

# **Health Registration Acts (Amendment) Bill**

**No.**

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# LEGISLATIVE COUNCIL

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Read 1<sup>o</sup> 13 November 1990

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

## A BILL

to amend various health registration Acts and for other purposes.

### **Health Registration Acts (Amendment) Act 1990**

The Parliament of Victoria enacts as follows:

#### PART 1—PRELIMINARY

##### 1. *Purpose*

5 The purpose of this Act is to provide for standard provisions in health registration Acts relating to members' fees, fees for registration, publication of registers and audit of registration board accounts.

##### 2. *Commencement*

10 This Act comes into operation on a day or days 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**).

PART 2—AMENDMENT OF CHIROPODISTS ACT 1968

3. Register

No. 7765 as amended by Nos. 59/1986, 19/1989, 57/1989 and 79/1989.

After section 8 (3) of the **Chiropodists Act 1968** insert—

“(4) The register may be inspected at the office of the Board by any person during office hours without charge. 5

(5) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”.

4. Ceilings on fees

In section 11 of the **Chiropodists Act 1968**, omit all words and expressions after “prescribed”. 10

5. Accounts and audit

(1) In section 2 of the **Chiropodists Act 1968**, after the definition of “Chiropodist” insert—

“**Financial year**” means the period of 12 months ending at midnight on 31 December.”. 15

(2) For section 13 of the **Chiropodists Act 1968** substitute—

“13. *Accounts and records*

(1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position. 20

(2) The Board must do all things necessary to do each of the following: 25

(a) Ensure that all money payable to it is properly collected;

- 5
- (b) Ensure that all money expended by it is properly expended and properly authorised;
- (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
- 10 (d) Ensure that all liabilities incurred by it are properly authorised;
- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- 15 (f) Develop and maintain an adequate budgeting and accounting system;
- (g) Develop and maintain an adequate internal audit system.”

“13A. *Annual report*

- 20 (1) The Board must, in respect of each financial year, prepare an annual report containing—
- (a) a report of its operations during the financial year; and
- (b) financial statements for the financial year—
- 25 and submit the report to the Minister not later than 3 months after the end of the financial year.
- (2) The report of operations must—
- (a) be prepared in a form and contain information determined by the Board to be appropriate; and
- 30 (b) contain any further information required by the Minister.
- (3) The financial statements must—
- (a) contain information determined by the Treasurer to be appropriate; and
- 35 (b) be prepared in a manner and form approved by the Treasurer; and

- (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and 5
- (d) be signed by the principal accounting officer (by whatever name called) of the Board and by the chairman and another member of the Board who must state—
- (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and 10 15
- (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and 20
- (e) be audited as required by section 13B.
- (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister. 25
- (5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised. 30 35
- (6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

“13B. *Audit*

(1) The financial statements referred to in section 13A must be audited by the Auditor-General.

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(2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.

10

(3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—

(a) have a right of access at all times to the books of the Board; and

15

(b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.

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(4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”.

**PART 3—AMENDMENT OF CHIROPRACTORS AND  
OSTEOPATHS ACT 1978**

25 **6. *Members fees***

In section 3 of the **Chiropractors and Osteopaths Act 1978**—

30

(a) in sub-sections (12), (13), (14) and (15), for “expenses and allowances as are prescribed” substitute “and allowances as are fixed from time to time by the Governor in Council”;

(b) in sub-section (16)—

No. 9161 as amended by Nos. 9532, 9699, 9784, 59/1986, 110/1987, 83/1987, 84/1987 and 19/1989.

- (i) for “expenses or allowances prescribed for the purposes of” **substitute** “or allowances referred to in”;
- (ii) in paragraph (a), **omit** “expenses”;
- (iii) in paragraph (b), **omit** “expenses” (where twice occurring). 5

## **7. Register**

For section 12 of the **Chiropractors and Osteopaths Act 1978 substitute—**

### **“12. Inspection of register 10**

- (1) The register may be inspected at the office of the Board by any person during office hours without charge.
- (2) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”. 15

## **8. Accounts and audit**

- (1) In section 2 of the **Chiropractors and Osteopaths Act 1978**, after the definition of “Chiropractor and Osteopath” **insert—** 20

“**“Financial year”** means the period of 12 months ending at midnight on 31 December.”.

