

~~Pathologists Registration Act 2001, the Transport Operations (Road Use Management) Act 1995 and the Victims of Crime Assistance Act 2009 for particular purposes, and to repeal the Medical Radiation Technologists Registration Act 2001 and the Occupational Therapists Registration Act 2001. I table the bill and the explanatory notes. I nominate the Health and Disabilities Committee to consider the bill.~~

~~Tabled paper: Health Legislation (Health Practitioner Regulation National Law) Amendment Bill 2012.~~

~~Tabled paper: Health Legislation (Health Practitioner Regulation National Law) Amendment Bill 2012, explanatory notes.~~

~~In 2009 the parliament passed the Health Practitioner Regulation National Law Act 2009 to establish the national registration and accreditation scheme for health professions. On 1 July 2010 10 registered health professional groups transitioned to the national scheme, leaving four health professions to continue being registered under Queensland registration systems. The health practitioner regulation national law provides for a further four professions to transition to the national scheme on 1 July this year. These four are medical radiation practitioners, occupational therapists, Aboriginal and Torres Strait Islander health practitioners and Chinese medicine practitioners. Of these four, medical radiation practitioners and occupational therapists are currently registered under the Queensland system. Consequently, this bill repeals the two state registration acts to ensure a smooth transition to the national scheme on 1 July.~~

~~The bill makes consequential amendments to all acts that reference health practitioners and other related terms to ensure that occupational therapists and medical radiation practitioners are appropriately included in definitions concerning registered health professions. The bill also makes consequential amendments to the Health Practitioners (Professional Standards) Act 1998 to ensure that any investigation or disciplinary action being undertaken with respect to a state registrant before 1 July 2012 can continue to be appropriately dealt with after the registrant has transitioned to the national scheme. The repeal of these two registration acts leaves only two professions registered under state registration systems. These are speech pathologists and dental technicians. Neither of these two professions has been accepted for inclusion into the national scheme.~~

~~The bill also amends the Mental Health Act 2000 to correct a definitional anomaly that arose when the national scheme commenced. The amendment updates the definition of 'psychiatrist' to ensure that medical practitioners who are registered to practice in areas of need as psychiatrists are captured. The national law categorises registrants in areas of need differently to the previous Queensland Medical Practitioners Registration Act. This difference has resulted in an anomaly in the definition of 'psychiatrist' that inadvertently meant that many psychiatrists performing functions under the Mental Health Act could no longer do so. This has had the most significant impact in regional and rural services which rely heavily on area of need registrants to be able to provide an effective mental health service. The problem has to date been addressed administratively, requiring unaffected psychiatrists to endorse decisions made by area of need registrants, but this has proven difficult and can only be an interim measure until the definition is updated. The amendment in this bill simply reverts the status of area of need registrants under the Mental Health Act to what it had been prior to the commencement of the national registration and accreditation scheme. This bill makes the necessary changes to Queensland's laws to ensure that the registration of Queensland's health professionals aligns with the rest of Australia. I commend the bill to the House.~~

First Reading



~~**Hon. LJ SPRINGBORG** (Southern Downs—LNP) (Minister for Health) (4.53 pm): I move~~

~~That the bill be now read a first time.~~

~~Question put That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

Referral to the Health and Disabilities Committee

~~**Madam SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Health and Disabilities Committee.~~

QUEENSLAND ART GALLERY AMENDMENT BILL

Introduction



~~**Hon. RM BATES** (Mudgeeraba—LNP) (Minister for Science, Information Technology, Innovation and the Arts) (4.54 pm): I present a bill for an act to amend the Queensland Art Gallery Act 1987 for particular purposes. I table the bill and the explanatory notes. I nominate the Finance and Administration Committee to consider the bill.~~

~~Tabled paper: Queensland Art Gallery Amendment Bill 2012.~~

Tabled paper: Queensland Art Gallery Amendment Bill 2012, explanatory notes.

This bill enables the Art Gallery Board of Trustees to establish a committee to carry on the crucial activities of the foundation for the benefit of the community. The foundation was originally formed in 1979 for the purpose of assisting the board to maintain, improve and develop the state collection of works of art and the facilities and operations of the Queensland Art Gallery. Specifically, the foundation was established to attract and encourage donations, gifts, bequests and other forms of assistance for the benefit of the gallery. The foundation has been highly successful in achieving its objectives, with over 1,400 members and \$75,452,294 of donations and other monies raised since its inception. Each year the foundation receives donations, bequests and gifts of artworks from private and corporate donors, and over \$2 million was received in 2010-11. The foundation provides funds to the board for acquisition of artworks and development of exhibitions and programs, the size of which is dependent on donations received by the foundation, returns on investments, the needs of the gallery and artwork available for purchase.

The foundation conducts fundraising activities at the gallery. The foundation is currently governed by a council. In order to regularise its status, it is proposed that the foundation is subsumed into the board and that a newly created committee governs the foundation's activities. Currently the act allows the board to delegate its powers to a committee consisting only of board members. Amendments to the act are required to enable the board to establish a committee with broader membership consisting of both board and non-board members to carry on the activities of the foundation. This approach allows the board to retain control over the management and operations of the foundation given the large amount of government and private funds under management and avoids the need to create a new government body for the foundation. The bill will include within the board's functions the development of the gallery's collection. The foundation committee will deal with any funds agreed by the board to be managed and invested by the foundation committee for its fundraising purposes. The bill ensures that the board will have control and flexibility over the governance arrangements for the foundation committee, including its composition, criteria for membership, responsibilities and meeting procedures. The foundation committee will include at least two board members. It may also include non-board members, allowing foundation members with the capacity to assist the foundation achieve its objectives also to be represented if the board considers that appropriate.

The board will have power to delegate its powers to foundation committee members for the purpose of performing the functions of the foundation committee—that is, to raise funds to assist in the fulfilment of the board's functions. The foundation committee will have the powers necessary to encourage gifts, donations, bequests and legacies of property for the benefit of the board but must not incur a debt. The bill provides that the board is a charitable institution and deems gifts to the foundation to be gifts to the board. Private ancillary funds are the major source of donations to the foundation. However, many of these private ancillary funds are restricted to donating to charitable organisations. The bill specifies that the board is a charitable organisation to ensure that private ancillary funds are able to make donations to the foundation.

In terms of protection to foundation committee members, the bill will extend the protection from civil liability afforded to board members to committee members and also extend liability for illegal borrowing by board members to committee members. The bill will also extend provisions regarding board members who have an interest in matters being considered by the board to committee members who have an interest in matters being considered by the committee. The establishment of a committee of the board to undertake the activities of the foundation is the most reasonable and appropriate way to regularise the status of the foundation and to limit any restrictions on the foundation's ability to receive and deal with donations and bequests. It also meets the preference expressed by existing donors and benefactors for the work of the foundation to be transparent and distinct from the daily running of the gallery. I commend the bill to the House.

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First Reading



Hon. RM BATES (Mudgeeraba—LNP) (Minister for Science, Information Technology, Innovation and the Arts) (4.59 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Finance and Administration Committee

Madam SPEAKER: In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.