

Queensland



Subordinate Legislation 2002 No. 82

Cooperatives Act 1997
Police Powers and Responsibilities Act 2000
Psychologists Registration Act 2001
Statutory Bodies Financial Arrangements Act 1982

PSYCHOLOGISTS REGISTRATION REGULATION 2002

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PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Psychologists Registration Regulation 2002*.

2 Commencement

This regulation commences on 1 May 2002.

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

PART 2—REGISTRATION

4 Reference to courses and years of courses

(1) A reference in this part to a course of a stated number of years is a reference to a course that is ordinarily completed in the stated number of years of full time study.

Example for subsection (1)—

A reference to a ‘4 year course’ is a reference to a course that is ordinarily completed in 4 years of full time study.

(2) A reference in this part to a particular year of a course is a reference to the part of the course that would ordinarily be undertaken in that year by a person undertaking the course by full time study.

Example for subsection (2)—

A reference to the ‘second year’ of a course is a reference to the part of the course that would ordinarily be undertaken in the second year by a person undertaking the course by full time study.

5 Qualifications for general registration—Act, s 44

(1) For section 44(3) of the Act, definition “approved qualification”, paragraph (a)(ii), the minimum requirements are—

- (a) a 4 year undergraduate course for which a bachelor degree in psychology, or its equivalent, is awarded or conferred; or
- (b) a 3 year undergraduate course for which a bachelor degree in psychology, or its equivalent, is awarded or conferred and a 1 year postgraduate course for which a postgraduate diploma in psychology or honours degree in psychology is awarded or conferred.

(2) The course under subsection (1)(a) must include the core subjects and—

- (a) have at least 25% of the credit point value in the first year in psychology subjects; and
- (b) have at least an average of 80% of the credit point value in the second and third years in psychology subjects; and
- (c) in the fourth year—
 - (i) have at least 80% of the credit point value in psychology subjects; and
 - (ii) include an empirical research project that—
 - (A) has a credit point value of at least 33%, but no more than 67%, of the total credit point value for the year; and
 - (B) is about one of the core subjects mentioned in subsection (5), definition “core subjects”, paragraphs (a) to (f); and
 - (C) is undertaken using methodology based on one of the core subjects mentioned in paragraph (h) or (i); and
 - (iii) include the following—
 - (A) professional ethics and roles;
 - (B) advanced units of core subjects studied in the year.

(3) The undergraduate course under subsection (1)(b) must include the core subjects and have—

- (a) at least 25% of the credit point value in the first year in psychology subjects; and
- (b) at least an average of 50% of the credit point value in the second and third years in psychology subjects.

(4) The postgraduate course under subsection (1)(b) must—

- (a) be completed within 10 years of the completion of the undergraduate course; and
- (b) be of at least 1 year's duration, or its equivalent; and
- (c) have at least 80% of the credit point value in psychology subjects; and
- (d) include an empirical research project that—
 - (i) has a credit point value of at least 33%, but no more than 67%, of the total credit point value of the course; and
 - (ii) is about one of the core subjects mentioned in subsection (5), definition "core subjects", paragraphs (a) to (f); and
 - (iii) is undertaken using methodology based on one of the core subjects mentioned in paragraph (h) or (i); and
- (e) include the following—
 - (i) professional ethics and roles;
 - (ii) advanced units of core subjects studied in the course.

(5) In this section—

"advanced units" means units that may be undertaken only after completing the third year of an undergraduate course mentioned in subsection (1)(a) or (b).

"core subjects" means the following subjects—

- (a) social and biological bases of behaviour;
- (b) lifespan developmental psychology;
- (c) abnormal psychology;
- (d) basic psychological processes;

- (e) individual differences in capacity and behaviour;
- (f) intercultural and indigenous psychology;
- (g) history of psychology and its theories;
- (h) testing and assessment;
- (i) practical work in the laboratory or elsewhere with human subjects;
- (j) research design, data analysis and data presentation skills;
- (k) report writing;
- (l) research and professional ethics.

“psychology subjects” means subjects, including, but not limited to, core subjects, taught in a department or school of psychology at a tertiary educational institution by persons who have a masters degree or higher in psychology or a discipline that the board is satisfied is related, and relevant, to the practice of psychology.

6 Period of registration—Act, s 56

For section 56(1) of the Act, the general registration period is a financial year.

7 Notification of change in circumstances—Act, s 135

For section 135 of the Act, each of the following is a change in a registrant’s circumstances of which the board must be advised—

- (a) a change in the registrant’s name;
- (b) a change in the registrant’s address;
- (c) for a special purpose registrant—a change in the way the registrant undertakes the special activity for which the registrant is registered;

Examples of a ‘change’ for paragraph (c)—

1. A registrant undertakes the activity at a different place.
 2. A registrant changes the amount of time spent doing the activity.
 3. A registrant ceases to do the activity.
- (d) the registrant ceases to be qualified for registration.