- (2) In section 18 of the **Chiropractors and Osteopaths Act 1978**, sub-section (3) is **repealed**.
- (3) For section 19 of the **Chiropractors and Osteopaths Act 1978 substitute—** 25

### **“19. Accounts and records**

- (1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position. 30



- 5
- 10
- 15
- (2) The Board must do all things necessary to do each of the following:
- (a) Ensure that all money payable to it is properly collected;
  - (b) Ensure that all money expended by it is properly expended and properly authorised;
  - (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
  - (d) Ensure that all liabilities incurred by it are properly authorised;
  - (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
  - (f) Develop and maintain an adequate budgeting and accounting system;
  - (g) Develop and maintain an adequate internal audit system.”

20 **“19A. Annual report**

- 25
- (1) The Board must, in respect of each financial year, prepare an annual report containing—
- (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year—
- and submit the report to the Minister not later than 3 months after the end of the financial year.
- 30
- (2) The report of operations must—
- (a) be prepared in a form and contain information determined by the Board to be appropriate; and
  - (b) contain any further information required
- 35
- (3) The financial statements must—

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- (a) contain information determined by the Treasurer to be appropriate; and
  - (b) be prepared in a manner and form approved by the Treasurer; and
  - (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and 5
  - (d) be signed by the principal accounting officer (by whatever name called) of the Board and by the chairman and another member of the Board who must state— 10
    - (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and 15 20
    - (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and 25
  - (e) be audited as required by section 19B.
- (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister. 30
- (5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advice each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised. 35

- (6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

5           **“19B. Audit**

- (1) The financial statements referred to in section 19A must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.
- 10           (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—
- 15                 (a) have a right of access at all times to the books of the Board; and
- (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.
- 20           (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”.
- 25

**9. Ceilings on fees**

In section 25 (1) of the **Chiropractors and Osteopaths Act 1978**—

- 30           (a) in paragraph (c), **omit** “not exceeding \$100”;
- (b) in paragraph (d), **omit** “not exceeding \$200”;
- (c) in paragraph (e), **omit** “not exceeding \$200”;
- (d) in paragraph (f), **omit** “not exceeding \$20”;
- (e) in paragraph (g), **omit** “not exceeding “\$10”.

10. Statute law revision

In section 11 (3) of the **Chiropractors and Osteopaths Act 1978**, for “may be reasonably” substitute “may reasonably”.

**PART 4—AMENDMENT OF DENTAL TECHNICIANS ACT 1972** 5

11. *Members Fees*

No. 8366 as amended by Nos. 8808, 9000, 9233, 9479, 9678, 9784, 9863, 10221, 16/1986, 59/1986, 19/1989, 57/1989 and 45/1990.

In the **Dental Technicians Act 1972**—

(a) after section 3 (9) insert—

“(10) Each member of the Committee is entitled to receive such fees and allowances as are fixed from time to time by the Governor in Council.”; 10

(b) in section 15, paragraph (b) is **repealed**;

(c) after section 16 (8) insert— 15

“(9) 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.”;

(d) in section 32, paragraph (aa) is **repealed**.

12. *Roll and Register* 20

(1) In section 6 of the **Dental Technicians Act 1972**—

(a) for sub-sections (3), (4) and (5) substitute—

“(3) The roll may be inspected at the office of the Committee by any person during office hours without charge. 25

(4) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”;

(b) in sub-section (6)—

(i) omit “published as aforesaid”;

(ii) omit “published” (where secondly occurring).

(2) In section 19 of the **Dental Technicians Act 1972**—

5

(a) for sub-sections (3), (4) and (5) **substitute**—

“(3) The register may be inspected at the office of the Board by any person during office hours without charge.

10

(4) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”;

(b) in sub-section (6)—

(i) omit “published as aforesaid”;

(ii) omit “published” (where secondly occurring).

15 **13. Accounts and audit**

For sections 34A of the **Dental Technicians Act 1972** **substitute**—

“**34A. Accounts and records**

20

(1) In this section and in sections 35 and 36, “**reporting body**” means the Committee or the Board, as the case may be.

25

(2) A reporting body must ensure that there are kept proper accounts and records of the transactions and affairs of the reporting body and such other records as will sufficiently explain its financial operations and position.

30

(2) A reporting body must do all things necessary to do each of the following:

(a) Ensure that all money payable to it is properly collected;

(b) Ensure that all money expended by it is properly expended and properly authorised;

- (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
- (d) Ensure that all liabilities incurred by it are properly authorised; 5
- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- (f) Develop and maintain an adequate budgeting and accounting system; 10
- (g) Develop and maintain an adequate internal audit system.”

