



Queensland

Medical Practitioners Registration Amendment Bill 2006



Queensland

Medical Practitioners Registration Amendment Bill 2006

Contents

		Page
Part 1	Preliminary	
1	Short title	4
2	Commencement	4
Part 2	Amendment of Medical Practitioners Registration Act 2001	
3	Act amended in pt 2	4
4	Insertion of new s 11A	4
	11A Board to act promptly etc.	4
5	Amendment of s 14 (Delegation by board).	5
6	Amendment of s 15 (Membership of board).	5
7	Amendment of s 44 (When applicant is qualified for general registration)	6
8	Amendment of s 45 (Fitness to practise the profession)	6
9	Amendment of s 56 (Period).	7
10	Amendment of s 57 (Imposition of internship conditions).	7
11	Amendment of s 58 (Imposition of supervised practice program conditions)	7
12	Amendment of s 62 (Provisional general registration of a person on internship conditions)	7
13	Insertion of new s 69A	8
	69A Non-application of div 4 to short-term registration	8
14	Insertion of new s 77A	8
	77A Non-application of div 5 to short-term registration	8
15	Amendment of s 119 (Period).	8
16	Replacement of s 134 (Medical teaching or research).	8
	134 Medical teaching or research, and connected practice	8
17	Amendment of s 143A (Deemed specialist registration)	9

*Medical Practitioners Registration Amendment
Bill 2006*

18	Insertion of new s 143B	9
	143B Non-application of sdiv 3 to short-term registration . .	9
19	Insertion of new ss 156A and 156B	9
	156A Short-term registration	9
	156B Report about delayed applications	10
20	Replacement of pt 11, div 2 hdg (Transitional provisions)	11
21	Insertion of new pt 11, div 3	11
	Division 3 Transitional provision for Medical Practitioners Registration Amendment Act 2006	
	302 Transitional—amendment of regulation	11
22	Amendment of sch 3 (Dictionary)	11
Part 3	Amendment of Medical Practitioners Registration Regulation 2002	
23	Regulation amended in pt 3	12
24	Amendment of sch 2 (Fees)	12

2006

A Bill

for

An Act to amend the *Medical Practitioners Registration Act 2001* and the *Medical Practitioners Registration Regulation 2002*

*Medical Practitioners Registration Amendment
Bill 2006*

The Parliament of Queensland enacts—

1

Part 1 Preliminary

2

Clause 1 Short title

3

This Act may be cited as the *Medical Practitioners
Registration Amendment Act 2006*.

4

5

Clause 2 Commencement

6

This Act commences on a day to be fixed by proclamation.

7

**Part 2 Amendment of Medical
Practitioners Registration Act
2001**

8

9

10

Clause 3 Act amended in pt 2

11

This part amends the *Medical Practitioners Registration Act
2001*.

12

13

Clause 4 Insertion of new s 11A

14

After section 11—

15

insert—

16

‘11A Board to act promptly etc.

17

‘(1) This section applies to the board in the performance of its
functions relating to registration under section 11(a) and (b).

18

19

‘(2) The board must act promptly.

20

‘(3) The board must have simple and flexible processes that are
easy for applicants to use.

21

22

*Medical Practitioners Registration Amendment
Bill 2006*

- ‘(4) The board must act under subsections (2) and (3) in a way that
is consistent with a proper consideration of the issues
involved, with the objects of this Act and with the way it is
required to act under section 12.’.

Clause 5	Amendment of s 14 (Delegation by board)	5
	(1) Section 14(2)(a), ‘register, or refuse to register,’—	6
	<i>omit, insert—</i>	7
	‘refuse to register’.	8
	(2) Section 14(2)(e), ‘impose, or remove,’—	9
	<i>omit, insert—</i>	10
	‘remove’.	11
	(3) Section 14(3)—	12
	<i>renumber</i> as section 14(4).	13
	(4) Section 14—	14
	<i>insert—</i>	15
	‘(3) Despite subsection (2)(e), the board may delegate its power under this Act to decide to remove internship conditions.’.	16 17
Clause 6	Amendment of s 15 (Membership of board)	18
	(1) Section 15(5)—	19
	<i>renumber</i> as section 15(6).	20
	(2) Section 15—	21
	<i>insert—</i>	22
	‘(5) At least 1 appointed member must be a person with a high level of expertise in organisational management, customer service or business.’.	23 24 25