PART 3—PROBATIONARY REGISTRANTS

Division 1—Supervised practice program

8 What is the supervised practice program—Act, s 61

(1) For section 61 of the Act, the supervised practice program is a program of supervision for probationary registrants that happens over a period of practice of the profession and includes the requirements set out in this part.

(2) The main objects of the supervised practice program include—

- (a) giving probationary registrants experience in, and instruction about, the practice of the profession; and
- (b) helping probationary registrants to develop knowledge about the practice of the profession; and
- (c) teaching probationary registrants the standards of conduct required of a registrant; and
- (d) enabling a probationary registrant to meet the requirements for general registration without probationary conditions.

9 What is practice of the profession for supervised practice program—Act, s 61

(1) Practice of the profession for the supervised practice program is an activity carried out by a probationary registrant in a professional practice setting involving the application of psychological knowledge, methodology, principles and techniques to 1 or more of the following—

- (a) interventions with individual clients, groups or organisations;
- (b) advisory or consultancy work;
- (c) research, development and evaluation.

(2) Practice of the profession includes any work of a psychological nature, whether paid or unpaid, and is not limited to the practice of the profession under a restricted title.

(3) Subject to subsection (4), a probationary registrant practises the profession only while the registrant has a supervisor under the supervised practice program.

(4) Subsection (3) does not apply if the probationary registrant does not have a supervisor and has given the board notice under section 46 advising of a change of supervisors.

Division 2—Practice under supervised practice program

10 Number of hours of practice of the profession to be undertaken under supervised practice program—Act, s 61

(1) For section 61(2)(a) of the Act, a probationary registrant must undertake at least 1 600 hours of practice of the profession under the supervised practice program.

(2) For subsection (1), the 1 600 hours of practice of the profession does not include practice while the probationary registrant does not have a supervisor, even if the registrant has given the board notice under section 46 advising of a change of supervisors.

11 Period allowed for completion of supervised practice program—Act, s 57

For section 57(2)(a)(ii) of the Act, the period is 5 years from the day the registrant is registered as a probationary registrant.

12 Minimum period for completion of supervised practice program—Act, 61

For section 61(2)(i) of the Act, the minimum period is 2 years from the day the registrant is registered as a probationary registrant.

Division 3—Supervision under supervised practice program

13 What constitutes supervision for supervised practice program—Act, s 61

(1) For section 61(2)(e) of the Act, supervision is an interactive process between a probationary registrant and the registrant's supervisor or an assistant supervisor, designed to provide the probationary registrant with professional development and guidance to enable the registrant to meet the

competencies required to complete the supervised practice program or a partial program.

(2) Supervision may be guided by the probationary registrant's supervised practice plan, but is not limited to the plan.

(3) Supervision does not involve the day to day monitoring or direction and control of the probationary registrant's performance in the workplace.

14 Methods of supervision—Act, s 61

For section 61(2)(f) of the Act, the methods of supervision to be used for the supervised practice program for a probationary registrant are as follows—

- (a) direct observation;
- (b) individual supervision;
- (c) group supervision;
- (d) deciding, in consultation with the registrant, about professional development activities to be undertaken by the registrant;
- (e) another method of supervision approved by the board for the registrant under section 17.

15 Minimum hours of supervision—Act, s 61

(1) For section 61(2)(d) of the Act, a probationary registrant must undergo at least 160 hours of supervision under the supervised practice program.

(2) The supervision must include—

- (a) at least 60 hours of professional development activities decided by the probationary registrant's supervisor in consultation with the registrant; and
- (b) at least 100 hours of other supervision of which at least 60 hours must be individual supervision, including at least 1 hour of direct observation.

16 Frequency of supervision—Act, s 61

For section 61(2)(d) of the Act, the frequency with which supervision must happen is as follows—

- (a) for a probationary registrant who practises the profession for more than 20 hours per week—at least 2 hours each fortnight;
- (b) for a probationary registrant who practises the profession for less than 20 hours each week—at least 1 hour each fortnight.

17 Alternate methods of supervision in certain circumstances

(1) This section applies if a probationary registrant can not practicably be supervised by a method mentioned in section 14(a) to (c) (the “**standard method**”).

(2) The board may approve the use, for a stated number of hours, of 1 or more alternate methods for the probationary registrant instead of the standard method if the board is satisfied—

- (a) the alternate method will provide a level of supervision equivalent to that provided by the standard method; and
- (b) the registrant can not practicably undergo supervision by the standard method, for example, because—
 - (i) the registrant is located in a rural or remote area; or
 - (ii) the registrant or the registrant’s supervisor can not, temporarily, undertake supervision by the standard method.

(3) In this section—

“**alternate method**” means the use of videoconferencing, telephone, electronic mail, facsimile or another form of electronic communication.

18 Maximum hours of use of alternate method

The maximum hours the board may approve for use of an alternate method is as follows—

- (a) for videoconferencing instead of individual supervision—50 hours;
- (b) for using the telephone, or another form of electronic communication other than videoconferencing, instead of individual supervision—30 hours;

- (c) for videoconferencing or using the telephone, or another form of electronic communication, instead of group supervision—30 hours.

