



Queensland

Health Legislation (Health Practitioner Regulation National Law) Amendment Bill 2012



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42	Act amended	29
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2012

A Bill

for

An Act to amend the *Ambulance Service Act 1991*, the *Child Protection Act 1999*, the *Commission for Children and Young People and Child Guardian Act 2000*, the *Dental Technicians Registration Act 2001*, the *Disability Services Act 2006*, the *Forensic Disability Act 2011*, the *Health Act 1937*, the *Health and Hospitals Network Act 2011*, the *Health Practitioner Registration Boards (Administration) Act 1999*, the *Health Practitioners (Professional Standards) Act 1999*, the *Health Practitioners (Special Events Exemption) Act 1998*, the *Health Quality and Complaints Commission Act 2006*, the *Mental Health Act 2000*, the *Nuclear Facilities Prohibition Act 2007*, the *Radiation Safety Act 1999*, the *Speech Pathologists Registration Act 2001*, the *Transport Operations (Road Use Management) Act 1995* and the *Victims of Crime Assistance Act 2009* for particular purposes, and to repeal the *Medical Radiation Technologists Registration Act 2001* and the *Occupational Therapists Registration Act 2001*

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Health Legislation (Health Practitioner Regulation National Law) Amendment Act 2012*. 4
5

Clause 2 Commencement 6

This Act commences on 1 July 2012. 7

Part 2 Amendment of Ambulance Service Act 1991 8
9

Clause 3 Act amended 10

This part amends the *Ambulance Service Act 1991*. 11

Clause 4 Amendment of s 50D (Definitions for div 1) 12

Section 50D, definition *health professional*— 13
omit, insert— 14

‘*health professional*’ means a person registered under the Health Practitioner Regulation National Law to practise, other than as a student, in any of the following— 15
16
17

(a) the medical profession; 18

(b) the medical radiation practice profession; 19

(c) the nursing and midwifery profession; 20

Part 4	Amendment of Commission for Children and Young People and Child Guardian Act 2000	1 2 3
Clause 8	Act amended <i>This part amends the Commission for Children and Young People and Child Guardian Act 2000.</i>	4 5 6
Clause 9	Amendment of sch 7 (Dictionary) Schedule 7, definition <i>registered health practitioner</i> , second, third and fourth dot points— <i>omit, insert—</i> • Health Practitioner Regulation National Law, other than as a student’.	7 8 9 10 11 12
Part 5	Amendment of Dental Technicians Registration Act 2001	13 14 15
Clause 10	Act amended <i>This part amends the Dental Technicians Registration Act 2001.</i>	16 17 18
Clause 11	Amendment of s 124 (Notification of certain events to interstate regulatory authorities and other entities) Section 124(6)— <i>insert—</i>	19 20 21 22

‘Health Practitioner Regulation National Law (Queensland)
see the *Health Practitioner Regulation National Law Act*
2009, section 4.’. 1
2
3

- Clause 12 Amendment of sch 4 (Dictionary)** 4
- (1) Schedule 4, definition *health practitioner registration Act*,
second and third dot points— 5
6
omit. 7
- (2) Schedule 4, definition *Queensland health practitioner*
registration Acts, first and second dot points— 8
9
omit. 10

Part 6 Amendment of Disability 11
Services Act 2006 12

- Clause 13 Act amended** 13
- This part amends the *Disability Services Act 2006*. 14

- Clause 14 Amendment of sch 7 (Dictionary)** 15
- Schedule 7, definition *registered health practitioner*, third and
fourth dot points— 16
17
omit. 18

[s 15]

Part 7	Amendment of Forensic Disability Act 2011	1 2
Clause 15	Act amended	3
	This part amends the <i>Forensic Disability Act 2011</i> .	4
Clause 16	Amendment of sch 2 (Dictionary)	5
	Schedule 2, definition <i>registered health practitioner</i> , paragraphs (a)(iii) and (iv) and (b)—	6 7
	<i>omit, insert—</i>	8
	‘(iii) the occupational therapy profession;	9
	(iv) the physiotherapy profession;	10
	(v) the psychology profession; or	11
	(b) a person registered under the <i>Speech Pathologists Registration Act 2001</i> .’	12 13
Part 8	Amendment of Health Act 1937	14
Clause 17	Act amended	15
	This part amends the <i>Health Act 1937</i> .	16
Clause 18	Amendment of s 5 (Interpretation)	17
	Section 5, definition <i>health practitioner registration Act</i> , third and fourth dot points—	18 19
	<i>omit.</i>	20

