



Australian Capital Territory

Nurse Practitioners Legislation Amendment Act 2026

A2026-5

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Australian Capital Territory

Nurse Practitioners Legislation Amendment Act 2026

A2026-5

An Act to amend legislation about nurse practitioners, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Part 1 Preliminary

1 Name of Act

This Act is the *Nurse Practitioners Legislation Amendment Act 2026*.

2 Commencement

This Act commences on a day fixed by the Minister by written notice.

Note 1 The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

Note 2 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see [Legislation Act](#), s 77 (1)).

Note 3 If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see [Legislation Act](#), s 79).

3 Legislation amended

This Act amends the following legislation:

- *Births, Deaths and Marriages Registration Act 1997*
- *Cemeteries and Crematoria Act 2020*
- *Coroners Act 1997*
- *Medical Treatment (Health Directions) Act 2006*.

Part 2 Births, Deaths and Marriages Registration Act 1997

4 **New section 32F**

in division 6.1, insert

32F **Meaning of *cause of death certificate*—pt 6**

In this part:

cause of death certificate, for a deceased person, means a certificate by a doctor or nurse practitioner, certifying the death, and cause of death, of the deceased person.

5 **Circumstances in which deaths are not to be registered Section 34 (1) (a)**

substitute

- (a) a cause of death certificate; or

6 **Division 6.2 heading**

substitute

Division 6.2 **Notification of deaths**

7 **Section 35**

substitute

35 **Doctor must give cause of death certificate to registrar-general**

- (1) This section applies if a doctor—
- (a) was responsible for a deceased person's medical care immediately before the deceased person's death; or

- (b) examined the body of a deceased person after the deceased person's death; or
 - (c) has considered information about a deceased person's medical history and the circumstances of the deceased person's death and is able to form an opinion as to the probable cause of death.
- (2) The doctor must give the registrar-general a cause of death certificate for the deceased person within 48 hours after the deceased person's death.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) This section does not apply if the doctor believes on reasonable grounds that—
- (a) another doctor or a nurse practitioner has already given the registrar-general a cause of death certificate for the deceased person; or
 - (b) the death has been reported to a coroner.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

Note 2 A doctor must not give a cause of death certificate in certain circumstances (see [Cemeteries and Crematoria Act 2020](#), s 42).

Note 3 Deaths must be reported to a coroner in certain circumstances (see [Coroners Act 1997](#), s 77).

35A Nurse practitioner may give cause of death certificate to registrar-general

- (1) This section applies if a nurse practitioner—
- (a) was responsible for a deceased person's medical care immediately before the deceased person's death; and
 - (b) is able to form an opinion as to the probable cause of death.

- (2) The nurse practitioner may give the registrar-general a cause of death certificate for the deceased person within 48 hours after the deceased person's death.
- (3) However, a nurse practitioner must not give the registrar-general a cause of death certificate if the nurse practitioner believes on reasonable grounds that—
- (a) a doctor or another nurse practitioner has already given the registrar-general a cause of death certificate for the deceased person; or
 - (b) the death has been reported to a coroner.

Note 1 A nurse practitioner must not give a cause of death certificate in certain circumstances (see [Cemeteries and Crematoria Act 2020](#), s 42).

Note 2 Deaths must be reported to a coroner in certain circumstances (see [Coroners Act 1997](#), s 77).

8 Section 36 heading

substitute

36 Death certificate issued before inquest completed

9 New section 36 (2)

insert

- (2) In this section:

death certificate means a certificate issued by the registrar-general under section 45, certifying particulars contained in an entry in the register of a person's death.

10 Section 36 (as amended)

relocate after section 38, as new section 38AA

11 New division 6.3

after section 37, insert

Division 6.3 Registration of deaths**12 New section 69A**

insert

69A Review of section 35A

- (1) The Health Minister must review the operation of section 35A (Nurse practitioner may give cause of death certificate to registrar-general) as soon as practicable after the end of 3 years after the day section 35A commences.
- (2) The Health Minister must present a report of the review to the Legislative Assembly within 6 months after the day the review is started.
- (3) In this section:
Health Minister means the Minister administering the [Health Practitioner Regulation National Law \(ACT\) Act 2010](#).
- (4) This section expires 4 years after the day it commences.