*Medical Practitioners Registration Amendment
Bill 2006*

Clause 7	Amendment of s 44 (When applicant is qualified for general registration)	1
		2
	(1) Section 44—	3
	<i>insert—</i>	4
	‘(c) the applicant has been certified by the Australian Medical Council as having skills, knowledge and training of a standard suitable for general registration; or	5
		6
		7
	(d) the applicant has a prescribed qualification that has been recognised by a prescribed entity for the purpose of a corresponding general registration.’.	8
		9
		10
	(2) Section 44—	11
	<i>insert—</i>	12
	‘(2) In this section—	13
	<i>corresponding general registration</i> means a registration, of a class corresponding to general registration, in another country.	14
		15
	<i>prescribed entity</i> means a foreign regulatory authority, or other entity, prescribed under a regulation for this section.	16
		17
	<i>prescribed qualification</i> means a qualification prescribed under a regulation for this section.	18
		19
	<i>recognised</i> includes accredited or approved.’.	20
Clause 8	Amendment of s 45 (Fitness to practise the profession)	21
	(1) Section 45(1)(e), from ‘applicant has’ to ‘that’—	22
	<i>omit, insert—</i>	23
	‘applicant’s qualification day’.	24
	(2) Section 45—	25
	<i>insert—</i>	26
	‘(6) In this section—	27
	<i>qualification day</i> , of an applicant, means the day that the applicant—	28
		29
	(a) successfully completes the course mentioned in section 44(1)(a); or	30
		31

*Medical Practitioners Registration Amendment
Bill 2006*

- | | | |
|-----|---|---|
| (b) | passes the examination mentioned in section 44(1)(b); | 1 |
| | or | 2 |
| (c) | receives the certification mentioned in section 44(1)(c); | 3 |
| | or | 4 |
| (d) | obtains the prescribed qualification mentioned in section | 5 |
| | 44(1)(d).’. | 6 |

Clause 9	Amendment of s 56 (Period)	7
	Section 56—	8
	<i>insert—</i>	9
	‘(3) This section does not apply to a short-term registration.’.	10

Clause 10	Amendment of s 57 (Imposition of internship conditions)	11
	Section 57(1)(a), ‘has successfully completed a medical	12
	course stated in section 44(a)’—	13
	<i>omit, insert—</i>	14
	‘is qualified for general registration under section 44(1)(a) or	15
	(d)’.	16

Clause 11	Amendment of s 58 (Imposition of supervised practice program conditions)	17
		18
	Section 58(1)(a), ‘has passed an examination stated in section	19
	44(b)’—	20
	<i>omit, insert—</i>	21
	‘is qualified for general registration under section 44(1)(b) to	22
	(d)’.	23

Clause 12	Amendment of s 62 (Provisional general registration of a person on internship conditions)	24
		25
	Section 62(1)(a), ‘has successfully completed a medical	26
	course stated in section 44(a)’—	27
	<i>omit, insert—</i>	28

*Medical Practitioners Registration Amendment
Bill 2006*

‘is qualified for general registration under section 44(1)(a) or
(d)’.

Clause 13	Insertion of new s 69A	3
	Part 3, division 4, subdivision 1—	4
	<i>insert—</i>	5
‘69A	Non-application of div 4 to short-term registration	6
	‘This division does not apply to a short-term registration.’.	7
Clause 14	Insertion of new s 77A	8
	Part 3, division 5—	9
	<i>insert—</i>	10
‘77A	Non-application of div 5 to short-term registration	11
	‘This division does not apply to a short-term registration.’.	12
Clause 15	Amendment of s 119 (Period)	13
	Section 119—	14
	<i>insert—</i>	15
	‘(3) This section does not apply to a short-term registration.’.	16
Clause 16	Replacement of s 134 (Medical teaching or research)	17
	Section 134—	18
	<i>omit, insert—</i>	19
‘134	Medical teaching or research, and connected practice	20
	‘(1) The purpose of registration under this section is to enable a person—	21
	(a) to engage in medical teaching or research; or	22
	(b) to—	23
	(i) engage primarily in medical teaching or research;	24
	and	25
		26
		27

*Medical Practitioners Registration Amendment
Bill 2006*

	(ii) engage in practice of the profession in connection with the medical teaching or research, including practice of a specialty.	1 2 3
	‘(2) A person is qualified for special purpose registration to undertake an activity mentioned in subsection (1) if the person has a medical qualification and experience the board considers suitable for the activity.’.	4 5 6 7
Clause 17	Amendment of s 143A (Deemed specialist registration)	8
	(1) Section 143A(1)— <i>omit, insert—</i>	9 10
	‘(1) This section applies to a registrant who is registered, under section 134 or 135, to practise the profession in a specialty.’.	11 12
	(2) Section 143A(2), ‘in an area of need’— <i>omit.</i>	13 14
	(3) Section 143A(3), ‘under section 135’— <i>omit.</i>	15 16
Clause 18	Insertion of new s 143B	17
	Part 3, division 10, subdivision 3— <i>insert—</i>	18 19
	‘143B Non-application of sdiv 3 to short-term registration	20
	‘This subdivision does not apply to a short-term registration.’.	21
Clause 19	Insertion of new ss 156A and 156B	22
	Part 3— <i>insert—</i>	23 24
	‘156A Short-term registration	25
	‘(1) An application may be made under this part for general, specialist or special purpose registration for a period of not more than 5 weeks.	26 27 28