Part 9	Amendment of Health and Hospitals Network Act 2011	1 2
Clause 19	Act amended	3
	This part amends the <i>Health and Hospitals Network Act 2011</i> .	4
Clause 20	Amendment of sch 3 (Dictionary)	5
	Schedule 3, definition <i>health practitioner registration Act</i> , paragraphs (c) to (e)—	6 7
	<i>omit, insert—</i>	8
	‘(c) the <i>Speech Pathologists Registration Act 2001</i> .’.	9
Part 10	Amendment of Health Practitioner Registration Boards (Administration) Act 1999	10 11 12 13
Clause 21	Act amended	14
	This part amends the <i>Health Practitioner Registration Boards (Administration) Act 1999</i> .	15 16
Clause 22	Amendment of schedule (Dictionary)	17
	Schedule, definition <i>health practitioner registration Act—</i>	18
	<i>omit, insert—</i>	19
	‘ <i>health practitioner registration Act</i> means either of the following Acts—	20 21
	• <i>Dental Technicians Registration Act 2001</i>	22
	• <i>Speech Pathologists Registration Act 2001</i> .’.	23

[s 23]

Part 11	Amendment of Health Practitioners (Professional Standards) Act 1999	1
		2
		3
Clause 23	Act amended	4
	This part amends the <i>Health Practitioners (Professional Standards) Act 1999</i> .	5
		6
Clause 24	Amendment of s 39 (Panels of assessors)	7
	Section 39(b)(ii) to (iv)—	8
	<i>omit, insert—</i>	9
	‘(ii) a speech pathologists panel of assessors.’.	10
Clause 25	Amendment of s 398ZL (Panel of assessors)	11
	(1) Section 398ZL(2)—	12
	<i>insert—</i>	13
	‘(da) a medical radiation practitioners panel of assessors;’.	14
	(2) Section 398ZL(2)—	15
	<i>insert—</i>	16
	‘(ea) an occupational therapists panel of assessors;’.	17
	(3) Section 398ZL(2)(da) to (k)—	18
	<i>renumber</i> as section 398ZL(2)(e) to (m).	19
Clause 26	Renumbering of pt 13, div 5 (Transitional provision for Criminal History Screening Legislation Amendment Act 2010)	20
		21
		22
	Part 13, division 5, first occurring—	23
	<i>renumber</i> as part 13, division 4A.	24

Clause 27	Renumbering of s 405L (Giving particular information to Commissioner for Children and Young People and Child Guardian)	1 2 3
	Section 405L, first occurring—	4
	<i>renumber</i> as section 405KA.	5
Clause 28	Insertion of new pt 13, div 6	6
	Part 13—	7
	<i>insert</i> —	8
‘Division 6	Provision for Health Legislation (Health Practitioner Regulation National Law) Amendment Act 2012	9 10 11
‘405W Definitions for div 6		12
	‘In this division—	13
	<i>amending Act</i> means the <i>Health Legislation (Health Practitioner Regulation National Law) Amendment Act 2012</i> .	14 15
	<i>commencement</i> means the commencement of this section.	16
	<i>former board</i> —	17
	(a) in relation to the medical radiation technology profession, means the Medical Radiation Technologists Board of Queensland established under the repealed <i>Medical Radiation Technologists Registration Act 2001</i> ;	18 19 20 21
	or	22
	(b) in relation to the occupational therapy profession, means the Occupational Therapists Board of Queensland established under the repealed <i>Occupational Therapists Registration Act 2001</i> .	23 24 25 26
	<i>NRAS health profession</i> means a profession mentioned in the National Law (Queensland), section 5, definition <i>health profession</i> , paragraph (f) or (h).	27 28 29

[s 28]

repealed health practitioner registration Act means either of
the following Acts—

- the repealed *Medical Radiation Technologists Registration Act 2001*
- the repealed *Occupational Therapists Registration Act 2001*.