**“35. *Annual report***

- (1) A reporting body must, in respect of each financial year, prepare an annual report containing— 15
  - (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year— 20
 and submit the report to the Minister not later than 3 months after the end of the financial year.
- (2) The report of operations must—
  - (a) be prepared in a form and contain information determined by the reporting body to be appropriate; and 25
  - (b) contain any further information required by the Minister.
- (3) The financial statements must—
  - (a) contain information determined by the Treasurer to be appropriate; and 30
  - (b) be prepared in a manner and form approved by the Treasurer; and
  - (c) present fairly the results of the financial transactions of the reporting body during the financial year to which they relate and 35

the financial position of the reporting body as at the end of that year; and

5 (d) be signed by the principal accounting officer (by whatever name called) of the reporting body and by the Chairman and another member of the reporting body who must state—

10 (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the reporting body during the financial year to which they relate and whether they sufficiently explain the financial position of the reporting body as at the end of the financial year; and

15 (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

(e) be audited as required by section 36.

25 (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister.

30 (5) If a reporting body fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised.

35 (6) This section does not apply to a reporting body if, because of an Order under the **Annual Reporting Act 1983**, the reporting body is required to submit an annual report under that Act.”

**“36. Audit**

- (1) The financial statements referred to in section 35 must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts. 5
- (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General— 10
  - (a) have a right of access at all times to the books of a reporting body; and
  - (b) may require from an officer or employee of a reporting body any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit. 15
- (4) A reporting body must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”. 20

**14. Statute law revision**

In section 25 of the **Dental Technicians Act 1972**—

- (a) in sub-section (1), for paragraph (c) **substitute**— 25
 

“(c) is an alcoholic within the meaning of the **Alcoholics and Drug-dependent Persons Act 1968**—”;
- (b) in sub-section (2), for “inebriate” **substitute** “alcoholic”. 30

**PART 5—AMENDMENT OF DENTISTS ACT 1972**

**15. Members fees**

In the **Dentists Act 1972**—

- (a) in sections 4 (15), 8 (6) and 28c (6), for “prescribed” **substitute** “fixed from time to time by the Governor in Council”; 35

No. 8287.  
Reprinted to  
No. 9863 and  
subsequently  
amended by  
Nos. 10244,  
16/1986,  
59/1986,  
110/1986,  
119/1986,  
12/1989 and  
57/1989.



(b) in section 9, paragraph (ha) is **repealed**.

**16. Accounts and audit**

(1) In section 3 of the **Dentists Act 1972**, after the definition of “Dentist” **insert—**

5           “**Financial year**” means the period of 12 months ending at midnight on 30 September.”.

(2) In section 4 of the **Dentists Act 1972**, sub-sections (16), (17) and (18) are **repealed**.

(3) After section 4 of the **Dentists Act 1972** **insert—**

10           “**4A. Accounts and records**

(1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position.

15

(2) The Board must do all things necessary to do each of the following:

(a) Ensure that all money payable to it is properly collected;

20

(b) Ensure that all money expended by it is properly expended and properly authorised;

(c) Ensure that adequate control is maintained over assets owned by it, or in its custody;

25

(d) Ensure that all liabilities incurred by it are properly authorised;

(e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;

30

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- (f) Develop and maintain an adequate budgeting and accounting system;
- (g) Develop and maintain an adequate internal audit system.”

**“4B. Annual report** 5

- (1) The Board must, in respect of each financial year, prepare an annual report containing—
  - (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year— 10

and submit the report to the Minister not later than 3 months after the end of the financial year.

- (2) The report of operations must—
  - (a) be prepared in a form and contain information determined by the Board to be appropriate; and 15
  - (b) contain any further information required by the Minister.

- (3) The financial statements must— 20
  - (a) contain information determined by the Treasurer to be appropriate; and
  - (b) be prepared in a manner and form approved by the Treasurer; and

- (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and 25

- (d) be signed by the principal accounting officer (by whatever name called) of the Board and by the chairman and another member of the Board who must state— 30

- (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of 35

the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and

(ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

(e) be audited as required by section 4C.

(4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister.

(5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised.

(6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

**“4C. *Audit***

(1) The financial statements referred to in section 4B must be audited by the Auditor-General.

(2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.