19 Application for use of alternate method

(1) A probationary registrant may apply to the board for approval to use an alternate method of supervision.

(2) The application must—

- (a) be in writing; and
- (b) state the reason the applicant is applying to use the alternate method; and
- (c) state the number of hours of supervision the applicant is applying to undergo using the alternate method; and
- (d) be accompanied by a written statement by the probationary registrant's supervisor that the supervisor is able and willing to use the alternate method mentioned in the application.

(3) The board must, within 35 days after its receipt, consider the application and decide to approve, or refuse to approve, the use of the alternate method.

(4) If the board decides to approve the use of the alternate method, it must as soon as practicable give the probationary registrant notice of the decision.

(5) Subsection (6) applies if the board decides—

- (a) to refuse to approve the use of the alternate method; or
- (b) to approve the use of the alternate method for a number of hours that is less than the number applied for under subsection (2) and less than the maximum number allowed for the alternate method under section 18.

(6) The board must as soon as practicable give the applicant a decision information notice stating the decision and the reasons for the decision.

Division 4—Competencies

20 Definition for div 4

In this division—

“sufficient competence”, in a competency, means understanding and proficiency to an extent that qualifies a probationary registrant to independently offer opinion, and to practice, in the competency.

21 Competencies to be demonstrated for completion of supervised practice program—Act, s 61

For section 61(2)(h) of the Act, the competencies a probationary registrant must demonstrate to complete the supervised practice program are as follows—

- (a) knowledge of the discipline under section 22;
- (b) psychological assessment under section 23;
- (c) intervention strategies under section 24;
- (d) research and evaluation under section 25;
- (e) communication under section 26;
- (f) ethical, legal and professional matters under section 27.

22 Knowledge of the discipline

(1) The competency of knowledge of the discipline involves demonstrating knowledge in the discipline of psychology required for investigating, describing, explaining, predicting and modifying human behaviour, cognition and affect.

(2) Without limiting subsection (1), the competency includes—

- (a) knowledge of psychological theories and models, empirical evidence of the theories and models and the major methods of psychological inquiry; and
- (b) an understanding of the interplay between the discipline and practice of psychology across a range of settings.

(3) A probationary registrant and the registrant's supervisor must agree on ways of assessing the registrant's knowledge of matters mentioned in subsection (2)(a) (the **"agreed assessments"**).

(4) Without limiting subsection (3), the agreed assessments may include the following—

- (a) how the registrant performs in meetings with the supervisor;
- (b) reports prepared by the registrant;
- (c) literature reviews undertaken by the registrant;
- (d) other assessments to test the registrant's knowledge of the discipline across a range of settings.

(5) To demonstrate sufficient competence in a matter mentioned in subsection (2)(a), a probationary registrant must satisfy the registrant's supervisor that the registrant can perform in the agreed assessments at a satisfactory standard.

(6) To demonstrate sufficient competence in the matter mentioned in subsection (2)(b), a probationary registrant must satisfy the supervisor the registrant can design and implement psychological interventions of a satisfactory standard.

23 Psychological assessment

(1) The competency of psychological assessment involves demonstrating a knowledge of the organisation and planning involved in systematic psychological assessment, evaluation and problem solving.

(2) Without limiting subsection (1), the competency includes the capacity to define a psychological problem, gather and evaluate data about the problem, decide strategies for dealing with the problem and implement ongoing evaluation of the problem.

(3) To demonstrate competency in psychological assessment, a probationary registrant must have sufficient competence in—

- (a) test selection, administration and interpretive skills relating to the registrant's area of professional practice; and
- (b) interviewing skills; and
- (c) defining and specifying a problem of interest from the available data; and
- (d) generating appropriate hypotheses from available data; and

- (e) writing informed, succinct, valid and well organised reports based on available data.

24 Intervention strategies

(1) The competency of intervention strategies involves the planning, design, provision and evaluation of psychological services.

(2) Without limiting subsection (1), the competency includes the capacity to—

- (a) establish professional relationships; and
- (b) explore the nature of the services required; and
- (c) investigate identified issues relevant to the delivery of the services; and
- (d) develop or plan preventative or remedial services; and
- (e) implement preventative or remedial services; and
- (f) evaluate the impact of the services.

(3) To demonstrate competency in intervention strategies, a probationary registrant must have sufficient competence in—

- (a) negotiating a treatment or service contract; and
- (b) designing, implementing and evaluating psychological interventions to achieve the best possible outcomes; and
- (c) a range of therapeutic skills; and
- (d) micro-counselling skills.

25 Research and evaluation

(1) The competency of research and evaluation involves the skill required to add to the body of knowledge underlying the science and practice of psychology.

(2) Without limiting subsection (1), the competency includes the capacity to—

- (a) identify research problems; and
- (b) define specific research problems; and
- (c) design research investigations; and

- (d) conduct research investigations; and
- (e) evaluate research findings; and
- (f) communicate evaluation and research outcomes.