‘405X Existing panels of assessors

‘(1) An existing panel of assessors is, at the commencement, taken to be a professional panel of assessors of the same name under section 398ZL.

‘(2) Without limiting subsection (1), a person who was a member of an existing panel of assessors immediately before the commencement—

(a) is, at the commencement, taken to be a member of a professional panel of assessors of the same name under section 398ZL; and

(b) holds the office—

(i) on the same terms and conditions that applied to the person under this Act as in force immediately before the commencement; and

(ii) until the day the person’s term of appointment under this Act as in force immediately before the commencement would have ended or the earlier day the person otherwise vacates the office under this Act.

‘(3) In this section—

existing panel of assessors means a professional panel of assessors under section 39(b)(ii) or (iii) of this Act as in force immediately before the commencement.

‘405Y Existing complaints and related proceedings and appeals	1 2
‘(1) This section provides for the application of the National Law (Queensland), section 289 to the following—	3 4
(a) an existing complaint;	5
(b) any proceedings or appeal relating to an existing complaint.	6 7
‘(2) The National Law (Queensland), section 289 applies to an existing complaint, and any proceedings or appeal relating to an existing complaint, as if the reference in subsection (2)(b) of that section to the application of an Act of a participating jurisdiction as if that Act had not been repealed included, for the existing complaint, a reference to the application of this Act as if it had not been amended by the amending Act.	8 9 10 11 12 13 14
‘(3) For applying the National Law (Queensland), section 289 to an existing complaint made to a former board—	15 16
(a) the board does not complete dealing with the existing complaint until—	17 18
(i) the time for exercising any review rights or appeal rights in relation to the existing complaint has passed without any rights being exercised; or	19 20 21
(ii) any review or appeal in relation to the existing complaint has ended; and	22 23
(b) this Act must be read as if sections 12(1) and 13 do not apply to a national board dealing with the existing complaint under the National Law (Queensland), section 289.	24 25 26 27
‘(4) Also, to remove any doubt, it is declared that the QCAT Act continues to apply in relation to—	28 29
(a) any proceeding by the tribunal under the National Law (Queensland), section 289 as applied by this section; and	30 31 32
(b) any appeal against the tribunal’s decision in the proceeding.	33 34

[s 28]

- ‘(5) The fee that, before the commencement, would have been payable under the QCAT Act in relation to a proceeding or appeal mentioned in subsection (4) continues to be payable in relation to the proceeding or appeal.
- ‘(6) In this section—
existing complaint means a complaint under this Act as in force before the commencement, about a person registered in a NRAS health profession by a former board, that the former board had started but had not completed dealing with immediately before the commencement.
- ‘405Z Existing non-complaint disciplinary matters and related proceedings and appeals**
- ‘(1) This section provides for the application of the National Law (Queensland), section 289 to the following—
- (a) an existing non-complaint disciplinary matter;
 - (b) any proceedings or appeal relating to an existing non-complaint disciplinary matter.
- ‘(2) The National Law (Queensland), section 289 applies to an existing non-complaint disciplinary matter, and any proceedings or appeal relating to an existing non-complaint disciplinary matter, as if—
- (a) subsection (1) of that section provided that it also applied to an existing non-complaint disciplinary matter; and
 - (b) the reference in subsection (2)(b) of that section to the application of an Act of a participating jurisdiction as if that Act had not been repealed included, for an existing non-complaint disciplinary matter, a reference to the application of this Act as if it had not been amended by the amending Act.
- ‘(3) For applying the National Law (Queensland), section 289 to an existing non-complaint disciplinary matter before a former board—

