

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

HEALTH PROFESSIONS BOARDS (PROCEDURES) (AMENDMENT) ORDINANCE 1988

No 59, 1988

The Health Professions Boards (Procedures) (Amendment) Ordinance 1988 (the amending Ordinance) will amend the Health Professions Boards (Procedures) Ordinance 1981 (the Principal Ordinance) to change references to matters concerning nurses and the Nurses Registration Board to references used in the new Nurses Ordinance 1988.

The Principal Ordinance governs the status and membership of health professional registration boards as well as procedures for meetings and misconduct inquiries. The proposed Ordinance will ensure that the new Nurses Board has procedural requirements, (which include protection for the rights of individual members of the profession) consistent with other Boards.

Details of the amending Ordinance are set out in the attachment.



ATTACHMENT

Section 1 provides for the short title of the Ordinance which will be the Health Professions (Procedures) (Amendment) Ordinance 1988.

Section 2 provides that the amending Ordinance will come into operation on such date as is fixed by the Minister of State for Territories by notice in the Gazette.

Section 3 refers to the Principal Ordinance as the Health Professions (Procedures) Ordinance 1981.

Section 4 updates references in the Principal Ordinance to Chairman, Deputy Chairman, Nurses Registration Board and the Nurses Registration Ordinance 1933 to the Chairperson, Deputy Chairperson, Nurses Board and Nurses Ordinance 1988.

Section 5 inserts a new section, 5A, to stop appointments to Boards being made during the currency of an election under the Health Professions Boards (Elections) Ordinance 1980. Appointments during an election has potential to disrupt the process where the person appointed subsequently becomes elected.

Section 6 omits subsection 9(5) of the Principal Ordinance which defines "elected member" of a Board. The definition of "elected member" will be included in section 3 of the Principal Ordinance where other definitions are found. The definition will remain unchanged.

Section 7 amends section 11 of the Principal Ordinance to refer to the new Nurses Board and the new category of enrolled nurse.

Section 8 amends section 31 to refer to notice of a decision by the Board instead of statement of decision. This accords with current drafting practice.

Section 9 repeals section 42. The section contains a reference to the Seat of Government (Administration) Ordinance 1930 which is no longer necessary.

