



**THE MEDICAL LABORATORY TECHNOLOGISTS REGULATIONS
1982, AMENDMENT NO. 2**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 27th day of June 1988

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 40 of the Medical and Dental Auxiliaries Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Medical Laboratory Technologists Regulations 1982, Amendment No. 2, and shall be read together with and deemed part of the Medical Laboratory Technologists Regulations 1982* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of August 1988.

2. Medical Laboratory Technologists Board—Regulation 3 (2) of the principal regulations is hereby amended by revoking paragraph (a), and substituting the following paragraph:

“(a) One person, being employed in the Department of Health, to be nominated by the chief executive of that Department.”.

3. Qualifications for registration—Regulation 4 of the principal regulations is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) The fee prescribed in respect of registration shall accompany the application for registration.”

4. Course of training—Regulation 5 (4) of the principal regulations is hereby amended by omitting the words “, except clinical biochemistry, microbiology, haematology, and immunohaematology”.

5. Conduct of examinations—Regulation 8 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclauses:

“(3) Every person intending to take an examination prescribed by regulation 7 of these regulations shall, by the 15th day of July in the year of the examination, notify the Secretary in writing of his or her intention and pay the prescribed fee; but where a prospective examinee is, for any reason beyond his or her control, unable to notify the Secretary by that date, the Secretary shall accept a late notification if it is supported by a statutory declaration made by the prospective examinee explaining the reasons for the late notification.

“(3A) Every person who has notified the Secretary of his or her intention and paid the prescribed fee in accordance with subclause (3) of this regulation shall produce a certificate, signed by the person for the time being responsible for his or her training, to the effect that the proposed examinee has completed the training in the subject or subjects in which he or she seeks to be examined, or that the proposed examinee will have completed such training before the examination is held; but the Board may, if it thinks fit in relation to any particular case, permit a person who has failed to comply with this subclause to undertake the examination.”

6. Diplomas—The principal regulations are hereby amended by revoking regulation 10, and substituting the following regulation:

“10. The Board shall award a diploma (to be called the Diploma in Medical Laboratory Technology) to every person who either—

“(a) Completes the course of training and passes all the examinations prescribed by regulations 5 (1), 5 (2), 5 (3), and 7 of these regulations and applicable to that person; or

“(b) Completes the period of training specified in regulation 5 (4) or regulation 5 (5) (a) of these regulations or the period of full-time employment specified in regulation 5 (5) (b) of these regulations, and passes all the examinations prescribed by regulation 7 of these regulations and applicable to that person.”

7. Temporary registration of persons visiting New Zealand—Regulation 11 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding anything in subclause (1) or subclause (3) of this regulation, the Board may, in respect of any person who has applied for temporary registration under this regulation, dispense with any requirement in the Act or these regulations that would otherwise preclude the Board from granting temporary registration to that person, and issue to that person a certificate of temporary registration having effect in

relation to the performance of medical laboratory technology in the institution or place, and for such period, as may be specified in the certificate.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 August 1988, make a number of changes to the principal regulations.

First, the Department's representative on the Medical Laboratory Technologists Board will no longer have to be a medical practitioner (regulation 2).

Secondly, every person applying for registration as a medical laboratory technologist must pay the prescribed fee when making the application (regulation 3). The regulations formerly allowed an applicant to pay the prescribed fee at any time before the date of his or her registration.

Thirdly, the restrictions in regulation 5 (4) of the principal regulations (which relates to the course of training) are removed (regulation 4). Formerly, a trainee who had undergone training for a period of 3 years and passed an examination that the Board considered to be substantially equivalent to Section I of the prescribed course of training could, at the Board's discretion, undergo training in subjects in Section II or Section III of the prescribed course, except clinical biochemistry, microbiology, haematology, and immunohaematology. These exceptions are now removed.

Fourthly, regulation 8 (3) of the principal regulations (which relates to conduct of examinations) is split into 2 subclauses. Formerly, a prospective examinee's notice of intention to take an examination was required to be with the Secretary of the Board by 15 July in the year of the examination but the Board had a discretion to allow late notification. The regulation will now allow late notification only where the prospective examinee's non-compliance is caused by a reason beyond his or her control and is supported by a statutory declaration.

Fifthly, regulation 10 of the principal regulations (which relates to diplomas) is revoked, and a new regulation is substituted (regulation 6). The new regulation preserves the Diploma in Medical Laboratory Technology but there will be no other awards. Formerly, the Board could also award a certificate of attainment or make other awards. The former means of attaining the Diploma is also preserved and another means of attaining it is introduced. Now a candidate can either proceed under regulations 5 (1), 5 (2), 5 (3), and 7 of the principal regulations or proceed under regulation 5 (4) or regulation 5 (5), and regulation 7 of those regulations.

Sixthly, the Board is empowered to dispense with requirements in the Act and principal regulations relating to the temporary registration of persons visiting New Zealand. The Act contains requirements as to evidence to be submitted by an applicant (section 14), procedure (sections 15, 16, and 19), and character (section 17). The principal regulations require an applicant to have a requirement to perform medical laboratory technology in New Zealand and to possess sufficient knowledge and experience.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 June 1988.

These regulations are administered in the Department of Health.