(3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—

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- (a) have a right of access at all times to the books of the Board; and
- (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit. 5

- (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”. 10

**17. Ceilings on fees**

In section 7 of the **Dentists Act 1972**, sub-section (2) is repealed. 15

**18. Register**

- (1) In section 10 of the **Dentists Act 1972**, for sub-section (2) substitute—
  - “(2) The Dentists’ Register may be inspected at the office of the Board by any person during office hours without charge. 20
  - (3) A person may obtain a copy of, or an extract from, the Dentists’ Register on payment of the prescribed fee.”.
- (2) In section 15 of the **Dentists Act 1972**— 25
  - (a) sub-section (1) is repealed;
  - (b) in sub-section (2)—
    - (i) for “such register” substitute “the register”;
    - (ii) for “the latest of such printed copies for the time being” substitute “such copy”. 30

**PART 6—AMENDMENT OF DIETITIANS ACT 1981****19. Register**

- (1) For section 10 of the **Dietitians Act 1981** substitute—

**“10. Inspection of register**

- (1) The register may be inspected at the office of the Board by any person during office hours without charge.
- 5 (2) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”.

(2) In section 11 (1) of the **Dietitians Act 1981**—

- (a) omit “published under this Act”;
- 10 (b) omit “published” (where secondly occurring).

**20. Accounts and audit**

- (1) In section 24 of the **Dietitians Act 1981**, sub-sections (3), (4) and (5) are **repealed**.

- (2) For section 25 of the **Dietitians Act 1981** substitute—

15 **“25. Accounts and records**

- (1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position.
- 20

- (2) The Board must do all things necessary to do each of the following:

- (a) Ensure that all money payable to it is properly collected;
- 25 (b) Ensure that all money expended by it is properly expended and properly authorised;
- (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
- 30 (d) Ensure that all liabilities incurred by it are properly authorised;

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- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- (f) Develop and maintain an adequate budgeting and accounting system; 5
- (g) Develop and maintain an adequate internal audit system.”

**“25A. Annual report**

- (1) The Board must, in respect of each financial year, prepare an annual report containing— 10
  - (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year—

and submit the report to the Minister not later than 3 months after the end of the financial year. 15
- (2) The report of operations must—
  - (a) be prepared in a form and contain information determined by the Board to be appropriate; and 20
  - (b) contain any further information required by the Minister.
- (3) The financial statements must—
  - (a) contain information determined by the Treasurer to be appropriate; and 25
  - (b) be prepared in a manner and form approved by the Treasurer; and
  - (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and 30
  - (d) be signed by the principal accounting officer (by whatever name called) of the 35

Board and by the chairman and another member of the Board who must state—

5 (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and

10 (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

15 (e) be audited as required by section 25B.

20 (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister.

25 (5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised.

30 (6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

“25B. *Audit*

35 (1) The financial statements referred to in section 25A must be audited by the Auditor-General.

(2) The Auditor-General has, in respect of the audit of the financial statements, all the powers

conferred on the Auditor-General by any law relating to the audit of the public accounts.

- (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General— 5
  - (a) have a right of access at all times to the books of the Board; and
  - (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit. 10
- (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”. 15

**21. Ceilings on fees**

- In section 28 (f) of the **Dietitians Act 1981**— 20
- (a) omit “, not exceeding”;
  - (b) omit “\$200”;
  - (c) omit “\$120” (where 3 times occurring);
  - (d) omit “\$100”;
  - (e) omit “\$20”.

**22. Statute law revision** 25

In section 1 of the **Dietitians Act 1981**, sub-section (3) is repealed.

**PART 7—AMENDMENT OF MEDICAL PRACTITIONERS ACT 1970**

**23. Members Fees** 30

- In the **Medical Practitioners Act 1970**—
- (a) in section 4 (11), for “prescribed by the regulations” substitute “fixed from time to time by the Governor in Council”;

No. 8061.  
R printed to  
No. 10132 and  
subsequently  
amended by  
Nos. 10244,  
10262,  
59/1986,  
110/1986,  
83/1987  
and 49/1988.



(b) after section 7A (11) **insert—**

“**(12)** Each member of the Committee is entitled to receive such fees and allowances as are fixed from time to time by the Governor in Council.”;

5

(c) in section 37, paragraph (b) is **repealed**.

#### **24. Ceilings on fees**

(1) In section 5 (3) of the **Medical Practitioners Act 1970—**

10

(a) omit “, but such fees shall not exceed the amounts set out hereunder”;

(b) omit the column of fees.

