

House of Representatives
Supplementary Order Paper

Tuesday, 5 August 2003

Health Practitioners Competence Assurance Bill

Proposed amendments

Heather Roy, in Committee, to move the following amendments:

Clause 5

To omit the definition of **medical practitioner** (lines 24 to 27 on page 13), and substitute the following definition:

medical practitioner means a person referred to in section 139 of the Medical Practitioners Act 1995

Clause 47

To omit from subclause (4A) the word “other” (line 31 on page 50).

Clause 64

To insert in paragraph (b), after subparagraph (viii) (after line 6 on page 64), the following subparagraph:

(viiiia) the Medical Practitioners Act 1995; or

Clause 95

To insert in subclause (2)(a), after subparagraph (viii) (after line 7 on page 86), the following subparagraph:

(viiiia) the Medical Practitioners Act 1995; or

Clause 155

To omit this clause (lines 21 to 29 on page 119).

Clause 169 and the heading above clause 169

To omit this heading and clause (lines 6 to 26 on page 126).

Clause 170

To omit subclause (1)(e) (line 14 on page 127).

Clause 175

To omit this clause (lines 27 to 37 on page 130).

Clauses 194, 195 and 196

To omit these clauses (line 24 on page 138 to line 14 on page 140).

Clause 214A

To omit, from subclause (1), paragraph (b) of the definition of **relevant enactment** (line 30 on page 149).

To omit, from subclause (1), paragraph (b) of the definition of **relevant registration body** (lines 5 to 7 on page 150).

Clause 220

To add, in subclause (4), to the definition of **authority** (line 11 on page 153), the words “, and includes the Medical Council of New Zealand under the Medical Practitioners Act 1995”.

To add, in subclause (4), to the definition of **health practitioner** (line 26 on page 153), the following word and paragraph:

; and

“(c) includes, for the purposes of this Act, a medical practitioner.”

Clause 225

To insert in section 42 (2), after the expression “**2002**” (line 14 on page 163), the words “or the Medical Practitioners Act 1995”.

To insert in section 42 (3), after the expression “**2002**” (line 29 on page 163), the words “or the Medical Practitioners Act 1995”.

Clause 240

To omit from subclause (3) the words “**medical practitioner**” where they first occur (lines 27 to 28 on page 170).

To omit from subclause (3) the definition of “**medical practitioner**” (lines 4 to 7 on page 171).

To add, in subclause (3), to the definition of “**registered health professional**” (line 21 on page 171), the words “, includes, for the purposes of this Act, a medical practitioner”.

Clause 253A

To insert, after the expression “**2003**” (line 6 on page 185), the words “or the Medical Council of New Zealand under the Medical Practitioners Act 1995”.

Clause 253B

To insert, after the expression “**2003**” (line 11 on page 185), the words “or the Medical Council of New Zealand under the Medical Practitioners Act 1995”.

Schedule 2

To omit the item relating to the Medical Council of New Zealand (lines 17 to 19 on page 198).

Schedule 4

To omit the items relating to the Adult Adoption Information Act 1985 and the Alcoholism and Drug Addiction Act 1966 (lines 3 to 18 on page 210).

To omit, from the item relating to the Armed Forces Discipline Act 1971, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 27 to 31 on page 210).

To omit, from the item relating to the Births, Deaths, and Marriages Registration Act 1995, the words “definitions of **doctor** and **midwife** in section 2 and substitute, in their” (lines 7 to 8 on page 211), and substitute the words “definition of **midwife** in section 2 and substitute, in its”.

To omit, from the item relating to the Births, Deaths, and Marriages Registration Act 1995, the definition of “**doctor**” proposed to be substituted in section 2 (lines 9 to 13 on page 211).

To omit the item relating to the Boilers, Lifts, and Cranes Act 1950 (lines 19 to 26 on page 211).

To omit, from the item relating to the Burial and Cremation Act 1964, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 29 to 33 on page 211).

To insert, in the item relating to the Burial and Cremation Act 1964, after the word “doctor” in section 46A(a)(i) (line 4 on page 212), the words “(being a person registered as a medical practitioner under the Medical Practitioners Act 1995)”.

To omit the item relating to the Cancer Registry Act 1993 (lines 8 to 14 on page 212).

To omit, from the item relating to the Children, Young Persons, and Their Families Act 1989, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 18 to 22 on page 212).

To omit, from the item relating to the Children, Young Persons, and Their Families Act 1989, the amendment proposed to sections 49(1), 53(2) and (3), 401(4), and 409(4) (lines 28 to 29 on page 212).

