



Queensland

Health Practitioner Regulation National Law Act 2009

Health Practitioner Regulation National Law (Transitional) Regulation 2010

Current as at 1 July 2010

**NOTE—This is the last reprint before expiry.
See 2009 Act No. 45 s 9A(4)
Expired on 30 June 2013**

Information about this reprint

This regulation is reprinted as at 1 July 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment').

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.



Queensland

Health Practitioner Regulation National Law (Transitional) Regulation 2010

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Health Practitioner Regulation National Law (Transitional) Regulation 2010

[reprinted as in force on 1 July 2010]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health Practitioner Regulation National Law (Transitional) Regulation 2010*.

2 Commencement

This regulation commences on 1 July 2010.

3 Definitions

In this regulation—

Dental Board of Australia means the Dental Board of Australia under the Health Practitioner Regulation National Law (Queensland), section 31.

Dental Technicians and Prosthetists Board of Queensland means the Dental Technicians and Dental Prosthetists Board of Queensland under the *Dental Technicians and Dental Prosthetists Registration Act 2001* as in force from time to time before 1 July 2010.

former state board, for a health profession, means—

- (a) a board under any of the following repealed Acts—
 - (i) *Chiropractors Registration Act 2001*;
 - (ii) *Dental Practitioners Registration Act 2001*;
 - (iii) *Medical Practitioners Registration Act 2001*;

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- (iv) *Optometrists Registration Act 2001*;
 - (v) *Osteopaths Registration Act 2001*;
 - (vi) *Physiotherapists Registration Act 2001*;
 - (vii) *Podiatrists Registration Act 2001*;
 - (viii) *Psychologists Registration Act 2001*; or
- (b) the Pharmacists Board of Queensland under the *Pharmacists Registration Act 2001* as in force from time to time before 1 July 2010; or
 - (c) the Queensland Nursing Council under the repealed *Nursing Act 1992*.

health profession means any of the following professions—

- (a) chiropractic;
- (b) dental, other than the profession of a dental prosthetist;
- (c) medical;
- (d) nursing and midwifery;
- (e) optometry;
- (f) osteopathy;
- (g) pharmacy;
- (h) physiotherapy;
- (i) podiatry;
- (j) psychology.

information commissioner—

- (a) for part 2—see the *Information Privacy Act 2009*, schedule 5; or
- (b) for part 3—see the *Right to Information Act 2009*, schedule 6.

National Board, for a health profession, see the Health Practitioner Regulation National Law (Queensland), section 5.

[s 5]

(b) the application had been made to the relevant transitional board.

(5) In this section—

relevant transitional board means—

- (a) for an application mentioned in subsection (1)(a)—the National Board for the health profession; or
- (b) for an application mentioned in subsection (1)(b)—the Dental Board of Australia.

5 Applications under the Information Privacy Act 2009, s 99

(1) This section applies if, immediately before 1 July 2010, the information commissioner had started dealing with, but had not finally dealt with, an application under the *Information Privacy Act 2009*, section 99 for a reviewable decision made by—

- (a) a former state board for a health profession; or
- (b) the Dental Technicians and Prosthetists Board of Queensland, if the decision related to the dental prosthetics profession.

(2) For the purposes of the *Information Privacy Act 2009*, chapter 3, part 9, the relevant transitional board is taken to be the agency that made the decision.

(3) In this section—

relevant transitional board means—

- (a) for a reviewable decision made by a former state board for a health profession—the National Board for the health profession; or
- (b) for a reviewable decision made by the Dental Technicians and Prosthetists Board of Queensland—the Dental Board of Australia.

6 Persons affected by reviewable decision under the Information Privacy Act 2009

- (1) This section applies if—
- (a) a person was affected by a reviewable decision made before 1 July 2010 by—
 - (i) a former state board for a health profession; or
 - (ii) the Dental Technicians and Prosthetists Board of Queensland, if the decision related to the dental prosthetics profession; and
 - (b) immediately before 1 July 2010, the person could have applied for review of the decision under the *Information Privacy Act 2009*, section 94 or 99; and
 - (c) the person had not applied for the review before 1 July 2010.
- (2) The person may, within the period allowed under the *Information Privacy Act 2009*, section 96(c) or 101(1)(d), apply for review of the decision as if that Act applied to the application.
- (3) For subsection (2), the relevant transitional board is taken to be the agency that made the reviewable decision.
- (4) In this section—
- relevant transitional board*** means—
- (a) for a reviewable decision made by a former state board for a health profession—the National Board for the health profession; or
 - (b) for a reviewable decision made by the Dental Technicians and Prosthetists Board of Queensland—the Dental Board of Australia.

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Part 3 Provisions about the Right to Information Act 2009

7 Applications under the Right to Information Act 2009, s 24 or 80

- (1) This section applies if, immediately before 1 July 2010—
 - (a) a former state board for a health profession had started dealing with, but had not finally dealt with, an application under the *Right to Information Act 2009*, section 24 or 80; or
 - (b) the Dental Technicians and Prosthetists Board of Queensland had started dealing with, but had not finally dealt with, an application—
 - (i) made under the *Right to Information Act 2009*, section 24 or 80; and
 - (ii) related to the dental prosthetics profession.
- (2) From 1 July 2010, the relevant transitional board must deal with the application.
- (3) Subsection (2) applies subject to the *Right to Information Act 2009*, chapter 3, part 4.
- (4) For this section, the *Right to Information Act 2009* applies to the application as if—
 - (a) the relevant transitional board were an agency within the meaning of that Act; and
 - (b) the application had been made to the relevant transitional board.
- (5) In this section—

relevant transitional board means—

 - (a) for an application mentioned in subsection (1)(a)—the National Board for the health profession; or
 - (b) for an application mentioned in subsection (1)(b)—the Dental Board of Australia.

8 Applications under the Right to Information Act 2009, s 85

- (1) This section applies if, immediately before 1 July 2010, the information commissioner had started dealing with, but had not finally dealt with, an application under the *Right to Information Act 2009*, section 85 for a reviewable decision made by—
 - (a) a former state board for a health profession; or
 - (b) the Dental Technicians and Prosthetists Board of Queensland, if the decision related to the dental prosthetics profession.
- (2) For the purposes of the *Right to Information Act 2009*, chapter 3, part 9, the relevant transitional board is taken to be the agency that made the decision.
- (3) In this section—

relevant transitional board means—

 - (a) for a reviewable decision made by a former state board for a health profession—the National Board for the health profession; or
 - (b) for a reviewable decision made by the Dental Technicians and Prosthetists Board of Queensland—the Dental Board of Australia.

9 Persons affected by reviewable decision under the Right to Information Act 2009

- (1) This section applies if—
 - (a) a person was affected by a reviewable decision made before 1 July 2010 by—
 - (i) a former state board for a health profession; or
 - (ii) the Dental Technicians and Prosthetists Board of Queensland, if the decision related to the dental prosthetics profession; and

Editor's note—

This regulation expires on 30 June 2013 (see the Act, section 9A(4)).

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Health Practitioner Regulation National Law (Transitional) Regulation 2010 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2010	

5 List of legislation

Health Practitioner Regulation National Law (Transitional) Regulation 2010 SL No. 132

made by the Governor in Council on 24 June 2010

notfd gaz 25 June 2010 pp 823–30

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

exp 30 June 2013 (see 2009 No. 45 s 9A(4))

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

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