(2) In section 10 (3) of the **Medical Practitioners Act 1970—**

15

(a) for “\$25” **substitute** “25% of the prescribed fee under section 5 (3) (b)”;

(b) for “\$50” **substitute** “50% of the prescribed fee under section 5 (3) (b)”.

#### **25. Register**

In section 15 of the **Medical Practitioners Act 1970—**

(a) for sub-section (1) **substitute—**

20

“(1) The register may be inspected at the office of the Board by any person during office hours without charge.

(1A) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”;

25

(b) in sub-section (2)—

(i) omit “published as aforesaid”;

(ii) omit “published” (where secondly occurring).

## PART 8—AMENDMENT OF NURSES ACT 1958

26. *Ceilings on fees*

No. 6328.  
 R printed to  
 No. 9784 and  
 subsequently  
 amended by  
 Nos. 10251,  
 10262,  
 16/1986,  
 50/1988 and  
 57/1989.

In the Nurses Act 1958—

- (a) in section 38, sub-section (2) is **repealed**;
- (b) in section 38A (7), paragraph (b) is **repealed**; 5
- (c) in section 45—
  - (i) in paragraph (b), **omit** “and the remuneration of the examiners”;
  - (ii) in paragraph (jb), **omit** “not exceeding the amounts specified in this Act”; 10
  - (iii) in paragraph (m), **omit** “not exceeding in any case the amount (if any) specified in this Act”.

27. *Accounts and audit*

- (1) In section 40 of the Nurses Act 1958, sub-sections (3), (4), (5), (6), (7), (8) and (9) are **repealed**. 15
- (2) After section 40 of the Nurses Act 1958 **insert**—

“40A. *Annual report*

- (1) The Council must, in respect of each financial year, prepare an annual report containing—
  - (a) a report of its operations during the financial year; and 20
  - (b) financial statements for the financial year—

and submit the report to the Minister not later than 3 months after the end of the financial year. 25
- (2) The report of operations must—

(a) be prepared in a form and contain information determined by the Council to be appropriate; and

(b) contain any further information required by the Minister.

(3) The financial statements must—

(a) contain information determined by the Treasurer to be appropriate; and

(b) be prepared in a manner and form approved by the Treasurer; and

(c) present fairly the results of the financial transactions of the Council during the financial year to which they relate and the financial position of the Council as at the end of that year; and

(d) be signed by the principal accounting officer (by whatever name called) of the Council and by the Chairperson and another member of the Council who must state—

(i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Council during the financial year to which they relate and whether they sufficiently explain the financial position of the Council as at the end of the financial year; and

(ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

(e) be audited as required by section 40B.

(4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day

of that House after the report is received by the Minister.

- (5) If the Council fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised. 5
- (6) This section does not apply to the Council if, because of an Order under the **Annual Reporting Act 1983** the Council is required to submit an annual report under that Act.” 10

**“40B. *Audit***

- (1) The financial statements referred to in section 40A must be audited by the Auditor-General. 15
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.
- (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General— 20
- (a) have a right of access at all times to the books of the Council; and
- (b) may require from an officer or employee of the Council any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit. 25
- (4) The Council must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”. 30

28. Statute law revision

In the Nurses Act 1958—

(a) in section 1, omit all words and expressions after “Government Gazette”;

5 (b) in section 9 (3)—

(i) for “the Chief General Manager’s” substitute “its”;

(ii) for “its” substitute “the Chief General Manager’s”.

10 PART 9—AMENDMENT OF OPTOMETRISTS  
REGISTRATION ACT 1958

29. Members Fees

In the Optometrists Registration Act 1958—

(a) in section 5, for sub-section (12A) substitute—

15 “(12A) 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.”;

(b) in section 26 (1), paragraph (ba) is repealed.

No. 6329.  
R printed to  
No. 9784 and  
subsequently  
amended by  
Nos. 10087  
and 19/1989.

20 30. Register

In section 8 of the Optometrists Registration Act 1958—

(a) for sub-section (2), (3) and (4) substitute—

25 “(2) The register may be inspected at the office of the Board by any person during office hours without charge.

(3) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”;

(b) in sub-section (5)—

30 (i) omit “published as aforesaid”;

(ii) omit “published” (where secondly occurring).