*Medical Practitioners Registration Amendment
Bill 2006*

- ‘(2) The board may refuse the application if it is not satisfied the applicant has a good reason for a period of registration of that length. 1
2
3
- ‘(3) Subsection (2) does not limit another provision of this part about deciding an application for registration. 4
5
- ‘(4) If the board decides to grant the application, the registration remains in force for the period decided by the board and may not be renewed or restored. 6
7
8
- ‘(5) However, a person may apply for registration under this part, including short-term registration, even if the board has previously granted an application by the person for short-term registration. 9
10
11
12

‘156B Report about delayed applications 13

- ‘(1) This section applies if an application is made to the board under this part and the board does not decide it within the prescribed period. 14
15
16
- ‘(2) As soon as practicable after the end of the prescribed period, the board must give the Minister a written report stating— 17
18
- (a) why the application was not decided within the prescribed period; and 19
20
- (b) any action, consistent with this Act, that the board considers may be taken to avoid delays for the same or a similar reason. 21
22
23
- ‘(3) The report must not identify the applicant. 24
- ‘(4) In this section— 25
- prescribed period***, for an application, means the period of 25
26
27
28
business days starting on the day the application is made to the board in compliance with this Act.’.

*Medical Practitioners Registration Amendment
Bill 2006*

Clause 20	Replacement of pt 11, div 2 hdg (Transitional provisions)	1
	Part 11, division 2 heading—	2
	<i>omit, insert—</i>	3
‘Division 2	Transitional provisions for Act No. 7 of 2001’.	4
		5
Clause 21	Insertion of new pt 11, div 3	6
	Part 11—	7
	<i>insert—</i>	8
‘Division 3	Transitional provision for Medical Practitioners Registration Amendment Act 2006	9
		10
		11
‘302	Transitional—amendment of regulation	12
	The amendment of the <i>Medical Practitioners Registration Regulation 2002</i> by the <i>Medical Practitioners Registration Amendment Act 2006</i> does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.	13
		14
		15
		16
		17
Clause 22	Amendment of sch 3 (Dictionary)	18
	(1) Schedule 3—	19
	<i>insert—</i>	20
	‘ <i>short-term registration</i> means a registration on an application mentioned in section 156A.’.	21
		22
	(2) Schedule 3, definition <i>renewable registration</i> , after ‘specialist registration’—	23
		24
	<i>insert—</i>	25
	‘, other than a short-term registration’.	26

*Medical Practitioners Registration Amendment
Bill 2006*

Part 3	Amendment of Medical Practitioners Registration Regulation 2002	1 2 3
---------------	--	-------------

Clause 23	Regulation amended in pt 3	4
	This part amends the <i>Medical Practitioners Registration Regulation 2002</i> .	5 6

Clause 24	Amendment of sch 2 (Fees)	7
	Schedule 2, items 1 to 4—	8
	<i>omit, insert—</i>	9

- | | | |
|----|---|----------|
| ‘1 | Application fee for general, specialist or special purpose registration— | |
| | (a) for a period of not more than 5 weeks | nil |
| | (b) otherwise | 129.00 |
| 2 | Application fee for non-practising registration | 129.00 |
| 3 | Registration fee— | |
| | (a) for a period of not more than 5 weeks | nil |
| | (b) for a period of registration of more than 5 weeks but not more than 3 months | 76.00 |
| | (c) for a period of registration of more than 3 months but not more than 6 months | 152.00 |
| | (d) for a period of registration of more than 6 months but not more than 1 year | 304.00 |
| | (e) for general registration on internship conditions—for an applicant’s first period of registration, if 6 months or more. | 152.00 |
| 4 | Specialist registration fee— | |
| | (a) for a period of not more than 5 weeks | nil |
| | (b) for a period of registration of more than 5 weeks but not more than 3 months | 76.00 |
| | (c) for a period of registration of more than 3 months but not more than 6 months | 152.00 |
| | (d) for a period of registration of more than 6 months but not more than 1 year | 304.00’. |

© State of Queensland 2006