(3) To demonstrate competency in research and evaluation, a probationary registrant must have sufficient competence in—

- (a) data collection, analysis and interpretation skills; and
- (b) evaluation skills.

26 Communication

(1) The competency of communication—

- (a) involves communication by registrants with individual or organisational clients, other registrants, other professionals and the public; and
- (b) recognises the importance of clearly conveying psychological ideas derived from knowledge of the discipline, research and practice.

(2) Without limiting subsection (1), the competency includes the capacity to—

- (a) communicate effectively and appropriately to a range of audiences; and
- (b) appraise research and communicate information about it to a range of audiences; and
- (c) communicate information about relevant psychological services to potential clients.

(3) To demonstrate competency in communication, a probationary registrant must have sufficient competence in—

- (a) establishing rapport with clients; and
- (b) oral communication skills; and
- (c) writing informed, succinct, valid and well organised reports and other documents, including, for example, case notes, correspondence and intervention plans; and
- (d) communicating information gained from an assessment, intervention or evaluation to all relevant persons.

27 Ethical, legal and professional matters

(1) The competency of ethical, legal and professional matters involves the ethical and legal aspects of professional psychological practice and an ability to apply informed judgment and current scientific principles in the workplace.

(2) Without limiting subsection (1), the competency includes the capacity to—

- (a) recognise the boundaries of service provision; and
- (b) behave in accordance with relevant ethical and legal requirements; and
- (c) behave in a responsible and autonomous way; and
- (d) undertake professional development and continued education in the profession.

(3) To demonstrate competency in ethical, legal and professional matters, a probationary registrant must have sufficient competence in—

- (a) ethical and professional behaviour; and
- (b) knowledge of any codes of practice developed or adopted by the board under the *Health Practitioners (Professional Standards) Act 1999*, section 374; and
- (c) knowledge of the legal requirements of the practice of the profession in the State; and
- (d) independently managing the registrant's professional affairs, including, for example, working effectively in a responsible and autonomous way with minimal direction and instruction; and
- (e) clarifying and negotiating the role and responsibilities of a registrant in consultation with other members of a team; and
- (f) record keeping, including demonstrated knowledge of the ethical and legal implications of administrative and record keeping procedures.

Division 5—Records to be kept by probationary registrants

28 Record of practice to be kept by probationary registrants—Act, s 61

(1) A probationary registrant must, while the registrant is undertaking the supervised practice program—

- (a) keep a record (a “**record of practice**”) of the registrant’s practice of the profession under the program; and
- (b) enter the required information into the record of practice at least once a week, unless the registrant has a reasonable excuse; and
- (c) give the record of practice to the registrant’s supervisor at least once a month, unless the registrant has a reasonable excuse.

Maximum penalty—

- (a) for paragraph (a)—20 penalty units; and
- (b) for paragraph (b) and (c)—10 penalty units.

(2) The record of practice must be kept in the approved form.

(3) The probationary registrant’s supervisor must sign the record of practice to verify the supervisor has been given the record for the month.

(4) Also, unless a probationary registrant has a reasonable excuse, the registrant must, if requested by the registrant’s supervisor, give the record of practice to the supervisor—

- (a) before the registrant completes a supervised practice progress report; and
- (b) before the supervisor completes the supervised practice report for the registrant.

Maximum penalty—10 penalty units.

(5) The probationary registrant may have access to, and copy, the record of practice while the record is in the supervisor’s possession.

(6) For subsection (1), a probationary registrant is not undertaking the supervised practice program during any period when the registrant is not practising the profession.

Example of a period when a registrant is not practising the profession—

A period when the registrant is on extended leave to study or travel.

(7) In this section—

“required information” means the information required in the approved form for the record of practice.

29 Board may require probationary registrants to provide record of practice—Act, s 61

(1) The board may, by notice given to a probationary registrant, require the registrant to give the board the registrant’s record of practice.

(2) The notice must state the following—

- (a) whether the whole, or a stated part, of the record of practice must be given to the board;
- (b) that the registrant must give the record of practice to the board within a stated reasonable period, at least 7 days, from the receipt of the notice;
- (c) the consequences of failing to give the board the record of practice within the stated time.

(3) The probationary registrant must comply with the notice, unless the registrant has a reasonable excuse.

Maximum penalty—10 penalty units.

(4) The probationary registrant may have access to, and copy, the record of practice while the record is in the board’s possession.

30 Record of supervision to be kept by probationary registrants—Act, s 61

(1) A probationary registrant must, while the registrant is undertaking the supervised practice program—

- (a) keep a record (a **“record of supervision”**) of the registrant’s supervision under the supervised practice program; and
- (b) enter the required information into the record of supervision at least once a week, unless the registrant has a reasonable excuse; and
- (c) give the record of supervision to the registrant’s supervisor at least once a month, unless the registrant has a reasonable excuse.

Maximum penalty—

- (a) for paragraph (a)—20 penalty units; and
- (b) for paragraph (b) and (c)—10 penalty units.