### 31. *Ceilings on fees*

In the **Optometrists Registration Act 1958**—

(a) in section 14—

(i) sub-section (2) is **repealed**;

5

(ii) in sub-section (3)—

(A) omit “being not more than \$150”;

(B) omit “not exceeding \$1.00”;

(b) in section 26 (1) (j), **omit** “not exceeding in any case the amount (if any) specified in this Act in respect of such case”.

10

### 32. *Accounts and audit*

(1) In section 22 of the **Optometrists Registration Act 1958**, sub-sections (3), (4) and (5) are **repealed**.

(2) After section 22 of the **Optometrists Registration Act 1958** insert—

15

#### “22A. *Accounts and records*

(1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position.

20

(2) The Board must do all things necessary to do each of the following:

(a) Ensure that all money payable to it is properly collected;

25

(b) Ensure that all money expended by it is properly expended and properly authorised;

(c) Ensure that adequate control is maintained over assets owned by it, or in its custody;

30

- (d) Ensure that all liabilities incurred by it are properly authorised;
- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- (f) Develop and maintain an adequate budgeting and accounting system;
- (g) Develop and maintain an adequate internal audit system.”

5

10

**“22B. Annual report**

(1) The Board must, in respect of each financial year, prepare an annual report containing—

(a) a report of its operations during the financial year; and

15

(b) financial statements for the financial year—

and submit the report to the Minister not later than 3 months after the end of the financial year.

20

(2) The report of operations must—

(a) be prepared in a form and contain information determined by the Board to be appropriate; and

25

(b) contain any further information required by the Minister.

(3) The financial statements must—

(a) contain information determined by the Treasurer to be appropriate; and

30

(b) be prepared in a manner and form approved by the Treasurer; and

35

(c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and

(d) be signed by the principal accounting officer (by whatever name called) of the Board and by the chairman and another member of the Board who must state—

(i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and

(ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

(e) be audited as required by section 22C.

(4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister.

(5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised.

(6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

“22C. *Audit*

(1) The financial statements referred to in section 22B must be audited by the Auditor-General.



- 5
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.
- 5
- (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—
- (a) have a right of access at all times to the books of the Board; and
- 10
- (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.
- 15
- (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”.

20      **PART 10—AMENDMENT OF PHARMACISTS ACT 1974**

**33. *Members fees***

**In the Pharmacists Act 1974—**

- 25
- (a) in section 4 (11), for “expenses and allowances as are prescribed” **substitute** “and allowances as are fixed from time to time by the Governor in Council”;
- 30
- (b) in section 5 (2) (c), for “attendance fees and travelling expenses as are prescribed” **substitute** “fees and allowances as are fixed from time to time by the Governor in Council”;
- (c) in section 37, paragraphs (a) and (b) are **repealed**.

No. 8593.  
R printed to  
No. 9784 and  
subsequently  
amended by  
Nos. 10244,  
10262,  
110/1986,  
119/1986,  
49/1988 and  
57/1989.

**34. Accounts and audit**

For section 5A of the **Pharmacists Act 1974** substitute—

**“5A. Accounts and records**

- (1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position. 5
- (2) The Board must do all things necessary to do each of the following: 10
  - (a) Ensure that all money payable to it is properly collected;
  - (b) Ensure that all money expended by it is properly expended and properly authorised; 15
  - (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
  - (d) Ensure that all liabilities incurred by it are properly authorised; 20
  - (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
  - (f) Develop and maintain an adequate budgeting and accounting system; 25
  - (g) Develop and maintain an adequate internal audit system.”

**“5B. Annual report**

- (1) The Board must, in respect of each financial year, prepare an annual report containing— 30
  - (a) a report of its operations during the financial year; and

(b) financial statements for the financial year—

and submit the report to the Minister not later than 3 months after the end of the financial year.

5

(2) The report of operations must—

(a) be prepared in a form and contain information determined by the Board to be appropriate; and

10

(b) contain any further information required by the Minister.

(3) The financial statements must—

(a) contain information determined by the Treasurer to be appropriate; and

15

(b) be prepared in a manner and form approved by the Treasurer; and

20

(c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and

25

(d) be signed by the principal accounting officer (by whatever name called) of the Board and by the president and another member of the Board who must state—

30

(i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and

35

(ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

- (e) be audited as required by section 5c.
- (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister. 5
- (5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised. 10
- (6) This section does not apply to the Board if, because of an Order under the **Annual Reporting Act 1983**, the Board is required to submit an annual report under that Act.” 15

**“5c. Audit**

- (1) The financial statements referred to in section 5B must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts. 20
- (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General— 25
- (a) have a right of access at all times to the books of the Board; and
- (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit. 30
- (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any 35

audit by the Auditor-General under this section.”.