13 Dictionary, note 2

insert

- nurse practitioner

14 Dictionary, new definition of *cause of death certificate*

insert

cause of death certificate, for a deceased person, for part 6 (Registration of deaths)—see section 32F.

Part 3 Cemeteries and Crematoria Act 2020

15 Section 13

substitute

13 Meaning of *certification document*—pt 3

In this part:

certification document, for the human remains of a deceased person, means—

- (a) a doctor's certificate of fetal death for the deceased person mentioned in the *Births, Deaths and Marriages Registration Act 1997*, section 5 (Notification of births); or
- (b) a cause of death certificate for the deceased person; or
- (c) a coroner's certificate for the deceased person mentioned in the *Coroners Act 1997*, section 15 (Control and release of body of deceased); or
- (d) if the human remains are of a deceased person who died outside the ACT—a document (however described), issued under a law of the place where the person died, that substantially corresponds to a certificate mentioned in paragraph (a), (b) or (c).

16 Section 42 heading

substitute

42 Offences—cause of death certificate not to be given by doctor or nurse practitioner

17 Section 42 (1) (b)

substitute

- (b) the person is a doctor or nurse practitioner; and
- (c) the person gives the registrar-general a cause of death certificate for the deceased person.

18 Section 42 (2) (a) and (b)

substitute

- (a) is a doctor or nurse practitioner; and
- (b) gives the registrar-general a cause of death certificate for a deceased person; and

19 Dictionary, new definition of *cause of death certificate*

insert

cause of death certificate, for a deceased person—see the [Births, Deaths and Marriages Registration Act 1997](#), section 32F.

20 Dictionary, note 2

insert

- doctor
- midwife
- nurse
- nurse practitioner

Part 4 Coroners Act 1997

21 Coroner's jurisdiction in relation to deaths Section 13 (1) (e) and (f)

substitute

- (e) dies and no cause of death certificate has been given by a doctor or nurse practitioner; or

Note A cause of death certificate is to be given within 48 hours after the deceased person's death (see [Births, Deaths and Marriages Registration Act 1997](#), s 35 and s 35A).

- (f) dies not having been attended by a doctor or nurse practitioner at any time within the 6 months before the death; or

22 Section 13 (5), new definition of *cause of death certificate*

insert

cause of death certificate, for a deceased person—see the [Births, Deaths and Marriages Registration Act 1997](#), section 32F.

23 Dictionary, note 2

insert

- nurse practitioner

Schedule 1 Cemeteries and Crematoria Act 2020—Technical amendments

(see s 3)

[1.1] Section 7

omit

Explanatory note

This amendment omits a redundant definition.

[1.2] Section 17 (6)

omit

right of burial certificate

substitute

right to burial certificate

Explanatory note

This amendment corrects a reference to a defined term.

[1.3] Section 30 (2) (c)

omit

certificate of right to interment

substitute

right to interment certificate

Explanatory note

This amendment corrects a reference to a defined term.

Amendment [1.4]

[1.4] Section 30 (6) and (7) (a) (ii)

omit

right of interment certificate

substitute

right to interment certificate

Explanatory note

This amendment corrects a reference to a defined term.

[1.5] Section 54 (3) (f)

omit

right of burial or right of interment

substitute

right to burial or right to interment

Explanatory note

This amendment corrects a reference to a defined term.

[1.6] Dictionary, definition of *death certificate*

omit

Explanatory note

This amendment omits a redundant definition.

[1.7] Dictionary, definition of *licensee receipt*, paragraph (a)

omit

right of burial or right of interment

substitute

right to burial or right to interment

Explanatory note

This amendment corrects a reference to a defined term.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 4 December 2025.

2 Notification

Notified under the [Legislation Act](#) on 5 March 2026.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Nurse Practitioners Legislation Amendment Bill 2026, which originated in the Legislative Assembly as the Nurse Practitioners Legislation Amendment Bill 2025 and was passed by the Assembly on 25 February 2026.

Clerk of the Legislative Assembly

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