(2) The record of supervision must be kept in the approved form.

(3) The probationary registrant's supervisor must sign the record of supervision to verify the supervisor has been given the record for the month.

(4) Also, unless a probationary registrant has a reasonable excuse, the registrant must, if requested by the registrant's supervisor, give the record of supervision to the supervisor—

- (a) before the registrant completes a supervised practice progress report; and
- (b) before the supervisor completes the supervised practice report for the registrant.

Maximum penalty—10 penalty units.

(5) The probationary registrant may have access to, and copy, the record of supervision while the record is in the supervisor's possession.

(6) For subsection (1), a probationary registrant is not undertaking the supervised practice program during any period when the registrant is not practising the profession.

Example of a period when a registrant is not practising the profession—

A period when the registrant is on extended leave to study or travel.

(7) In this section—

“required information” means the information required in the approved form for the record of supervision.

31 Probationary registrants required to provide record of supervision—Act, s 61

(1) The board may, by a notice given to a probationary registrant, require the registrant to give the board the registrant's record of supervision.

(2) The notice must state the following—

- (a) whether the whole, or a stated part, of the record of supervision must be given to the board;

- (b) that the registrant must give the record of supervision to the board within a stated reasonable period, at least 7 days, from the receipt of the notice;
- (c) the consequences of the failing to give the board the record of supervision within the stated time.

(3) The probationary registrant must comply with the notice, unless the registrant has a reasonable excuse.

Maximum penalty—10 penalty units.

(4) The probationary registrant may have access to, and copy, the record of supervision while the record is in the board's possession.

32 Supervised practice progress reports—Act, s 61

(1) A probationary registrant must give the board a supervised practice progress report complying with this section, at the times required by this section, unless the registrant has a reasonable excuse.

Maximum penalty—10 penalty units.

(2) The report must be—

- (a) in the approved form; and
- (b) signed by the registrant and the registrant's supervisor.

(3) The registrant must give the report to the board within 28 days after each anniversary of the registrant's registration.

(4) Also, if the board reasonably needs a supervised practice report at other times, it may give the registrant a notice requiring the registrant to give a report to it by a stated day not earlier than 28 days after the notice is given.

(5) The registrant must give the report to the board by the day stated in the notice.

(6) In this section—

“supervised practice progress report” means a report about the registrant's practice of the profession under the supervised practice program.

Division 6—Supervised practice plan**33 Information to be included in supervised practice plan—Act, s 62(4), definition “supervised practice plan”**

For section 62(4) of the Act, definition “supervised practice plan”, paragraph (a), the information that must be included in the plan is the following—

- (a) the name and contact details of the probationary registrant;
- (b) the name and contact details of the registrant’s supervisor;
- (c) the name and contact details of an assistant supervisor who supervises the registrant;
- (d) details of the practice of the profession to be undertaken by the registrant including—
 - (i) the type of practice to be undertaken; and
 - (ii) the number of hours of practice to be undertaken; and
 - (iii) the professional practice setting in which the practice of the profession is to be undertaken;
- (e) details of the supervision to be undergone by the registrant including—
 - (i) the method of supervision to be used; and
 - (ii) the number of hours of supervision to be undergone; and
 - (iii) the frequency of the supervision; and
 - (iv) the issues to be addressed by supervision;
- (f) details of any guidance or direction about the practice of the profession by the registrant that is provided by a person other than the registrant’s supervisor or assistant supervisor;
- (g) the responsibilities of the registrant, the registrant’s supervisor and, if relevant, assistant supervisor.

34 Review of supervised practice plan—Act, s 62

(1) For section 62(2) of the Act, a probationary registrant’s supervised practice plan must be reviewed—

- (a) 6 months after the registrant and the supervisor first sign the plan; and
- (b) within 6 months after the last review.

(2) However, a review under subsection (1) is not required if, in the 6 months since the last review, the registrant has not practised the profession and no supervision has taken place.

(3) If a review does not take place because the registrant has not practised the profession and no supervision has taken place in the 6 months since the last review, the registrant's supervised practice plan must be reviewed within 6 months after supervision next takes place.

***Division 7—Supervisors and other persons who supervise
probationary registrants***

35 Eligibility criteria for supervisors—Act, s 233

(1) A general registrant is eligible to be a supervisor if the general registrant—

- (a) has, for a period of at least 2 years immediately before the registrant begins to supervise the probationary registrant—
 - (i) been a general registrant or held equivalent registration under the law of another State or New Zealand; or
 - (ii) held—
 - (A) a qualification that is substantially equivalent to, or based on similar competencies to that required for, a current approved qualification; and
 - (B) registration that is substantially equivalent to registration under the Act in a place other than Australia or New Zealand; and
- (b) has, within 3 years before the registrant begins to supervise the probationary registrant, successfully completed a training program for supervisors provided by, or recognised by, the board; and
- (c) is not a member of the probationary registrant's immediate family or household; and

- (d) has not been, and is not currently, engaged in a therapeutic relationship with the probationary registrant; and
- (e) is not subject to suspension of the registrant's registration under the *Health Practitioners (Professional Standards) Act 1999*, the repealed Act or a corresponding law; and
- (f) is not subject to a condition, order or undertaking under the *Health Practitioners (Professional Standards) Act 1999* or a corresponding law prohibiting the registrant from being a supervisor or an assistant supervisor; and
- (g) has not been declared by the board to be ineligible to be a supervisor, or otherwise supervise probationary registrants, under section 40.

