

# Occupational Licensing Legislation Amendment (Regulatory Reform) Act 2009 No 61

[2009-61]



New South Wales

## Status Information

### Currency of version

Repealed version for 17 September 2009 to 1 July 2010 (accessed 19 December 2024 at 9:13)

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The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.7.2010.

### 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 2 July 2010

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# Occupational Licensing Legislation Amendment (Regulatory Reform) Act 2009 No 61



New South Wales

An Act to amend the *Home Building Act 1989* and to repeal and amend other legislation to remove licensing requirements for certain occupations.

## 1 Name of Act

This Act is the *Occupational Licensing Legislation Amendment (Regulatory Reform) Act 2009*.

## 2 Commencement

- (1) Except as provided by subsection (2), this Act commences on 1 July 2009 or the date of assent to this Act, whichever is the later.
- (2) Schedules 1, 4.1–4.4, 4.6 [2] and [4], 4.7 and 4.9–4.11 commence on 1 July 2010.

## Schedule 1 Repeal of optical dispensers legislation

The following Act and Regulation are repealed:

*Optical Dispensers Act 1963 No 35*

*Optical Dispensers Regulation 2007*

## Schedules 2, 3 (Repealed)

## Schedule 4 Consequential amendment of Acts and Regulations

### 4.1 Health Administration Act 1982 No 135

#### Schedule 2A Health professional boards

Omit the following:

- \* Optical Dispensers Licensing Board established under the *Optical Dispensers Act 1963*

## 4.2 Health Care Complaints Act 1993 No 105

### [1] Section 4 Definitions

Omit “*Optical Dispensers Act 1963*” from the definition of **health registration Act**.

### [2] Section 4, definition of “health service”

Omit “, psychologists and optical dispensers” from paragraph (i).

Insert instead “and psychologists”.

### [3] Section 4, definition of “health service”

Insert “optical dispensers,” after “services provided by” in paragraph (j).

### [4] Section 94B Tribunal decisions and names of de-registered practitioners to be publicly available

Omit section 94B (1) (b) (ii).

### [5] Section 94B (3)

Omit the subsection. Insert instead:

- (3) For the purposes of this section, a person’s registration as a health practitioner under a health registration Act is cancelled if any of the following happen as a result of an action, decision, determination or order of a registration board, tribunal or court under that Act:
- (a) the person’s registration is cancelled,
  - (b) the person is de-registered,
  - (c) the person’s name is removed from, or struck off, a register or a roll,
  - (d) the person’s practising certificate is cancelled.

## 4.3 Health Professionals (Special Events Exemption) Act 1997 No 90

### [1] Section 3 Definitions

Omit “, psychologists and optical dispensers” from paragraph (a) of the definition of **health care services**.

Insert instead “and psychologists”.

### [2] Section 3, definition of “Health Registration Act”

Omit “*Optical Dispensers Act 1963*”.

## **4.4 Health Records and Information Privacy Act 2002 No 71**

### **[1] Section 4 Definitions**

Omit “, psychologists and optical dispensers” from paragraph (i) of the definition of **health service** in section 4 (1).

Insert instead “and psychologists”.

### **[2] Section 4 (1), definition of “health service”**

Insert “optical dispensers,” after “services provided by” in paragraph (j).

## **4.5**

(Repealed)

## **4.6 Licensing and Registration (Uniform Procedures) Act 2002 No 28**

### **[1] (Repealed)**

### **[2] Schedule 3 Registration to which Part 4 of Act applies**

Omit the matter relating to the *Optical Dispensers Act 1963*.

### **[3] (Repealed)**

### **[4] Schedule 4.20 and 4.31**

Omit the Subschedules.

## **4.7 Minors (Property and Contracts) Act 1970 No 60**

### **Second Schedule Saving of specific enactments**

Omit the matter relating to Optical Dispensers.

## **4.8**

(Repealed)

## **4.9 Privacy Code of Practice (General) 2003**

### **Schedule 2 Modification of Part 6 of the Act**

Omit item 12 from all of the columns.

## **4.10 Public Finance and Audit Act 1983 No 152**

### **Schedule 2 Statutory bodies**

Omit “Optical Dispensers Licensing Board”.

## 4.11 Public Health Act 1991 No 10

### [1] Section 10AA Definitions

Omit “*Optical Dispensers Act 1963*” from the definition of **health registration Act** in the note to the definitions of **health practitioner**, **health registration Act**, **health service** and **registration authority**.

### [2] Section 10AA, definition of “health service” in note

Omit “, psychologists and optical dispensers” from paragraph (i).

Insert instead “and psychologists”.

### [3] Section 10AA, definition of “health service” in note

Insert “optical dispensers,” after “services provided by” in paragraph (j).

### [4] Section 10AJ Definitions

Omit section 10AJ (2). Insert instead:

- (2) For the purposes of this Division, a person’s registration as a health practitioner under a health registration Act or corresponding health registration legislation is cancelled if any of the following happen as a result of an action, decision, determination or order of a registration board, tribunal or court under that Act or legislation:
- (a) the person’s registration is cancelled,
  - (b) the person is de-registered,
  - (c) the person’s name is removed from, or struck off, a register or a roll,
  - (d) the person’s practising certificate is cancelled.

### [5] Schedule 4 Savings and transitional provisions

Insert at the end of clause 1 (2A):

*Occupational Licensing Legislation Amendment (Regulatory Reform) Act 2009* (but only to the extent that it amends this Act or repeals the *Optical Dispensers Act 1963*)