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HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) BILL

The Hon. A. BRESSINGTON (17:43):

I rise to indicate my support for the second reading of the Health Practitioner Regulation National Law (South Australia) Bill. The bill before us has a lengthy history stemming, yet again, from a Productivity Commission report in 2006 that recommended the consolidation of some 90 state and territory registration boards into one national registration scheme.

It also has a long history of consultation, although it would seem that it was slow to commence and did not occur prior to the decision to implement the recommendations of the Productivity Commission. However, it is my understanding that today all peak bodies and industry groups are supportive of the transition to a national scheme. This is understandably so. The existing state-based registration scheme, while working well at a state level, is inefficient and cumbersome for practitioners seeking to practice in multiple jurisdictions and has led to each jurisdiction having different standards and procedures for registration.

By establishing consistent standards and nationally recognised registration, the national registration and accreditation scheme is a positive evolution in the regulation of the medical profession, and I make it clear that I support the intent of the bill. I am, however, yet to determine my position on whether we should refer to the Queensland act or introduce a corresponding bill. I am inclined to support the view that this parliament should seek to retain and enjoy the full benefits of its prerogative over the act and any associated regulations.

Additionally, I am uncomfortable with the government expecting us to extend what is essentially a vote of confidence in the executive, which has agreed to the Queensland act, not just as it presently stands but also for any future amendments. For they, too, will not come before this parliament for scrutiny but rather, again, be agreed to by the executive. Only if the South Australian executive takes issue with an amendment to be made and seeks to amend the reference in the bill will it need to involve this parliament at all.

This goes beyond mere semantics. As I expressed in my brief contribution to the Credit (Transitional Arrangements) Bill, I am genuinely concerned that the jurisdiction and, in turn, the sovereignty of this parliament, are slowly being eroded. Whether it is to the executive or the commonwealth, it seems as though every second bill introduced by the government seeks to usurp this parliament. While national consistency is, in the main, a desirable objective, this should not come at the expense of this parliament's oversight.

While the government may argue, as it did in the House of Assembly and in the briefing document it circulated, that this parliament theoretically retains its sovereignty, I would argue that the theoretical ability to rescind or amend the reference is vastly different from this parliament being required to debate and pass any amendments that may be made.

One cannot dispute that the oversight this parliament would have if a corresponding law were introduced is greatly diminished by instead referring to the Queensland act. Additionally, I find many of the arguments for using the reference law model deficient. If, as the government argues, there will be extensive consultation and unanimous agreement amongst members of the ministerial council prior to any amendment to the Queensland act, I fail to see why a

corresponding amendment cannot be prepared and passed here in South Australia in unison with Queensland.

While there may be a short delay due to differing sitting schedules and the increase in scrutiny the bill will receive in this parliament, this delay need not be epic. If an election would interfere with unison action and the amendment is not urgent, surely a mutual date between Western Australia, South Australia and Queensland could be agreed.

As for preserving national consistency for any noncompliant amendment to be made to the South Australian corresponding law, it would obviously require majority support. As such, it is highly unlikely such amendment would ever pass. However, if it were to attract government support, it would clearly be of such importance and urgency to warrant the amendment. That said, I have no desire to delay the assent to the bill. I would much prefer this to be resolved without the need to resort to a deadlock conference, which I doubt will happen.

As was highlighted to my office yesterday, transitional plans are in place, and projects such as a doctors health service, which is apparently to be funded by residual funds of the disbanded South Australian medical board, will potentially be jeopardised by any delay. However, it is this parliament's role—in particular, the Legislative Council's role—to scrutinise, debate and vote on law within our jurisdiction. To suggest that we are in some way being obstructionist in seeking to ensure that we are able to do so is not appreciated. That said, I support the second reading and look forward to the committee stage of this bill.