

# Psychologists Regulation 2002

[2002-906]



New South Wales

## Status Information

### Currency of version

Repealed version for 25 January 2008 to 31 August 2008 (accessed 23 November 2024 at 7:46)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2008.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2008

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# Psychologists Regulation 2002



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Psychologists Regulation 2002*.

### 2 Commencement

This Regulation commences on 6 December 2002.

### 3 Definitions

In this Regulation:

**the Act** means the *Psychologists Act 2001*.

## Part 2 Proceedings of Board

### 4 Proceedings of Board at ordinary meetings

- (1) Unless otherwise determined by the Board, a meeting of the Board is to be held each month.
- (2) However, at least 8 meetings of the Board must be held during any period of 12 months.
- (3) The Registrar must give each member at least 3 days notice in writing of the time and place of a meeting, together with a copy of the agenda for the meeting.

### 5 Special and urgent meetings

- (1) The President or any 3 members may, by notice in writing to the Registrar, call a special meeting of the Board, and any such special meeting is to be held within 7 days after the Registrar receives the notice.
- (2) The President may, by notice in writing to the Registrar, call an urgent meeting of the Board for any purpose, and any such urgent meeting is to be held within 3 days after the Registrar receives the notice.

- (3) The Registrar must give each member at least 24 hours notice in writing of the time and place of any special or urgent meeting.

## 6 Lack of quorum

If at the expiration of 30 minutes after the time appointed for any meeting of the Board a quorum is not present, the meeting and all business stand adjourned to the next meeting or to such other date as may be fixed by the members present.

## Part 3 Miscellaneous

### 7 Excluded offences

- (1) Sections 20 (1) (a), 21 (1) (a) and 22 of the Act do not apply in respect of an excluded offence.
- (2) An excluded offence is not relevant for the purposes of clause 4 of Schedule 1 to the Act.
- (3) In this clause, **excluded offence** means any offence relating to the parking of motor vehicles or any offence under the road transport legislation (within the meaning of the [Road Transport \(General\) Act 1999](#)) except for the following offences:
  - (a) an offence under section 42 (1) of the [Road Transport \(Safety and Traffic Management\) Act 1999](#) relating to driving a motor vehicle negligently on a road or road-related area if the registered psychologist is, by way of penalty, sentenced to imprisonment or fined a sum of not less than \$200,
  - (b) an offence under section 42 (2) of the [Road Transport \(Safety and Traffic Management\) Act 1999](#) relating to driving a motor vehicle on a road or road-related area furiously or recklessly or at a speed or in a manner which is dangerous to the public,
  - (c) any offence under section 19 (2) of the [Road Transport \(General\) Act 1999](#) (which relates to refusing to produce a driver licence when required or to state name and home address, or stating a false name and home address),
  - (d) any offence under section 12 (1) of the [Road Transport \(Safety and Traffic Management\) Act 1999](#) (which relates to driving etc while under the influence of alcohol or any other drug),
  - (e) any offence under section 25A (1), (2) or (3) of the [Road Transport \(Driver Licensing\) Act 1998](#) (which relates to driving while unlicensed and other relevant matters),
  - (f) any offence under section 70 of the [Road Transport \(Safety and Traffic Management\) Act 1999](#) (which relates to failing to stop after an accident),

- (g) any offence under section 9 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to presence of prescribed concentration of alcohol in a person's breath or blood),
- (h) any offence under section 43 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to menacing driving),
- (i) any other offence under the road transport legislation if the court orders the disqualification of the registered psychologist from holding a driver licence.

## **8 Notice of mental incapacity of registered psychologist**

- (1) For the purposes of section 23 of the Act, the person required to cause notice of mental incapacity to be given to the Registrar is:
  - (a) in the case of a registered psychologist who is a mentally incapacitated person and becomes a patient at an institution because of that incapacity—the medical superintendent of the institution, or
  - (b) in the case of a registered psychologist who is a mentally incapacitated person because of being a protected person under the *Protected Estates Act 1983*—the Protective Commissioner.
- (2) Notice for the purposes of section 23 of the Act is to be given by telephone within 1 day, and by post within 7 days, after the registered psychologist is admitted to the institution or becomes a protected person, and is to specify the following:
  - (a) the name and residential address of the psychologist,
  - (b) the date on which the psychologist was admitted to the institution at which the psychologist is a patient or became a protected person.

## **9 When complaint need not be verified: sec 30**

For the purposes of section 30 (2) (g) of the Act, a complaint is not required to be verified by statutory declaration if it is made by the Registrar.

## **10 Appeal on point of law: sec 77**

An appeal referred to in section 77 of the Act is to be made:

- (a) by causing a notice of appeal, specifying the grounds on which the appeal is made, to be given to the Chairperson (or, if a Deputy Chairperson is nominated under section 77 (1), to the Deputy Chairperson so nominated), and
- (b) by causing a copy of the notice of appeal to be given to each other party to the proceedings from which the appeal has arisen.

**11 Fee for inspection of Register**

For the purposes of clause 21 (5) of Schedule 1 to the Act, the prescribed fee (being the maximum amount for an inspection of the Register) is \$20.

**12 Fee for additional information to be recorded in Register**

For the purposes of clause 22 (3) of Schedule 1 to the Act, the prescribed fee (being the fee for recording additional particulars in the Register) is \$20.