

NURSES ACT 1991—REGULATION

(Relating to the cancellation or suspension of registration of certain nurses)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Nurses Act 1991, has been pleased to make the Regulation set forth hereunder.

RON PHILLIPS
Minister for Health.

Commencement

1. This Regulation is taken to have commenced on 13 March 1992.

Amendment

2. The Nurses Regulation 1992 is amended by inserting after clause 24 the following clause:

Transitional provision—review of suspension or cancellation of registrations etc. under s. 19 of the 1953 Act

25. (1) A person whose registration, or authorisation to practise midwifery, was cancelled or suspended under section 19 of the Nurses Registration Act 1953 may apply to the Tribunal for a review of the cancellation or suspension.

(2) The application is to be made and dealt with as if it were an application under section 68 of the Act.

EXPLANATORY NOTE

The Nurses Act 1991 repealed and replaced the Nurses Registration Act 1953. This occurred on 13 March 1992.

Under section 68 of the Nurses Act 1991, persons who are suspended under the 1991 Act from practising as nurses or whose names are removed under the 1991 Act from the Register of Nurses or the Roll of Nurses may apply to the Nurses Tribunal for a review of the suspension or removal.

When the 1991 Act commenced, there were persons whose registration had been cancelled or suspended under section 19 of the 1953 Act and who, by the repeal of the 1953 Act, were left without a right of review of the cancellation or suspension.

The proposed regulation will correct this situation.

The proposed regulation is backdated to 13 March 1992 in accordance with the authority conferred by clause 2 (2) of Schedule 3 to the 1991 Act.
