

Australian Capital Territory

# **HEALTH PROFESSIONALS AMENDMENT REGULATION 2006 (No 1)**

## **Explanatory Statement**

Circulated with the authority of  
John Hargreaves MLA  
Acting Minister for Health

## EXPLANATORY STATEMENT

### Authority

This Regulation is authorised by section 134 of the *Health Professionals Act 2004*.

### Outline

The amendments proposed in this Regulation are to provide for the transfer of the nursing and midwifery professions to the *Health Professionals Act 2004*. The Regulation contains the Nursing and Midwifery Schedules, which provide the profession specific registration requirements for the Nursing and Midwifery professions in the ACT. The Schedules are the result of extensive consultation with members of the nursing and midwifery professions and key stakeholders. The Regulation will apply from the commencement date the provisions of the *Health Professional Act 2004* to the nursing and midwifery professions in the ACT.

### Revenue/Cost Implications

There is no additional cost involved in this Regulation.

### Formal Clauses

**Clause 1 – Name of Regulation** – states the title of the Regulation, which is the *Health Professionals Amendment Regulation 2006 (No 1)*.

**Clause 2 – Commencement** – states when the Regulation commences. The Regulation commences on 17 January 2005.

**Clause 3 – Legislation amended** – provides that this Regulation amends the *Health Professionals Regulation 2004*.

**Clause 4 – Schedule 1, new items 2 and 3** – inserts two new items into schedule 1 which lists the regulated professions under the Act.

**Clause 5 – New Schedules 3 and 4** – inserts new Schedules 3 and 4. Schedule 3 covers the nursing profession and has been developed following extensive consultation with members of the profession, key stakeholders and organisations that represent the interests of nurses. The Schedule is comprehensive and covers the general area of practice of the nursing profession (item 3.2), qualifications for registration (item 3.5), suitability to practice requirements including mental and physical health (item 3.6), specialist area requirements (item 3.7), maintenance of continued competence, recency of practice and professional development (item 3.8). In addition, Schedule 3 includes details regarding Board membership (item 3.9), application requirements (item 3.10), short-term registration (item 3.11), conditional registration for overseas trained nurses (item 3.12), conditional registration for refresher nurses (item 3.13). The registration renewal date for nurses is set by item 3.15 to be 31 March of each year.

Schedule 4 covers the midwifery profession and has been developed following extensive consultation with members of the profession, key stakeholders and organisations that represent the interests of midwives. The Schedule is comprehensive and covers the general area of practice of midwifery (item 4.2), qualifications for registration (item 4.4), suitability to practice requirements including mental and physical health (item 4.5), maintenance of continued competence, recency of practice and professional development (item 4.6). In addition, Schedule 4 includes details regarding Board membership (item 4.7), application requirements (item 4.8), short-term registration (item 4.9), conditional registration for overseas trained midwives (item 4.10), conditional registration for refresher midwives (item 4.11). The registration renewal date for midwives is set by item 4.13 to be 31 March of each year.

**Clause 6 – Dictionary, new definitions** – inserts new definitions for nurse practitioner, nursing and midwifery regulatory authority, re-entry course and re-fresher course.

**Clause 7 –Health Professionals Amendment Regulation 2005 (No1) Section 24 (so far as it inserts schedules 3 and 4)** – is omitted to avoid duplication of provisions now inserted as a result of the amendment in clause 5.