s 6A

After section 6—

insert—

‘6A Waiver of restoration component of restoration fee

‘(1) The board may waive payment of the restoration component of a restoration fee by a person if—

- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
- (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person’s registration, the restoration component of the restoration fee should be waived.

‘(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.’.

[s 52]

Part 16 Amendment of Public Health Regulation 2005

52 Regulation amended in pt 16

This part amends the *Public Health Regulation 2005*.

53 Amendment of s 18AC (Drinking water)

- (1) Section 18AC(c), ‘must be the value’—

omit, insert—

‘must not be more than the value’.

- (2) Section 18AC(e)(ii), ‘must be the value’—

omit, insert—

‘must not be more than the value’.

54 Amendment of sch 3A (Standards for quality of drinking water)

- (1) Schedule 3A, column 1, ‘system system’—

omit, insert—

‘system’.

- (2) Schedule 3A—

insert—

‘Fluoride concentration
of fluoridated water at a
point where the
fluoridated water has
mixed to a consistent
fluoride concentration

Daily

1.5mg/L

1.5mg/L’.

55 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

'fluoridated water see *Water Fluoridation Regulation 2008*, schedule 3.'.

Part 17 **Amendment of Speech Pathologists Registration Regulation 2001**

56 **Regulation amended in pt 17**

This part amends the *Speech Pathologists Registration Regulation 2001*.

57 **Insertion of new s 6A**

After section 6—

insert—

'6A **Waiver of restoration component of restoration fee**

'(1) The board may waive payment of the restoration component of a restoration fee by a person if—

- (a) the person applies to the board for a waiver of the restoration component of the restoration fee when the person applies for restoration of his or her registration; and
- (b) the board is satisfied that, because of circumstances relating to the non-renewal of the person's registration, the restoration component of the restoration fee should be waived.

'(2) In this section—

restoration component, of a restoration fee, means the amount of \$75.'.

[s 58]

58 Amendment of sch 1 (Qualifications for general registration)

Schedule 1—

omit, insert—

‘Master of Speech Language Pathology University of Sydney
Master of Speech Pathology Flinders University’.

ENDNOTES

- 1 Made by the Governor in Council on 11 December 2008.
- 2 Notified in the gazette on 12 December 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Health.

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