

Explanatory Statement

Health Professionals (ACT Nursing and Midwifery Board) Appointment 2008 (No 1)

Disallowable instrument DI2008-11

made under the

Health Professionals Regulation 2004, Section 5 and Schedule 3 clause 3.9 and Schedule 4 clause 4.7

The *Health Professionals Act 2004* aims to protect the public from risk of harm by ensuring that all health professionals are competent to provide health services.

The ACT Nursing and Midwifery Board is constituted under Clause 3.9 of Schedule 3 and Clause 4.7 of Schedule 4 to the Health Professionals Regulation 2004.

Section 5 of the Health Professionals Regulation 2004 provides that the Minister must appoint the president of the Board. The position of the president of ACT Nursing and Midwifery Board became vacant following the resignation of Ms Mary Kirk from the Board.

Section 10 of the Health Professionals Regulation 2004 provides that the Minister appoints Board members in accordance with the *Legislation Act 2001*. Accordingly, the instrument is a disallowable instrument.

Schedule 3 Clause 3.9 (4) requires that the president must be a registered nurse; or a midwife; or an enrolled nurse.

Ms Robyn Staniforth, a registered nurse, is to be appointed as the president of ACT Nursing and Midwifery Board until 17 October 2009.

Ms Staniforth is currently an elected member of the Board, whose elected period ends on 17 October 2009.

Ms Staniforth is not an ACT Public servant.