(2) In this section—

“current approved qualification” see section 44¹ of the Act.

36 Other persons who supervise probationary registrants—Act, s 233

The following persons are eligible to be another person who supervises a probationary registrant—

- (a) a general registrant who is eligible to be a supervisor under section 35;
- (b) a special purpose registrant who meets the eligibility criteria under section 35(1)(b) to (g);
- (c) a person who is approved by the board under section 38 or 39.

37 Supervisor may approve certain registrants to supervise—Act, s 233

A registrant mentioned in section 36(a) or (b) (a **“section 36 registrant”**) may assist a probationary registrant's supervisor in the

¹ Section 44 (When applicant is qualified for general registration) of the Act—

“current approved qualification” means an approved qualification that may be conferred or awarded as a result of the successful completion of a course offered, at the date of the applicant's application for general registration, by the educational institution mentioned in relation to the qualification in the approval or regulation.

supervision of the probationary registrant only if the supervisor, after consultation with the probationary registrant, approves that the section 36 registrant assists.

38 Board may approve other registrant to supervise

(1) A probationary registrant may apply to the board for approval for a registrant who is not eligible under section 35 to assist the supervisor in the supervision of the registrant.

(2) The board may approve that the registrant assists the supervisor if the board is satisfied—

- (a) the probationary registrant will not be able to meet the requirements for supervision unless the registrant assists the supervisor; and
- (b) the registrant meets the eligibility criteria under section 35(1)(b) to (g).

39 Board may approve persons who are not registrants to supervise

(1) A probationary registrant may apply to the board for approval for a person who is not a registrant to assist the registrant's supervisor in supervising the registrant.

(2) The board may approve that the person assists the supervisor if the board is satisfied—

- (a) the probationary registrant will not be able to meet the requirements for supervision unless the person assists the supervisor; and
- (b) the person meets the following criteria—
 - (i) the person has experience, knowledge and qualifications that will enable the person to meet the probationary registrant's professional development needs;
 - (ii) the person is not a member of the registrant's immediate family or household;
 - (iii) the person has not been, and is not currently, engaged in a therapeutic relationship with the registrant;
 - (iv) the board has not, under section 40, declared the person ineligible to supervise probationary registrants.

(3) If the board approves the person to assist the supervisor in supervising the probationary registrant, the person may provide not more than 25 hours of the registrant's supervision.

40 Board may declare persons ineligible to be a supervisor or otherwise supervise a probationary registrant—Act, s 233

(1) The board may declare a person ineligible to be a supervisor or otherwise supervise a probationary registrant for—

- (a) if the board reasonably believes the person is not suitable to supervise probationary registrants—any probationary registrant; or
- (b) if the board reasonably believes the person is not suitable to supervise a particular probationary registrant—the particular registrant.

(2) Without limiting subsection (1), the grounds for the board to decide whether a person is suitable to supervise probationary registrants, or a particular registrant, include the following—

- (a) whether the person meets, or continues to meet, the eligibility criteria for supervisors;
- (b) whether any disciplinary action under the *Health Practitioners (Professional Standards) Act 1999* or a corresponding law has been taken against the person;
- (c) whether the person has fulfilled a supervisor's or assistant supervisor's responsibilities in relation to a probationary registrant.

41 Declaration show cause notice

(1) This section applies if the board reasonably believes a person is not suitable to supervise probationary registrants or a particular registrant.

(2) The board must give the person a notice (a “**declaration show cause notice**”) that—

- (a) states the board proposes to declare the person ineligible to supervise probationary registrants or the particular registrant; and
- (b) states the ground for the proposed declaration; and

- (c) outlines the facts and circumstances forming the basis for the ground; and
- (d) invites the person to show within a stated period (the “**declaration show cause period**”) why the declaration should not be made.

(3) The declaration show cause period must be a period ending at least 21 days after the declaration show cause notice is given to the person.

42 Representations about declaration show cause notices

(1) The person may make written representations about the declaration show cause notice to the board in the declaration show cause period.

(2) The board must consider all written representations (the “**written representations**”) made under subsection (1).

43 Ending declaration show cause process without further action

(1) This section applies if, after considering the written representations for the declaration show cause notice, the board no longer believes the person is not suitable to supervise probationary registrants or a particular registrant.

(2) The board must not take any further action about the declaration show cause notice.

(3) The board must also as soon as practicable after coming to the belief give notice to the person that no further action is to be taken about the declaration show cause notice.