-
- (a) the board does not complete dealing with the matter until— 1
2
- (i) the time for exercising any review rights or appeal rights in relation to the matter has passed without any rights being exercised; or 3
4
5
- (ii) any review or appeal in relation to the matter has ended; and 6
7
- (b) this Act must be read as if sections 12(1) and 13 do not apply to a national board dealing with the matter under the National Law (Queensland), section 289. 8
9
10
- ‘(4) Also, to remove any doubt, it is declared that the QCAT Act continues to apply in relation to— 11
12
- (a) any proceeding by the tribunal under National Law (Queensland), section 289 as applied by this section; and 13
14
15
- (b) any appeal against the tribunal’s decision in the proceeding. 16
17
- ‘(5) The fee that, before the commencement, would have been payable under the QCAT Act in relation to a proceeding or appeal mentioned in subsection (4) continues to be payable in relation to the proceeding or appeal. 18
19
20
21
- ‘(6) In this section— 22
- existing non-complaint disciplinary matter* means a disciplinary matter under this Act as in force before the commencement, started other than on the basis of a complaint, about a person registered in a NRAS health profession by a former board that the former board had started but had not completed dealing with immediately before the commencement. 23
24
25
26
27
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29
- ‘405ZA Existing QCAT proceedings and existing appeals 30**
- ‘(1) The tribunal must hear, or continue to hear, and decide an existing QCAT proceeding under the relevant Act as if the Act had not been repealed by the amending Act. 31
32
33

[s 28]

- ‘(2) If there is an existing appeal before an appeal entity, the entity must hear, or continue to hear, and decide the appeal under the relevant Act as if the Act had not been repealed by the amending Act. 1
2
3
4
- ‘(3) If a former board was a party to an existing QCAT proceeding or an existing appeal, the national board for the profession for which the former board was established takes the former board’s place in the proceeding or appeal. 5
6
7
8
- ‘(4) The National Law (Queensland), sections 204 and 205 apply in relation to a decision of the tribunal made in an existing QCAT proceeding. 90
11
- ‘(5) In this section— 12
- appeal entity*** means the appeal tribunal under the QCAT Act or the Court of Appeal. 13
14
- disciplinary proceeding*** means a disciplinary proceeding under this Act as in force before the commencement relating to a NRAS registrant. 15
16
17
- existing appeal*** means an appeal under the QCAT Act against a decision of the tribunal in a disciplinary proceeding or registration proceeding that has been started before an appeal entity but has not been finally dealt with at the commencement. 18
19
20
21
22
- existing QCAT proceeding*** means a disciplinary proceeding or registration proceeding that has been started before the tribunal but has not been finally dealt with at the commencement. 23
24
25
26
- registration proceeding*** means a proceeding for a review of a decision under a repealed health practitioner registration Act. 27
28
- relevant Act*** means— 29
- (a) for an existing QCAT proceeding—the Act conferring jurisdiction on the tribunal to deal with the matter the subject of the proceeding; or 30
31
32
- (b) for an existing appeal—the Act conferring jurisdiction on the tribunal to deal with the matter the subject of decision that is appealed. 33
34
35

‘405ZB Investigators

- 1
- ‘(1) This section applies in relation to a person appointed by a 2
former board as an investigator under this Act. 3
- ‘(2) The person’s appointment ends at the commencement. 4
- ‘(3) The person must return the person’s identity card to the chief 5
executive within 7 days after the commencement. 6
- Maximum penalty—10 penalty units. 7
- ‘(4) If the person has made a requirement of another person under 8
this Act and the requirement has not been complied with at the 9
commencement, the requirement is taken to have been 10
withdrawn at the commencement. 11
- ‘(5) If the person has a document or other thing that was obtained 12
in the person’s capacity as an investigator, the person must— 13
- (a) for a document or thing obtained in the course of an 14
investigation of an existing complaint or existing 15
non-complaint disciplinary matter being dealt with by a 16
national board under the National Law (Queensland), 17
section 289—give the document or thing to the national 18
board; or 19
- (b) for another document or thing—return the document or 20
thing to the person from whom it was obtained. 21
- ‘(6) A document or other thing given to a national board under 22
subsection (5)(a) is taken to have been obtained by an 23
investigator appointed by the national board. 24
- ‘(7) However, if the person is appointed by a national board 25
dealing with an existing matter as an investigator for an 26
investigation relating to the matter— 27
- (a) subsections (4), (5)(a) and (6) do not apply; and 28
- (b) anything done by, or existing in relation to, the person 29
performing a function or exercising a power under this 30
Act for the existing matter is taken to be done or existing 31
in the investigator’s capacity as an investigator 32
appointed by the national board for investigating the 33
matter. 34

