

## PSYCHOLOGISTS BILL 1989

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to provide for the registration of psychologists by the proposed Psychologists Registration Board.

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#### PART 1—PRELIMINARY

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 defines expressions used in the proposed Act.

#### PART 2—REQUIREMENT FOR REGISTRATION

Clause 4 prohibits a person, unless the person is registered under the proposed Act or is a registered medical practitioner, from using a title or describing himself or herself in a way that leads other persons to believe that that person is a psychologist. Regulations may be made prescribing further exceptions from the operation of the clause for a transitional period of 12 months.

#### PART 3—REGISTRATION

Clause 5 specifies the circumstances in which a person is registered as a psychologist under the Act.

Clause 6 specifies the qualifications required for registration as a psychologist and sets out the circumstances in which the Board may refuse to register a person.

Clause 7 provides for the conditional registration of psychologists in certain circumstances.

Clause 8 provides for the temporary registration of psychologists in cases where, for example, a psychologist is visiting New South Wales.

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**Clause 9** provides for the establishment of a register of psychologists.

**Clause 10** provides for the payment of a roll fee by registered psychologists.

**Clause 11** provides for the restoration of a name to the register of psychologists.

**Clause 12** provides for the removal of a person's name from the register if that person has died, has ceased to be qualified to be a psychologist or applies for removal of the name.

**PART 4—COMPLAINTS AND DISCIPLINARY PROCEEDINGS**

**Clause 13** enables the Board to establish a professional code of conduct for registered psychologists.

**Clause 14** provides for the making of complaints against psychologists.

**Clause 15** provides for the conduct of inquiries by the Board or a Professional Standards Committee into complaints against psychologists.

**Clause 16** empowers the Board to take certain action in respect of complaints it is satisfied are proved.

**Clause 17** requires the Board to provide a written statement of the reasons for a decision under clause 16.

**Clause 18** provides for the right to appeal to the District Court against certain decisions of the Board.

**PART 5—PSYCHOLOGISTS REGISTRATION BOARD AND PROFESSIONAL STANDARDS COMMITTEES**

**Clause 19** constitutes the Psychologists Registration Board and provides for its membership.

**Clause 20** provides for the appointment of a secretary and the other staff of the Board.

**Clause 21** empowers the Board to establish Professional Standards Committees.

**Clause 22** specifies the matters which the Board may refer to a Professional Standards Committee.

**Clause 23** provides for the procedure for the calling of meetings and the conduct of business at meetings of a Professional Standards Committee to be determined by the Board.

**Clause 24** provides for decisions by a Professional Standards Committee and the reporting of those decisions to the Board.

**PART 6—MISCELLANEOUS**

**Clause 25** requires the Board to provide a written statement of the reasons for certain decisions.

**Clause 26** empowers the Board to appoint committees to advise it on the exercise of its functions.

**Clause 27** empowers the Board to examine a person on oath or affirmation.

**Clause 28** makes it an offence to make a false entry in the register or, by fraud, to procure such an entry or to assert as true before the Board a document which is false.

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**Clause 29** provides that certain matters need not be proved in proceedings.

**Clause 30** provides for certain documents under the hand of the secretary and entries in the register to be evidence in proceedings.

**Clause 31** provides for the taking of summary proceedings under the proposed Act and regulations.

**Clause 32** provides for the making of regulations under the proposed Act after the Board has been given an opportunity to comment.

**Clause 33** enables all necessary steps to be carried out to prepare for the appointment of the Board even though the provisions of the proposed Act relating to the appointment of members have not commenced.

**SCHEDULE 1—PROVISIONS RELATING TO THE MEMBERS OF THE BOARD**

**Schedule 1** contains provisions relating to the members of the Board, including provisions with respect to the President and Deputy President of the Board and the terms of office, vacation of office, remuneration and disclosure of pecuniary interests of members of the Board.

**SCHEDULE 2—PROVISIONS RELATING TO THE PROCEDURE OF THE BOARD**

**Schedule 2** contains provisions relating to the procedure of the Board, including provisions with respect to the quorum, presiding member, voting and the keeping of minutes at meetings of the Board.

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