

# Health (Radiographers) Bill

No.

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# LEGISLATIVE COUNCIL

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Read 1° 16 October 1990

*(Brought in by the Honourable C. J. Hogg)*

## A BILL

to amend the **Health Act 1958**, the **Health Services (Conciliation and Review) Act 1987** and for other purposes.

### **Health (Radiographers) Act 1990**

**The Parliament of Victoria enacts as follows:**

#### ***1. Purpose***

5 The main purpose of this Act is to amend the **Health Act 1958** to transfer responsibility for the regulation of radiographers and nuclear medicine technologists from the Chief General Manager, Health Department Victoria, to a Medical Radiation Technologists Board of Victoria.

#### ***2. Commencement***

This Act comes into operation on a day to be proclaimed.

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Section headings appear in bold italics and are not part of the Act (see **Interpretation of Legislation Act 1984**).

**3. Exemption from obtaining licence for radiation apparatus and radio-active substances**

No. 6270.  
Reprinted to  
No. 10262 and  
amended by  
Nos 16/1986,  
80/1986,  
119/1986,  
121/1986,  
124/1986,  
127/1986,  
9/1987,  
16/1987,  
24/1987,  
41/1987,  
72/1987,  
73/1987,  
81/1987,  
97/1987,  
48/1988,  
49/1988,  
12/1989,  
18/1989,  
19/1989,  
57/1989  
and 81/1989.

After section 108AF (1) of the **Health Act 1958** insert—

“(1A) A person who is registered under section 108AL to practise in radiography or nuclear medicine technology is exempt from the requirement to obtain a licence.”.

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**4. Fees for members of Radiation Advisory Committee**

In section 108AK (5) of the **Health Act 1958**, for “prescribed” substitute “fixed from time to time by the Governor in Council”.

**5. Medical Radiation Technologists Board of Victoria**

(1) In section 108AL of the **Health Act 1958**—

(a) for sub-section (1) substitute—

“(1) There shall be a Board called the Medical Radiation Technologists Board of Victoria.”; and

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(b) in sub-section 2 (b), for “radiation” substitute “nuclear medicine”.

(2) After section 108AL (2) of the **Health Act 1958** insert—

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“(2A) The Board may register persons to practice in radiography or nuclear medicine technology as medical imaging technologists, radiation therapy technologists or nuclear medicine technologists.

(2B) Each member of the Board is entitled to receive such fees and allowances as are fixed from time to time by the Governor in Council.”.

**6. Regulations**

5 Section 108AL (3) of the **Health Act 1958** is amended as follows:

- 10 (a) In paragraph (a), for “radiographers and radiation technologists” **substitute** “medical imaging technologists, radiation therapy technologists and nuclear medicine technologists”;
- (b) For paragraph (b) **substitute**—  
“(b) the functions of the Medical Radiation Technologists Board;”;
- 15 (c) For paragraph (c) **substitute**—  
“(c) defining the practice of radiography and nuclear medicine technology;”;
- (d) In paragraph (d), for “radiographers and radiation technologists” **substitute** “medical imaging technologists, radiation therapy technologists and nuclear medicine technologists”;
- 20 (e) After paragraph (d) **insert**—  
“(da) the granting of provisional registration subject to conditions, limitations or restrictions;”;
- (f) For paragraph (f) **substitute**—  
25 “(f) providing for the Board to hold an inquiry into the conduct of any person registered by the Board and to cancel or suspend registration as a result of the inquiry;”;
- (g) For paragraph (i) **substitute**—  
30 “(i) prohibiting a person not registered by the Board from practising as a medical imaging technologist, a radiation therapy technologist or a nuclear medicine technologist or from using (either alone or in combination with any  
35 other word) the name or title of medical

imaging technologist, radiation therapy technologist, nuclear medicine technologist, radiographer, medical diagnostic radiographer or medical therapy radiographer or any other name, title or description implying that the person is registered by the Board or qualified to practise in radiography or nuclear medicine technology and generally regulating the practice of persons in connection with the practice of radiography or nuclear medicine technology;

(ia) empowering the Board to impose fines of not more than \$2000 for any contravention of the regulations and to impose conditions on registration or both; and”.

**7. Transitionals and savings**

(1) A person who, at the date of commencement of this section, is licensed under the Health (Radiation Safety) Regulations 1984—

(a) as a medical diagnostic radiographer, is deemed to be qualified for registration as a medical imaging technologist; or

(b) as a medical therapy radiographer, is deemed to be qualified for registration as a radiation therapy technologist; or

(c) as a nuclear medicine technologist, is deemed to be qualified for registration as a nuclear medicine technologist—

by the Medical Radiation Technologists Board of Victoria established under section 108AL of the **Health Act 1958**.

(2) The Board established under section 108AL of the **Health Act 1958** of Victoria is deemed to be the same body after as before its change of name and the change of name does not affect its status or identity or anything done by it or its rights or liabilities or the continuing appointments of its members.

**8. Consequential amendment to Health Services (Conciliation and Review) Act 1987**

5 In the Schedule to the **Health Services (Conciliation and Review) Act 1987**, for “Radiographers and Radiation Technologists Registration Board of Victoria” substitute “Medical Radiation Technologists Board of Victoria”.

No. 25/1987  
as amended  
by No.  
60/1987.