[s 28]

- ‘(8) In this section— 1
existing matter means a complaint or disciplinary matter 2
being dealt with by a national board under the National Law 3
(Queensland), section 289 as provided under section 405Y or 4
405Z. 5

‘405ZC Inspectors 6

- ‘(1) This section applies in relation to a person appointed by a 7
former board as an inspector under this Act or a repealed 8
health practitioner registration Act (the *relevant Act*). 9
- ‘(2) The person’s appointment ends at the commencement. 10
- ‘(3) The person must return the person’s identity card to the chief 11
executive within 7 days after the commencement. 12
Maximum penalty—10 penalty units. 13
- ‘(4) Any investigation being conducted by the person ends at the 14
commencement. 15
- ‘(5) Without limiting subsection (4)— 16
- (a) if the person has made a requirement of another person 17
under a provision of the relevant Act and the 18
requirement has not been complied with at the 19
commencement, the requirement is taken to have been 20
withdrawn at the commencement; and 21
- (b) if, immediately before the commencement, the person is 22
keeping a document or other thing under a provision of 23
the relevant Act, the person must return the document or 24
thing to the person from whom it was obtained. 25
- ‘(6) However, subsection (4) does not prevent the person, or 26
another person, from making a notification to a national board 27
under the National Law (Queensland), section 145 in relation 28
to information obtained in the course of an investigation 29
conducted by the inspector under the relevant Act (whether or 30
not the investigation was completed). 31

‘405ZD Copy of particular records to be given to national board	1
	2
‘(1) This section applies if—	3
(a) before the commencement, the secretary or principal registrar started to keep under section 263 a record about disciplinary proceedings relating to a former registrant; and	4 5 6 7
(b) at the commencement, the secretary or principal registrar has not given a copy of the record to an executive officer as required by section 263(3) as in force before the commencement.	8 9 10 11
‘(2) The secretary or principal registrar must give the copy to the national board for the profession in which the former registrant was registered under the relevant repealed health practitioner registration Act.	12 13 14 15
‘(3) In this section—	16
<i>former registrant</i> means a person who was, at any time, registered under a repealed health practitioner registration Act.	17 18 19
‘405ZE Particular registrants to give particular notices to national board	20
	21
‘(1) This section applies if—	22
(a) before the commencement, a registrant was required to give notice of something happening (the <i>event</i>) to the registrant’s board under a notice requirement provision; and	23 24 25 26
(b) at the commencement, the registrant has not given the notice as required by the notice requirement provision.	27 28
‘(2) The notice requirement provision continues to apply in relation to the event subject to subsection (3).	29 30
‘(3) The reference in the notice requirement provision to the registrant’s board is taken to be a reference to the national	31 32

[s 28]

board for the profession in which the registrant is registered under the National Law.	1 2
‘(4) In this section—	3
<i>notice requirement provision</i> means section 385A, 385B or 385C.	4 5
<i>registrant</i> means a person who—	6
(a) was a registrant under this Act immediately before the commencement; and	7 8
(b) at the commencement, is taken to be registered under the National Law.	9 10
‘405ZF Protection of officials from liability	11
‘(1) This section applies if, in relation to an act done or omission made by a person under this Act or a repealed health practitioner registration Act (the <i>relevant Act</i>) before the commencement, civil liability attaches to a former board under a provision of the relevant Act as in force when the act was done or omission was made.	12 13 14 15 16 17
‘(2) From the commencement, the liability attaches to the National Agency.	18 19
‘(3) If the National Agency becomes liable to pay an amount to a person because of subsection (2), the amount must be paid out of the account kept in the Agency Fund for the national board established for the profession for which the former board was established.	20 21 22 23 24
‘(4) In this section—	25
<i>Agency Fund</i> means the Australian Health Practitioner Regulation Agency Fund established under the National Law.	26 27

