

**AUSTRALIAN CAPITAL TERRITORY
MEDICAL PRACTITIONERS ACT 1930**

DETERMINATION NO.121 OF 1995

EXPLANATORY STATEMENT

The *Medical Practitioners Act 1930* (the Act) provides for the registration of suitably qualified medical practitioners and for related purposes. A reference to prescribed fee in the Act is to be read as a determined fee in accordance with section 58 of the Act. For the purpose of this provision, section 58 empowers the Minister, by a notice published in the gazette, to determine fees for the purposes of the Act.

2 This instrument revokes all existing fees and determinations under the *Medical Practitioners Act 1930* which relate to paragraph 19(2)(b), section 22, subsections 26(3), 28(4) and paragraphs 32(1), 34(2)(b), 56(1)(a) and 56(1)(b) and sets new fees. The fees for these provisions were last determined and notified in the Gazette No S174, dated 30 August 1993.

3 New fees for the purposes of paragraph 19(2)(b), section 22, subsection 32(1) and paragraph 34(2)(b), have been set to reflect the move towards full cost recovery for services provided by the Board with a view of establishing a trust account associated with revenue generated by the Board. The fee relating to paragraph 56(1)(b) has been increased to align it to the fees charged for the same service provided under similar provisions in other health professions registration Acts

4. Paragraph 19(2)(b) provides for a prescribed fee to be paid where a person has lodged an application for registration with the Medical Board of the Australian Capital Territory other than applications by persons who are entitled to registration in accordance with mutual recognition principles. This includes applications made pursuant to section 9, 10 and 12 but excludes subsection 12(8) which provides for the Board to grant temporary registration.

5 For the purposes of subsection 12(8), the determined fee is set at \$125 which is equivalent to registration fees pursuant to section 22, registration under the mutual recognition principles and subsection 32(1), annual registration fee. It is envisaged that most applicants seeking temporary registration will make application under the mutual recognition provisions.

6. Section 22 provides for a prescribed fee to be paid where a person has lodged an application for registration with the Medical Board pursuant to section 19 of the *Mutual Recognition Act 1992*

7 Subsection 26(3) provides for a duplicate certificate to be issued to a registered practitioner upon payment of the prescribed fee. The fee for this provision has remained unchanged as it is consistent with fees for similar provisions in other health professions registration Acts

8 Subsection 28(4) provides for alterations of personal particulars to be made to the Register on the request of a registered medical practitioner, on payment of the prescribed fee. The fee for this provision has remained unchanged as it is consistent with fees for similar provisions in other health professions registration Acts

9 Subsection 32(1) requires a registered medical practitioner to pay on or before 30 September the prescribed fee as an annual fee

10 Where a person has had his or her name removed from the Register for failure to pay the annual fee under section 33(2), he or she may make an application to be re-registered under the provisions of section 34 and are required to pay the prescribed fee in accordance with paragraph 34(2)(b) The fee has been increased to make it consistent with the annual renewal and registration under the mutual recognition principle

11 Paragraph 56(1)(a) allows persons to inspect the Register on payment of the prescribed fee The fee for this provision has remained unchanged as it is consistent with fees for similar provisions in other health professions registration Acts

12 Paragraph 56(1)(b) requires the prescribed fee to be paid by a person who requests to obtain a certified copy of an entry in the Register The fee was previously set at \$5 per entry The fee is increased to \$10 per entry to make it consistent with similar provisions of the other health professions registration Acts.

13. A comparative chart of old and new fees is shown below.

Medical Practitioners Act 1930	Old Fee	New Fee
Paragraph 19(2)(b) Fee for Registration pursuant to sections 9,10 and 12 but excluding subsection 12(8)	\$150 00	\$155
Paragraph 19(2)(b) pursuant to subsection 12(8) fee for temporary registration	\$100 00	\$125 00
Section 22 fee for registration under the mutual recognition provisions.	\$100 00	\$125 00
Subsection 26(3) fee for a duplicate certificate	\$30 00	\$30 00
Subsection 28(4) alteration of particulars in the register	\$10 00	\$10 00
Subsection 32(1) annual registration fee	\$100 00	\$125 00
Paragraph 34(2)(b) entitlement to re-registration subject to payment of fee	\$100.00	\$125 00
Paragraph 56(1)(a) inspect an entry in the register	\$5 00	\$5 00
Paragraph 56(1)(b) obtain a certified copy of an entry in the register	\$5 00	\$10 00