

2025

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for Health)

# Nurse Practitioners Legislation Amendment Bill 2025

## Contents

---

	Page
<b>Part 1</b>	
<b>Preliminary</b>	
1 Name of Act	2
2 Commencement	2
3 Legislation amended	2
<b>Part 2</b>	
<b>Births, Deaths and Marriages Registration Act 1997</b>	
4 New section 32F	3
5 Circumstances in which deaths are not to be registered Section 34 (1) (a)	3

---

J2025-159

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

	Page
6 Division 6.2 heading	3
7 Section 35	3
8 Section 36 heading	5
9 New section 36 (2)	5
10 Section 36 (as amended)	5
11 New division 6.3	6
12 Dictionary, note 2	6
13 Dictionary, new definition of <i>cause of death certificate</i>	6
<b>Part 3 Cemeteries and Crematoria Act 2020</b>	
14 Section 13	7
15 Section 42 heading	7
16 Section 42 (1) (b)	8
17 Section 42 (2) (a) and (b)	8
18 Dictionary, new definition of <i>cause of death certificate</i>	8
19 Dictionary, note 2	8
<b>Part 4 Coroners Act 1997</b>	
20 Coroner's jurisdiction in relation to deaths Section 13 (1) (e) and (f)	9
21 Section 13 (5), new definition of <i>cause of death certificate</i>	9
22 Dictionary, note 2	9
<b>Part 5 Medical Treatment (Health Directions) Act 2006</b>	
23 Requirements for non-written health directions Section 9 (1)	10
24 Dictionary, note 2	10
<b>Schedule 1 Cemeteries and Crematoria Act 2020— Technical amendments</b>	11

2025

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for Health)

# **Nurse Practitioners Legislation Amendment Bill 2025**

---

## **A Bill for**

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

---

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Nurse Practitioners Legislation Amendment Act 2025*.

4 **2 Commencement**

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

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

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

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

14 **3 Legislation amended**

15 This Act amends the following legislation:

- 16 • *[Births, Deaths and Marriages Registration Act 1997](#)*  
17 • *[Cemeteries and Crematoria Act 2020](#)*  
18 • *[Coroners Act 1997](#)*  
19 • *[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

- 1 (b) examined the body of a deceased person after the deceased  
2 person's death; or
- 3 (c) has considered information about a deceased person's medical  
4 history and the circumstances of the deceased person's death  
5 and is able to form an opinion as to the probable cause of death.
- 6 (2) The doctor must give the registrar-general a cause of death certificate  
7 for the deceased person within 48 hours after the deceased person's  
8 death.
- 9 Maximum penalty: 5 penalty units.
- 10 (3) An offence against this section is a strict liability offence.
- 11 (4) This section does not apply if the doctor believes on reasonable  
12 grounds that—
- 13 (a) another doctor or a nurse practitioner has already given the  
14 registrar-general a cause of death certificate for the deceased  
15 person; or
- 16 (b) the death has been reported to a coroner.
- 17 *Note 1* The defendant has an evidential burden in relation to the matters  
18 mentioned in s (4) (see [Criminal Code](#), s 58).
- 19 *Note 2* A doctor must not give a cause of death certificate in certain  
20 circumstances (see [Cemeteries and Crematoria Act 2020](#), s 42).
- 21 *Note 3* Deaths must be reported to a coroner in certain circumstances (see  
22 [Coroners Act 1997](#), s 77).
- 23 **35A Nurse practitioner may give cause of death certificate to**  
24 **registrar-general**
- 25 (1) This section applies if a nurse practitioner—
- 26 (a) was responsible for a deceased person's medical care  
27 immediately before the deceased person's death; and
- 28 (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*

1 **11 New division 6.3**

2 *after section 37, insert*

3 **Division 6.3 Registration of deaths**

4 **12 Dictionary, note 2**

5 *insert*

- 6
  - nurse practitioner

7 **13 Dictionary, new definition of *cause of death certificate***

8 *insert*

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



## Part 3 Cemeteries and Crematoria Act 2020

### 14 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).

### 15 Section 42 heading

*substitute*

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

- 1 **16 Section 42 (1) (b)**
- 2 *substitute*
- 3 (b) the person is a doctor or nurse practitioner; and
- 4 (c) the person gives the registrar-general a cause of death certificate
- 5 for the deceased person.
- 6 **17 Section 42 (2) (a) and (b)**
- 7 *substitute*
- 8 (a) is a doctor or nurse practitioner; and
- 9 (b) gives the registrar-general a cause of death certificate for a
- 10 deceased person; and
- 11 **18 Dictionary, new definition of *cause of death certificate***
- 12 *insert*
- 13 *cause of death certificate*, for a deceased person—see the [Births,](#)
- 14 [Deaths and Marriages Registration Act 1997](#), section 32F.
- 15 **19 Dictionary, note 2**
- 16 *insert*
- 17 • doctor
- 18 • midwife
- 19 • nurse
- 20 • nurse practitioner

## Part 4 Coroners Act 1997

### 20 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

### 21 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.

### 22 Dictionary, note 2

*insert*

- nurse practitioner

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

## Part 5                      Medical Treatment (Health Directions) Act 2006

### **23                      Requirements for non-written health directions Section 9 (1)**

*substitute*

- (1) A health direction (other than a written direction) is not valid unless—
- (a) it is witnessed by 2 health professionals, present at the same time; and
  - (b) at least 1 of the witnessing health professionals is a doctor or a nurse practitioner.

### **24                      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 **[1.7] Dictionary, definition of *licensee receipt*, paragraph (a)**

2 *omit*

3 right of burial or right of interment

4 *substitute*

5 right to burial or right to interment

6 **Explanatory note**

7 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 2025.

3 **Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---