‘405ZG Penalties to be paid to national board	1
‘(1) This section applies if—	2
(a) a former board has brought a proceeding for an offence against this Act or a repealed health practitioner registration Act (the <i>relevant Act</i>); and	3 4 5
(b) the court before which the proceeding has been brought has not finished hearing the proceeding; and	6 7
(c) a provision of the relevant Act provides that penalties recovered as a result of the proceeding must be ordered to be paid to the former board.	8 9 10
‘(2) The provision of the relevant Act continues to apply in relation to the proceeding subject to subsection (3).	11 12
‘(3) The reference in the provision to the former board is taken to be a reference to the national board for the profession for which the former board was established.’.	13 14 15
Clause 29 Amendment of schedule (Dictionary)	16
(1) Schedule—	17
<i>insert—</i>	18
‘ <i>Health Practitioner Regulation National Law (Queensland)</i> see the <i>Health Practitioner Regulation National Law Act 2009</i> , section 4.’.	19 20 21
(2) Schedule, definition <i>amending Act</i> —	22
<i>omit, insert—</i>	23
‘ <i>amending Act</i> —	24
(a) for part 13, division 5—see section 405L; or	25
(b) for part 13, division 6—see section 405W.’.	26
(3) Schedule, definition <i>commencement</i> , paragraph (c)—	27
<i>omit, insert—</i>	28
‘(c) for part 13, division 5—see section 405L; or	29
(d) for part 13, division 6—see section 405W.’.	30

[s 29]

- (4) Schedule, definition *former board*, paragraph (b)— 1
omit, insert— 2
‘(b) for part 13, division 5, see also section 405L; and 3
(c) for part 13, division 6, see also section 405W.’. 4
- (5) Schedule, definition *health practitioner registration Act*, 5
paragraphs (b) to (d)— 6
omit, insert— 7
‘(b) the Speech Pathologists Registration Act 2001.’. 8
- (6) Schedule, definition *profession*, paragraphs (b) to (e)— 9
omit, insert— 10
‘(b) for a registrant registered under the *Speech Pathologists* 11
Registration Act 2001—the speech pathology 12
profession; 13
(c) for an NRAS registrant—the health profession (as 14
defined under the National Law) in which the registrant 15
is registered to practise under the National Law. 16
Example— 17
If an NRAS registrant is registered under the National Law to 18
practise the chiropractic profession, the registrant’s profession is 19
the chiropractic profession.’. 20
- (7) Schedule definition *repealed health practitioner registration* 21
Act, first occurring— 22
omit, insert— 23
‘repealed health practitioner registration Act— 24
(a) for part 13, division 5, see section 405L; or 25
(b) for part 13, division 6, see section 405W.’. 26

Part 12	Amendment of Health Practitioners (Special Events Exemption) Act 1998	1
		2
		3
Clause 30	Act amended	4
	<i>This part amends the Health Practitioners (Special Events Exemption) Act 1998.</i>	5
		6
Clause 31	Amendment of schedule (Dictionary)	7
	Schedule, definition <i>health registration Act</i> , third and fourth dot points—	8
		9
	<i>omit.</i>	10
Part 13	Amendment of Health Quality and Complaints Commission Act 2006	11
		12
		13
Clause 32	Act amended	14
	<i>This part amends the Health Quality and Complaints Commission Act 2006.</i>	15
		16
Clause 33	Amendment of sch 5 (Dictionary)	17
	Schedule 5, definition <i>State health law</i> , paragraphs (b) to (d)—	18
		19
	<i>omit, insert—</i>	20
	‘(b) the <i>Speech Pathologists Registration Act 2001</i> .’.	21

[s 34]