**35. Register**

In section 11 of the **Pharmacists Act 1974**—

(a) for sub-sections (1) and (2) **substitute**—

“(1) The register may be inspected at the office of the Board by any person during office hours without charge.

(2) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”;

(b) in sub-section (3), for “the latest of such printed copies” **substitute** “such copy”.

**36. Ceilings on fees**

In section 15 (1) of the **Pharmacists Act 1974**—

(a) omit “but not to exceed the maximum amount shown against such matter”;

(b) omit the column of fees.

**37. Statute law revision**

In the **Pharmacists Act 1974**—

(a) in section 1, sub-section (2) is **repealed**;

(b) in sections 12 (1) (a) and 13 (1), after “Victorian College of Pharmacy” (wherever occurring) **insert** “Limited”;

(c) in sections 18 (3) (d) and 37 (w), for “**Poisons Act 1962**” **substitute** “**Drugs, Poisons and Controlled Substances Act 1981**”.

**PART 11—AMENDMENT OF PHYSIOTHERAPISTS ACT 1978**

**38. Members Fees**

In section 5 (5) of the **Physiotherapists Act 1978**, for “prescribed” **substitute** “fixed from time to time by the Governor in Council”.

No. 9147 as amended by Nos. 9427, 9699, 9784, 110/1986, 83/1987 and 19/1989.

**39. Register**

In section 16 of the **Physiotherapists Act 1978**—

(a) for sub-sections (1), (2) and (3) **substitute**—

“(1) The register may be inspected at the office of the Board by any person during office hours without charge. 5

(2) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee;”

(b) in sub-section (4)— 10

(i) omit “or of a supplementary list published under this section”;

(ii) omit “or list so published”;

(iii) omit “or list” (where secondly occurring).

**40. Accounts and audit**

15

(1) In section 3 of the **Physiotherapists Act 1978**, after the definition of “Board” **insert**—

““**Financial year**” means the period of 12 months ending at midnight on 31 December.”.

(2) In section 21 of the **Physiotherapists Act 1978**, sub-section (3) is **repealed**. 20

(3) For section 22 of the **Physiotherapists Act 1978** **substitute**—

**“22. Accounts and records**

(1) The Board must ensure that there are kept proper accounts and records of the transactions and affairs of the Board and such other records as will sufficiently explain its financial operations and position. 25

(2) The Board must do all things necessary to do each of the following: 30

- (a) Ensure that all money payable to it is properly collected;
- (b) Ensure that all money expended by it is properly expended and properly authorised;
- (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
- (d) Ensure that all liabilities incurred by it are properly authorised;
- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- (f) Develop and maintain an adequate budgeting and accounting system;
- (g) Develop and maintain an adequate internal audit system.”

**“22A. Annual report**

- (1) The Board must, in respect of each financial year, prepare an annual report containing—
  - (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year—and submit the report to the Minister not later than 3 months after the end of the financial year.
- (2) The report of operations must—
  - (a) be prepared in a form and contain information determined by the Board to be appropriate; and
  - (b) contain any further information required by the Minister.
- (3) The financial statements must—
  - (a) contain information determined by the Treasurer to be appropriate; and

- (b) be prepared in a manner and form approved by the Treasurer; and
  - (c) present fairly the results of the financial transactions of the Board during the financial year to which they relate and the financial position of the Board as at the end of that year; and 5
  - (d) be signed by the principal accounting officer (by whatever name called) of the Board and by the chairman and another member of the Board who must state— 10
    - (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Board during the financial year to which they relate and whether they sufficiently explain the financial position of the Board as at the end of the financial year; and 15
    - (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and 20 25
  - (e) be audited as required by section 22B.
- (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister. 30
- (5) If the Board fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advise each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised. 35
- (6) This section does not apply to the Board if, because of an Order under the **Annual**



**Reporting Act 1983**, the Board is required to submit an annual report under that Act.”

**“22B. Audit**

- 5 (1) The financial statements referred to in section 22A must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.
- 10 (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—
- (a) have a right of access at all times to the books of the Board; and
- 15 (b) may require from an officer or employee of the Board any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.
- 20 (4) The Board must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”.

