



New South Wales

# Psychologists Regulation 2000

under the

Psychologists Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Psychologists Act 1989*.

CRAIG KNOWLES, M.P.,

Minister for Health

## Explanatory note

This Regulation replaces, without any changes in substance, the *Psychologists Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation sets out the following:

- (a) the procedure for applying for registration as a psychologist,
- (b) additional matters relating to registration,
- (c) fees for registration, for obtaining extracts from the register and for obtaining certificates that evidence the contents of the register,
- (d) the procedure for making a complaint against a psychologist and for the conduct of a complaint inquiry,
- (e) requirements as to special and urgent meetings of the Psychologists Registration Board.

This Regulation is made under the *Psychologists Act 1989*, including section 15 (4) (inquiries), clause 2 of Schedule 2 (procedure of the Board) and section 32 (the general regulation-making power), in particular section 32 (2) (a), (b), (c), (d) and (h).

**2000 No 538**

Psychologists Regulation 2000

Explanatory note

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This Regulation comprises matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Psychologists Regulation 2000

Contents

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## Contents

	Page
<b>Part 1 Preliminary</b>	
1 Name of Regulation	4
2 Commencement	4
3 Definitions	4
<b>Part 2 Registration</b>	
4 Application for registration	5
5 Application for conditional registration	5
6 Certificate of registration	5
7 Temporary registration	5
8 Change of name	6
9 Other particulars to be entered in register	6
10 Fee for additional entries in register	6
11 Fees for extracts from register and evidentiary certificates	6
12 Annual roll fee	6
13 Restoration of name to register	7
14 Surrender of certificate of registration	7
<b>Part 3 Complaints</b>	
15 Lodgment and consideration of complaint	8
16 Conduct of complaint inquiry	8
17 Notice of inquiry	8
18 Remuneration of Professional Standards Committee members	9
<b>Part 4 Miscellaneous</b>	
19 Special and urgent meetings of the Board	10
20 Service of documents	10
21 Savings provision	10

## 2000 No 538

Clause 1            Psychologists Regulation 2000

Part 1              Preliminary

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# Psychologists Regulation 2000

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Psychologists Regulation 2000*.

### 2 Commencement

This Regulation commences on 1 September 2000.

**Note.** This Regulation replaces the *Psychologists Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation:

*approved* means approved for the time being by the Board.

*the Act* means the *Psychologists Act 1989*.

(2) The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

## Part 2 Registration

### 4 Application for registration

- (1) An application for registration under the Act (including an application by a person who is conditionally registered under the Act) must be in the approved form and be accompanied by a fee of \$100.
- (2) The application is to be made by sending it by post to or lodging it at the office of the Board.
- (3) The fee or such part of the fee as the Board determines (either generally or in the particular case) is to be refunded if the application is refused.

### 5 Application for conditional registration

- (1) An application for conditional registration under the Act must be in the approved form and be accompanied by a fee of:
  - (a) \$100, unless paragraph (b) applies, or
  - (b) \$40 in the case of an application by a person who is already conditionally registered under the Act.
- (2) The application is to be made by sending it by post to or lodging it at the office of the Board.

### 6 Certificate of registration

- (1) Within 28 days of the registration (including conditional registration) of a person as a psychologist, the secretary is to issue to the person a certificate of registration in the approved form.
- (2) The secretary may, if satisfied that a certificate of registration has been lost, destroyed or defaced, issue a duplicate, clearly marked as such, on payment of a fee of \$20.

### 7 Temporary registration

- (1) An application for temporary registration under section 8 of the Act must be in the approved form and be accompanied by a fee of \$100.

## **2000 No 538**

Clause 7            Psychologists Regulation 2000

Part 2              Registration

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- (2) A certificate of temporary registration under section 8 of the Act is to be in the approved form.

### **8 Change of name**

If satisfied that a registered psychologist has changed his or her name, the Board may:

- (a) enter the particulars of the changed name in the register, and
- (b) issue a certificate in the approved form certifying as to the change.