44 Declaration

(1) This section applies if, after considering the written representations for the declaration show cause notice, the board still believes the person is not suitable to supervise probationary registrants or a particular registrant.

(2) This section also applies if there are no written representations for the declaration show cause notice.

(3) The board may declare the person is not suitable to supervise probationary registrants or a particular registrant.

(4) If the board decides to make the declaration, it must as soon as practicable give the person a decision information notice about the decision.

(5) The declaration takes effect on the day the decision information notice is given to the person.

45 Notice to probationary registrant

(1) This section applies if the board makes a declaration under section 44 about a person who is, or is proposed to be, a supervisor or assistant supervisor of a probationary registrant.

(2) The board must, as soon as practicable after making the declaration, give the probationary registrant a notice stating that the registrant is required to give the board notice nominating another supervisor or assistant supervisor.

46 Probationary registrant changing supervisors

(1) A probationary registrant may, at any time, change the registrant's supervisor.

(2) If a probationary registrant's supervisor ceases supervision of the registrant, the registrant must, unless the registrant has a reasonable excuse, within 28 days after becoming aware of the cessation, give the board a notice—

- (a) about the cessation; and
- (b) nominating another supervisor.

Maximum penalty—10 penalty units.

(3) The notice must be in the approved form.

(4) If the board declares under section 44(3) that the supervisor nominated by the probationary registrant is not eligible to be the registrant's supervisor, the registrant must nominate another supervisor to the board within 28 days of the receipt of the notice under section 45(2), or within a longer period stated in the notice.

(5) The nomination of the other supervisor must be in the approved form.

47 Responsibilities of supervisors and assistant supervisors who supervise probationary registrants—Act, s 61

A probationary registrant's supervisor or assistant supervisor must immediately notify the board if the supervisor or assistant supervisor reasonably considers the registrant may not be complying with the Act or this regulation.

Division 8—General

48 Statement of incomplete supervision

(1) This section applies to a probationary registrant who, before completing the supervised practice program or a partial program, ceases—

- (a) practising in the profession; or
- (b) being supervised for more than 28 days.

(2) The registrant must, unless the registrant has a reasonable excuse, within 28 days of the cessation, give the board a notice about the cessation (a “**statement of incomplete supervision**”).

Maximum penalty for subsection (2)—10 penalty units.

(3) The statement of incomplete supervision must be in the approved form.

PART 4—APPEALS

49 Who may appeal

A person (the “**decision appellant**”) who is given, or is entitled to be given, a decision information notice for a decision (the “**initial decision**”) may appeal against the decision to the District Court.²

50 Starting appeals

(1) The appeal may be started at—

² The *Uniform Civil Procedure Rules 1999* contains provisions about appeals to the District Court.

- (a) the District Court at the place where the decision appellant resides or carries on business; or
- (b) the District Court at Brisbane.

(2) Subsection (1) does not limit the District Court at which the appeal may be started under the *Uniform Civil Procedure Rules 1999*.

(3) The notice of appeal under the *Uniform Civil Procedure Rules 1999* must be filed with the registrar of the court within 28 days after—

- (a) if the decision appellant is given a decision information notice for the initial decision—the day the decision appellant is given the notice; or
- (b) if paragraph (a) does not apply—the day the decision appellant otherwise becomes aware of the initial decision.

(4) The court may, at any time, extend the period for filing the notice of appeal.

51 Hearing procedures

(1) In deciding the appeal, the court—

- (a) has the same powers as the person who made the initial decision; and
- (b) is not bound by the rules of evidence; and
- (c) must comply with natural justice.

(2) The appeal is by way of rehearing, unaffected by the initial decision, on the material before the person who made the initial decision and any further evidence allowed by the court.

52 Powers of court on appeal

(1) In deciding the appeal, the court may—

- (a) confirm the initial decision; or
- (b) amend the initial decision; or
- (c) substitute another decision for the initial decision; or
- (d) set aside the initial decision and return the issue to the board with the directions the court considers appropriate.

(2) In substituting another decision for the initial decision, the court has the same powers as the person who made the initial decision.

Example—

The court may decide that a person declared to be ineligible to be a supervisor is eligible to be a supervisor.

(3) If the court amends the initial decision or substitutes another decision for the initial decision, the amended or substituted decision is, for this regulation (other than this part) taken to be the decision of the person who made the initial decision.

53 Appointment of assessors

(1) If the court is of the opinion that the appeal involves a question of special knowledge and skill, the court may appoint 1 or more assessors who in the court's opinion possess the special qualifications necessary for the particular case to assist the court in deciding the appeal.

(2) An assessor may advise the court on any matter, but all questions of law and fact are to be decided by the court.

(3) The court may give the weight to the advice that it considers appropriate.

PART 5—FEES

54 Fees

The fees payable under the Act are stated in schedule 1.

55 Waiver of fee—financial hardship

The board may waive, wholly or partly, the payment of a fee by a person if the board is satisfied payment of the fee would cause the person financial hardship.

