



**THE MEDICAL PRACTITIONERS (REGISTRATION OF GENERAL
PRACTITIONERS) REGULATIONS 1987**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 16th day of March 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 39A of the Medical Practitioners Act 1968, His Excellency the Governor-General, acting on the advice of the Minister of Health given after consultation by the Minister with the Medical Council of New Zealand, and by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Medical Practitioners (Registration of General Practitioners) Regulations 1987.

(2) Regulation 4 (1) (a) of these regulations shall come into force on the 1st day of April 1990.

(3) Except as provided in subclause (2) of this regulation, these regulations shall come into force on the 1st day of April 1987.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Medical Practitioners Act 1968:

“Council” means the Medical Council of New Zealand established under the Act:

“Practitioner” means a registered medical practitioner whose name has been entered on the register:

“Register” means the register of practitioners, known as the indicative register, established and maintained by the Council under regulation 3 of these regulations.

3. Establishment of register of general practitioners—The Secretary to the Council, under direction of the Council in accordance with these regulations, shall establish and maintain a register of general practitioners.

4. Qualification for registration—(1) A medical practitioner shall be entitled to have his or her name entered in the register if the Council is satisfied—

- (a) That the practitioner holds a qualification specified in the second column of the Schedule to these regulations, and granted by a College specified in the first column of that Schedule in relation to that qualification; and
- (b) That the practitioner has been qualified as a medical practitioner for not less than 5 years; and
- (c) That the practitioner has had training and practical experience in general practice and family medicine for not less than 3 years; and
- (d) That, so far as is practicable, the practitioner limits his or her practice to general practice and family medicine.

(2) Notwithstanding anything in subclause (1) of this regulation, if the Council sees fit in relation to any particular case, the name of a medical practitioner may be entered in the register if the Council is satisfied that he or she is recognised by his or her colleagues in the medical profession as having special experience in the discipline of general practice and family medicine.

5. Applications for registration—Subsections (1) and (3) of section 19 of the Act shall apply to an applicant for registration in the discipline of general practice and family medicine as they apply to an applicant and an application for registration as a medical practitioner, except that it shall not be necessary for the applicant to provide evidence of his or her personal character.

(2) Sections 20, 21, and 23 of the Act shall apply to an applicant and an application for registration in the discipline of general practice and family medicine, and to the registration or refusal of registration in the discipline of general practice and family medicine, as they apply to an applicant and an application for registration as a medical practitioner and the grant or refusal of such registration.

6. Particulars of registration—The following particulars shall be entered in the register:

- (a) The name of the practitioner:
- (b) The postal address of the practitioner:
- (c) The date of registration in the discipline of general practice and family medicine.

7. Miscellaneous provision relating to registration—(1) Nothing in section 13 (1) of the Act shall operate to prevent the Council from delegating to 1 or more committees of the Council all or any of the functions and powers conferred on the Council by these regulations.

(2) In the exercise of its functions and powers under these regulations, the Council, or any appropriate committee of the Council, may consult with such bodies and individual persons of professional standing in the medical profession as it sees fit.

(3) Sections 29, 31, 35, 36, 37, and 38, and, so far as is consequential, section 27 (4) of the Act shall apply to registration in the discipline of general practice and family medicine and to the qualifications and other particulars relating to such registration, and to the removal of names from and the restoration of names to the register, and to the amendment of the register, as and to the extent that they apply to registered medical practitioners, registration as a medical practitioner, the qualifications and other particulars relating to such registration, the register of medical practitioners, and the removal of names from, the restoration of names to, and the amendment of, the register.

8. Further provisions relating to the removal of names from the register—(1) If the name of a practitioner is removed from the register of medical practitioners, the Secretary to the Council shall forthwith remove that name from the register.

(2) Subject to subclauses (3) and (4) of this regulation, if at any time the Council is satisfied that a practitioner would not be registered in the discipline of general practice and family medicine either under subclause (1) of regulation 4 of these regulations, by reason of paragraph (d) of that regulation, or under subclause (2) of that regulation, if his or her application in that behalf were made at that time, the Council may direct the Secretary to the Council to remove the name of that practitioner from the register, and the Secretary to the Council shall remove that name accordingly.

(3) The Council shall not exercise the power conferred on it by subclause (2) of this regulation unless the practitioner has been given a reasonable opportunity of being heard.

(4) Sections 59 and 59A of the Act shall apply in respect of any exercise by the Council of the powers conferred by subclause (2) of this regulation,

as if the reference to any order of the Council in those sections were references to a direction of the Council under that subclause.

9. Further provisions relating to the restoration of names to the register—(1) If the name of a practitioner has been removed from the register under regulation 8 (1) of these regulations upon the removal of that name from the register of medical practitioners pursuant to section 27, section 29, or section 31 of the Act, the Council may direct the Secretary, upon the restoration of the name of the medical practitioner to the register of medical practitioners in accordance with any of those sections, to restore the name of the medical practitioner to the register, and the Secretary shall restore that name accordingly.

(2) If—

- (a) The name of a practitioner has been removed from the register under regulation 8 (1) of these regulations upon the removal of the name from the register of medical practitioners otherwise than pursuant to section 27, section 29, or section 31 of the Act; and
- (b) The name of that medical practitioner has been restored to the register of medical practitioners; and
- (c) The Council is satisfied in terms of regulation 4 (1) of these regulations, or sees fit to exercise the discretion conferred on it by subclause (2) of that regulation in favour of the medical practitioner,—

the Council may direct the Secretary to restore the name of the medical practitioner to the register, and the Secretary shall restore that name accordingly.

10. Fees—(1) The fee payable by a medical practitioner for registration in the discipline of general practice and family medicine shall be \$50.

(2) The fee payable for the restoration of the name of a practitioner to the register shall be \$15.

Reg. 4 (1) (a)

SCHEDULE
QUALIFICATIONS

<i>Body</i>	<i>Qualification</i>	
Royal New Zealand College of General Practitioners	(a) Fellowship (b) Membership	
Royal Australian College of General Practitioners	Fellowship	} Where the prescribed course of training and criteria for fellowship or membership is considered by the Council to be at least equivalent to that required for membership of the Royal New Zealand College of General Practitioners.
Royal College of General Practitioners of the United Kingdom	(a) Fellowship (b) Membership	
Any other College or body of General Practitioners	(a) Fellowship (b) Membership	

P. G. MILLEN,
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 are made pursuant to the Medical Practitioners Amendment Act 1986, which provides for the making of regulations for the establishment and maintenance of an indicative register of medical practitioners who have experience or other qualifications in the discipline of general practice and family medicine.

Regulation 4 prescribes the qualifications required for registration. By virtue of regulation 1 (2), the requirement to be a fellow or member of an appropriate professional college will not be mandatory until 1 April 1990.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 March 1987.

These regulations are administered in the Department of Health.