25 **41. Ceilings on fees**

In section 28 of the **Physiotherapists Act 1978**—

- (a) in paragraph (c), omit “, not exceeding \$100”;
- (b) in paragraph (d), omit “, not exceeding \$50”;
- (c) in paragraph (e), omit “, not exceeding \$60”;
- 30 (d) in paragraph (f), omit “, not exceeding \$20”;
- (e) in paragraph (g), omit “, not exceeding \$10”.

**42. Statute law revision**

In the **Physiotherapists Act 1978**—

- (a) in section 1, sub-section (3) is **repealed**;
- (b) in section 7 (1), for “1959” **substitute** “1986”.

**PART 12—AMENDMENT OF PSYCHOLOGICAL PRACTICES ACT 1965** 5

**43. Accounts and audit**

No. 7355 as amended by Nos. 8181, 8934, 9023, 9479, 9736, 9784, 9863 and 110/1986.

- (1) In section 2 (1) of the **Psychological Practices Act 1965**, after the definition of “Council” **insert**—
  - “**Financial year**” means the period of 12 months ending at midnight on 31 December.”. 10
- (2) For section 14 of the **Psychological Practices Act 1965** **substitute**—

**“14. Accounts and records**

- (1) The Council must ensure that there are kept proper accounts and records of the transactions and affairs of the Council and such other records as will sufficiently explain its financial operations and position. 15
- (2) The Council must do all things necessary to do each of the following: 20
  - (a) Ensure that all money payable to it is properly collected;
  - (b) Ensure that all money expended by it is properly expended and properly authorised; 25
  - (c) Ensure that adequate control is maintained over assets owned by it, or in its custody;
  - (d) Ensure that all liabilities incurred by it are properly authorised; 30

- (e) Ensure that efficiency and economy of operations are achieved and that waste and extravagance are avoided;
- 5 (f) Develop and maintain an adequate budgeting and accounting system;
- (g) Develop and maintain an adequate internal audit system.”

**“14A. Annual report**

- 10 (1) The Council must, in respect of each financial year, prepare an annual report containing—
  - (a) a report of its operations during the financial year; and
  - (b) financial statements for the financial year—
- 15 and submit the report to the Minister not later than 3 months after the end of the financial year.
- (2) The report of operations must—
  - 20 (a) be prepared in a form and contain information determined by the Council to be appropriate; and
  - (b) contain any further information required by the Minister.
- (3) The financial statements must—
  - 25 (a) contain information determined by the Treasurer to be appropriate; and
  - (b) be prepared in a manner and form approved by the Treasurer; and
  - 30 (c) present fairly the results of the financial transactions of the Council during the financial year to which they relate and the financial position of the Council as at the end of that year; and
  - 35 (d) be signed by the principal accounting officer (by whatever name called) of the

Council and by the chairman and another member of the Council who must state—

- (i) whether, in their opinion, the financial statements present fairly the results of the financial transactions of the Council during the financial year to which they relate and whether they sufficiently explain the financial position of the Council as at the end of the financial year; and
- (ii) whether, at the date of signing the financial statements, they were aware of any circumstances that render any details included in the statements misleading or inaccurate and, if so, details of the circumstances; and

(e) be audited as required by section 14B.

- (4) The Minister must cause each annual report to be laid before each House of the Parliament before the expiration of the seventh sitting day of that House after the report is received by the Minister.
- (5) If the Council fails to submit an annual report to the Minister within 3 months after the end of the financial year, the Minister must advice each House of the Parliament of that failure and the reasons for it, or must cause each House to be so advised.
- (6) This section does not apply to the Council if, because of an Order under the **Annual Reporting Act 1983**, the Council is required to submit an annual report under that Act.”

**“14B. Audit**

- (1) The financial statements referred to in section 14A must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers

conferred on the Auditor-General by any law relating to the audit of the public accounts.

5 (3) Without limiting sub-section (2), the Auditor-General and each officer of the Auditor-General—

(a) have a right of access at all times to the books of the Council; and

10 (b) may require from an officer or employee of the Council any information, assistance and explanations necessary for the performance of the duties of the Auditor-General in relation to the audit.

15 (4) The Council must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of any audit by the Auditor-General under this section.”.

**44. Register**

20 After section 15 (3) of the **Psychological Practices Act 1965** insert—

“(3A) A person may obtain a copy of, or an extract from, the register on payment of the prescribed fee.”.

**45. Ceilings on fees**

25 In section 46 (1) of the **Psychological Practices Act 1965**, omit “(not exceeding \$15)”.