56 Refund of registration fee

(1) The board must refund the registration fee accompanying a person's application for registration, or renewal of registration, if—

- (a) the board refuses to grant the application; or
- (b) the person withdraws the application before it is decided.

(2) Subsection (3) applies if, within 3 months after the board decides to register a person or renew a person's registration, the person surrenders the registration.

(3) The board must refund the registration fee paid by the person less the amount of the registration fee stated in schedule 1 for a period of registration of not more than 3 months.

57 Refund of restoration fee

(1) The board must refund the registration component of a restoration fee accompanying a person's application for restoration of general registration if—

- (a) the board refuses to grant the application; or
- (b) the person withdraws the application before it is decided.

(2) Subsection (3) applies if, within 3 months after the board decides to restore a person's registration, the person surrenders the registration.

(3) The board must refund the registration component of the restoration fee paid by the person less the amount of the registration fee stated in schedule 1 for a period of registration of not more than 3 months.

(4) In this section—

“registration component”, of a restoration fee, means the amount of the restoration fee less \$75.

PART 6—TRANSITIONAL PROVISIONS

58 Transitional arrangements for existing supervisors

(1) This section applies to a general registrant who, immediately before the commencement, held an approval as a supervisor from the former board.

(2) Subject to section 35(1)(c) to (g), the registrant is taken to be eligible under section 35 to be a supervisor or assistant supervisor for 5 years from the commencement.

(3) In this section—

“**former board**” means the Psychologists Board of Queensland under the repealed Act.

59 Transitional arrangements about supervisors for certain other persons

(1) This section applies to a general registrant, other than a general registrant mentioned in section 58, who would be eligible to be a supervisor or an assistant supervisor if the registrant had successfully completed a training program for supervisors mentioned in section 35(1)(b).

(2) The registrant is taken to be eligible under section 35 to be a supervisor or assistant supervisor for 2 years from the commencement.

PART 7—CONSEQUENTIAL AMENDMENTS

60 Consequential amendments

Schedule 2 amends the regulations mentioned in it.

SCHEDULE 1**FEES**

section 54

	\$
1. Application fee for general registration or special purpose registration	120.00
2. Registration fee for general registration or special purpose registration—	
(a) for a period of registration of not more than 3 months	46.50
(b) for a period of registration of more than 3 months but not more than 6 months	93.00
(c) for a period of registration of more than 6 months but not more than 1 year	186.00
3. Restoration fee	261.00
4. Application for review of conditions	100.00
5. Replacement of certificate of registration	25.00
6. Certified copy of certificate of registration	25.00
7. Copy of the register or part of it—for each page50

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

section 60

COOPERATIVES REGULATION 1997

- 1** Schedule 5, item 12, '*Psychologists Act 1977*'—
omit, insert—
'Psychologists Registration Act 2001'.

POLICE POWERS AND RESPONSIBILITIES REGULATION 2000

- 1** Schedule 4, '*Psychologists Act 1977*'—
omit.

STATUTORY BODIES FINANCIAL ARRANGEMENTS REGULATION 1997

- 1** Schedule 3, column 1, '*Psychologists Act 1977*'—
omit, insert—
'Psychologists Registration Act 2001'.

SCHEDULE 3

DICTIONARY

section 3

“alternate method” see section 17(3).

“assistant supervisor” means a person who is eligible under section 36 to be another person who supervises a probationary registrant and assists the registrant’s supervisor in the supervision of the registrant under the supervised practice program.

“decision appellant” see section 49.

“decision information notice”, for a decision of the board, is a notice stating the following—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the person to whom the notice is given may appeal against the decision within 28 days;
- (d) how the person may appeal against the decision to the District Court.

“declaration show cause notice” see section 41(2).

“declaration show cause period” see section 41(2)(d).

“direct observation”, of a probationary registrant, means observation of the registrant’s practice of the profession, including, for example, attending when the probationary registrant practises the profession or watching a videotape, or listening to an audiotape, of the probationary registrant’s practice of the profession.

“group supervision”, for a probationary registrant, means a meeting that is held in person and is attended by the following persons—

- (a) the probationary registrant;
- (b) the registrant’s supervisor or assistant supervisor;
- (c) not more than 4 other participants.

SCHEDULE 3 (continued)

“individual supervision”, for a probationary registrant, means a meeting that is held in person between the probationary registrant and the registrant’s supervisor, or assistant supervisor.

“initial decision” see section 49.

“practice of the profession”, for the supervised practice program, means practice of the profession mentioned in section 8.

“professional development activities”, for a probationary registrant, means activities that are relevant to the registrant’s achievement of the competencies required to complete the supervised practice program including, for example, attendance at a seminar, workshop or lecture.

“record of practice” see section 28(1).

“record of supervision” see section 30(1).

“supervised practice progress report” see section 32(6).

“written representations” see section 42(2).

ENDNOTES

1. Made by the Governor in Council on 24 April 2002.
2. Notified in the gazette on 26 April 2002.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.