Part 14	Amendment of Mental Health Act 2000	1 2
Clause 34	Act amended	3
	This part amends the <i>Mental Health Act 2000</i> .	4
Clause 35	Insertion of new ch 16, pt 6	5
	Chapter 16—	6
	<i>insert—</i>	7
‘Part 6	Validation provision for Health Legislation (Health Practitioner Regulation National Law) Amendment Act 2012	8 9 10 11
‘618	Definition <i>psychiatrist</i>—retrospective operation and validation	12 13
‘(1)	This section applies in relation to the period from the commencement of the 2010 amendment until the commencement of this section (the <i>validation period</i>).	14 15 16
	<i>Note—</i>	17
	The 2010 amendment commenced on 1 July 2010.	18
‘(2)	It is declared that—	19
	(a) for this Act, a person is taken to have been a psychiatrist for any time during the validation period that the person was a person mentioned in paragraph (b) of the amended definition; and	20 21 22 23
	(b) anything done or omitted to be done by a person is taken to be, and to have always been, as valid and lawful as it would be, or would have been, if the amended definition had been in force throughout the validation period.	24 25 26 27
‘(3)	In this section—	28

2010 amendment means the substitution of the definition *psychiatrist* in schedule 2 by the *Health Legislation (Health Practitioner Regulation National Law) Amendment Act 2010*.
amended definition means the definition *psychiatrist* in the schedule as in force immediately after the commencement of this section.’.

- Clause 36 Amendment of schedule (Dictionary)**
- (1) Schedule, definition *occupational therapist*—
omit, insert—
‘**occupational therapist** means a person registered under the Health Practitioner Regulation National Law to practise, other than as a student, in the occupational therapy profession.’.
- (2) Schedule, definition *psychiatrist*—
omit, insert—
‘**psychiatrist** means—
- (a) a person registered under the Health Practitioner Regulation National Law to practise in the medical profession as a specialist registrant in the speciality of psychiatry, other than as a student; or
- (b) a person registered under the Health Practitioner Regulation National Law with limited registration to practise in an area of need in a specialist position in psychiatry.’.

Part 15 Amendment of Nuclear Facilities Prohibition Act 2007

- Clause 37 Act amended**
- This part amends the *Nuclear Facilities Prohibition Act 2007*.

[s 38]

Clause 38	Amendment of s 5 (Relationship with other Acts or laws)	1
	Section 5(2)—	2
	<i>omit, insert—</i>	3
	‘(2) Nothing in this Act affects the operation of the <i>Radiation Safety Act 1999</i> .’.	4
		5

Part 16	Amendment of Radiation Safety Act 1999	6
		7

Clause 39	Act amended	8
	This part amends the <i>Radiation Safety Act 1999</i> .	9

Clause 40	Amendment of s 209 (Confidentiality of information)	10
	Section 209(3)(a)(iv)—	11
	<i>omit, insert—</i>	12
	‘(iv) to a board established under a health practitioner registration Act to enable the board to perform its functions under that Act or the <i>Health Practitioners (Professional Standards) Act 1999</i> or to a board established under the Health Practitioner Regulation National Law to perform its functions under that Law; or’.	13
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Clause 41	Amendment of sch 2 (Dictionary)	20
	(1) Schedule 2, definition <i>health practitioner</i> , paragraphs (a) and (b)—	21
		22
	<i>omit, insert—</i>	23
	‘(a) a person registered under the Health Practitioner Regulation National Law; or	24
		25

[s 44]

Part 18	Amendment of Transport Operations (Road Use Management) Act 1995	1
		2
		3
Clause 44	Act amended	4
	This part amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	5
		6
Clause 45	Amendment of s 142 (Health professional's disclosure not breach of confidence)	7
		8
	Section 142(3), definition <i>health professional</i> , paragraphs (b) to (d)—	9
		10
	<i>omit, insert—</i>	11
	‘(b) a person registered under the Health Practitioner Regulation National Law to practise, other than as a student, in any of the following—	12
		13
		14
	(i) the occupational therapy profession;	15
	(ii) the optometry profession;	16
	(iii) the physiotherapy profession.’.	17
Part 19	Amendment of Victims of Crime Assistance Act 2009	18
		19
Clause 46	Act amended	20
	This part amends the <i>Victims of Crime Assistance Act 2009</i> .	21
Clause 47	Amendment of sch 3 (Definitions)	22
	Schedule 3, definition <i>health practitioner</i> , paragraphs (a)(iv) to (viii) and (b)—	23
		24

