

No. 1/2023

Health Practitioner Regulation National Law Amendment Regulation 2022

under the

Health Practitioner Regulation National Law Act 2009

The Ministerial Council has made the following Regulation under section 245 of the Health Practitioner Regulation National Law as applied by the law of the States and Territories.

Tim Duck
Secretary
Health Chief Executives Forum

Date of Making by Ministerial Council: 14 December 2022

Contents

	Page
1 Short title	2
2 Commencement	2
3 Regulation amended	2
Schedule 1	
Amendment of Health Practitioner Regulation National Law Regulation 2018	3

Health Practitioner Regulation National Law Amendment Regulation 2022

under the

Health Practitioner Regulation National Law Act 2009

1 Short title

This Regulation may be cited as the *Health Practitioner Regulation National Law Amendment Regulation 2022*.

2 Commencement

This Regulation commences—

- (a) for Western Australia—on the day after the day this Regulation is published in the Gazette, within the meaning of section 5 of the *Interpretation Act 1984* of Western Australia, and
- (b) for all other participating jurisdictions—on the day it is published by the Victorian Government Printer.

3 Regulation amended

This Regulation amends the *Health Practitioner Regulation National Law Regulation 2018*.

Schedule 1 Amendment of Health Practitioner Regulation National Law Regulation 2018

[1] Amendment of s 3 Definitions

Section 3, definition *relevant tribunal*, paragraph (c)—
omit, insert—

- (c) the South Australian Civil and Administrative Tribunal established under the *South Australian Civil and Administrative Tribunal Act 2013* of South Australia;

[2] Amendment of s 15 Modifications relating to National Agency and National Boards

(1) Section 15(b)(i) and (c)(i)—
omit.

(2) Section 15, ‘Agency Management Committee’, wherever occurring—
omit, insert—

Agency Board

[3] Amendment of s 26 Modifications relating to National Agency and National Boards

(1) Section 26(b)(i) and (d)(i)—
omit.

(2) Section 26(b)(iii) and (d)(iii), ‘Agency Management Committee’—
omit, insert—

Agency Board

(3) Section 26(b), after subparagraph (iv)—
insert—

- (v) each accreditation authority; and
- (vi) if the National Board appoints a person to conduct an examination or assessment of an individual under sections 54 or 59 of the Law—the person; and
- (vii) if the National Board appoints a person to conduct an examination or assessment of an applicant for registration under section 80(3)(a) of the Law—the person; and
- (viii) a specialist medical college in relation to an approved program of study provided by the college; and

(4) Section 26(d)(iv), ‘the National Board.’—
omit, insert—

the National Board; and

- (v) for an accreditation committee—the Chairperson of the committee; and
- (vi) for an external accreditation entity—the chief executive officer of the entity; and
- (vii) for a prescribed authority specified in paragraph (b)(vi) or (vii)—the chief executive officer of the authority; and
- (viii) for a specialist medical college specified in paragraph (b)(viii)—
 - (A) the chief executive officer of the college; or

- (B) if there is no chief executive officer—the president of the college.
- (5) Section 26, note, ‘the Advisory Council, the National Agency, the Agency Management Committee, the National Boards and agency service providers’—
omit, *insert*—
the National Agency, the Agency Board, National Boards, accreditation authorities, entities appointed to conduct certain examinations or assessments and specialist medical colleges in certain circumstances

[4] Amendment of s 35 Modifications relating to National Agency and National Boards

- (1) Section 35(b)(iii) and (c)(iii), ‘Agency Management Committee’—
omit, insert—
Agency Board
- (2) Section 35(b), after subparagraph (iv)—
insert—
(v) each accreditation authority; and
(vi) if the National Board appoints a person to conduct an examination or assessment of an individual under sections 54 or 59 of the Law—the person; and
(vii) if the National Board appoints a person to conduct an examination or assessment of an applicant for registration under section 80(3)(a) of the Law—the person; and
(viii) a specialist medical college in relation to an approved program of study provided by the college; and
- (3) Section 35(c)(iv), ‘the National Board.’—
omit, insert—
the National Board; and
(v) for an accreditation committee—the Chairperson of the committee; and
(vi) for an external accreditation entity—the chief executive officer of the entity; and
(vii) for an agency specified in paragraph (b)(vi) or (vii)—the chief executive officer of the agency; and
(viii) for a specialist medical college specified in paragraph (b)(viii)—
(A) the chief executive officer of the college; or
(B) if there is no chief executive officer—the president of the college.
- (4) Section 35, note, ‘the Advisory Council, the National Agency, the Agency Management Committee and the National Boards’—
omit, insert—
the National Agency, the Agency Board, National Boards, accreditation authorities, entities appointed to conduct certain examinations or assessments and specialist medical colleges in certain circumstances