### **9 Other particulars to be entered in register**

The languages spoken by a registered psychologist are directed to be entered in the register under section 9 (1) (d) of the Act in relation to the psychologist.

### **10 Fee for additional entries in register**

The fee payable in respect of the entry in the register of any particulars under section 9 (2) of the Act is \$20.

### **11 Fees for extracts from register and evidentiary certificates**

- (1) The fee to be paid for supplying a person with an extract from the register under section 9 (3) of the Act is \$20.
- (2) The fee to be paid for the issue of a certificate referred to in section 30 (1) of the Act is \$6.

### **12 Annual roll fee**

- (1) For the purposes of section 10 (1) of the Act, the prescribed fee is \$80 and the prescribed date (on or before which it must be paid) is 1 April.
- (2) For the purposes of section 10 (3) of the Act, the prescribed date is 1 July.

**13 Restoration of name to register**

The fee payable for restoration of a person's name to the register under section 10 (5) of the Act is \$100.

**14 Surrender of certificate of registration**

If the name of a registered psychologist is removed from the register or the registration of a psychologist is suspended, the psychologist must surrender his or her certificate of registration to the secretary within 14 days after the removal or suspension takes effect.

Maximum penalty: 5 penalty units.

## **2000 No 538**

Clause 15          Psychologists Regulation 2000

Part 3              Complaints

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### **Part 3 Complaints**

#### **15 Lodgment and consideration of complaint**

- (1) A person making a complaint under section 14 of the Act must lodge the complaint with the secretary.
- (2) On receipt of a complaint, the secretary is to forward the complaint to the President who must:
  - (a) call a special meeting of the Board to consider the complaint, or
  - (b) place the complaint before the next ordinary meeting of the Board for consideration.
- (3) A copy of the complaint is to be served with the notice of any such meeting to each member of the Board.

#### **16 Conduct of complaint inquiry**

- (1) An inquiry by the Board under section 15 of the Act is to be open to the public unless the Board otherwise determines.
- (2) The Board may only make such a determination if it is satisfied that any information or evidence to be given in the proceedings is of such a sensitive nature in relation to a party or complainant to the proceedings that it is appropriate that it be given in private.
- (3) An inquiry by a Professional Standards Committee under section 15 of the Act is to be conducted in the absence of the public unless the Committee otherwise determines.

#### **17 Notice of inquiry**

A notice given under section 15 (3) of the Act is to state that:

- (a) the inquiry may be conducted in the absence of the registered psychologist concerned if he or she fails to appear, and
- (b) the Board can take action against the registered psychologist as a result of the inquiry even if the registered psychologist does not appear, and
- (c) the registered psychologist concerned is entitled to be represented by a solicitor or barrister.



**18 Remuneration of Professional Standards Committee members**

For the purposes of section 21 (7) of the Act, a member of a Professional Standards Committee is entitled to be paid such remuneration as the Minister may from time to time determine.

## **2000 No 538**

Clause 19            Psychologists Regulation 2000

Part 4                Miscellaneous

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### **Part 4 Miscellaneous**

#### **19 Special and urgent meetings of the Board**

- (1) A special meeting of the Board may be called on written requisition given to the secretary by the President or any 3 members and is to be held within 7 days of the receipt of the requisition by the secretary.
- (2) An urgent meeting of the Board may be called by the President for any purpose at any time.
- (3) At least 24 hours' notice of the time and place of any special or urgent meeting is to be given by the secretary to each member.

#### **20 Service of documents**

Any document required by the Act or this Regulation to be served on a person (whether the word "serve", "give" or "send" or any other word is used) may be served in person or by post.

#### **21 Savings provision**

Any act, matter or thing that, immediately before the repeal of the *Psychologists Regulation 1995*, had effect under that Regulation is taken to have effect under this Regulation.

BY AUTHORITY

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