To omit, from the item relating to the Civil Aviation Act 1990, the amendment proposed to the definitions in section 2 (lines 31 to 33 on page 212).

To omit, from the item relating to the Civil Aviation Act 1990, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 1 to 9 on page 213).

To omit, from the item relating to the Civil Aviation Act 1990, the repeal proposed of the definition of **registered medical practitioner** and the amendment proposed to sections 27C(3), (4), and (5)(b), 27J(4), 27N(1) and (5), and the heading to section 27N (lines 10 to 14 on page 213).

To omit the items relating to the Contraception, Sterilisation, and Abortion Act 1977, the Coroners Act 1988, and the Courts Martial Appeals Act 1953 (line 15 on page 213 to line 33 on page 214).

To omit, from the item relating to the Crimes Act 1961, the amendments proposed to sections 2(1) and 187A(4) (line 35 on page 214 to line 3 on page 215).

To omit, from the item relating to the Crimes Act 1961, the words “sections 204A(3)(b)(iii) and 312D(2)” (line 15 on page 215), and substitute the words “section 204A(3)(b)(iii)”.

To omit, from the item relating to the Criminal Investigations (Blood Samples) Act 1995, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 20 to 24 on page 215).

To omit the items relating to the Criminal Justice Act 1985 and the Disabled Persons Community Welfare Act 1975 (line 32 on page 215 to line 10 on page 216).

To omit the items relating to the Education Act 1989 and the Electoral Act 1993 (lines 18 to 34 on page 216).

To insert, in the item relating to the Electricity Act 1992, after the word “from” in section 16(2)(b)(ii) (line 1 on page 217), the words “a medical practitioner or from”.

To omit, from the item relating to the Evidence Act 1908, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 9 to 13 on page 217).

To omit, from the item relating to the Evidence Act 1908, the words “whose scope of practice includes” in section 23G(1)(a) (line 24 on page 217), and substitute the words “holding vocational registration in the specialty of”.

To omit, from the item relating to the Evidence Amendment Act (No 2) 1980, the amendment proposed to sections 16 and 32(1) and (2)(b) (line 32 on page 217).

To insert, in the item relating to the Evidence Amendment Act (No 2) 1980, before the word “**medical**” where it first occurs in the definition of “**medical practitioner**” proposed to be substituted in section 32(3) (line 3, correctly 4, on page 218), the word “**registered**”.

To omit, from the item relating to the Evidence Amendment Act (No 2) 1980, the word “a” in the definition of “**medical practitioner**” proposed to be substituted in section 32(3) (line 4, correctly 5, on page 218), and substitute the words “the registered”.

To omit, from the item relating to the Evidence Amendment Act (No 2) 1980, the amendment proposed to section 33(1) and (3) (lines 16 and 17 on page 218).

To insert, in the item relating to the Evidence Amendment Act (No 2) 1980, before the word “**medical**” where it first occurs in the definition of “**medical practitioner**” proposed to be substituted in section 33(4) (line 4 on page 219), the word “**registered**”.

To omit, from the item relating to the Evidence Amendment Act (No 2) 1980, the word “a” in the definition of “**medical practitioner**” proposed to be substituted in section 33(4) (line 5 on page 219), and substitute the words “the registered”.

To omit the items relating to the Fire Service Act 1975 and the Government Superannuation Fund Act 1956 (lines 15 to 30 on page 219).

To omit, from the item relating to the Hazardous Substances and New Organisms Act 1996, the words “definitions of **medical practitioner** and” (line 3 on page 220), and substitute the words “definition of”.

To omit, from the item relating to the Hazardous Substances and New Organisms Act 1996, the definition of “**medical practitioner**” proposed to be substituted in section 183(1) (lines 5 to 9 on page 220).

To omit the item relating to the Health Act 1956 (lines 22 to 31 on page 220).

To omit, from the item relating to the Health and Safety in Employment Act 1992, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 33 to 38 on page 220).

To omit, from the item relating to the Health and Safety in Employment Act 1992, the words “Repeal the definition of **registered medical practitioner** in section 2(1)” (lines 39 to 40 on page 220), and substitute the words “Omit from the definition of ‘**registered medical practitioner**’ in section 2(1) the expression ‘1968’, and substitute the expression ‘1995’.”

To omit, from the item relating to the Health and Safety in Employment Act 1992, the amendment proposed to section 34(1) (line 1 on page 221),

To insert, in the item relating to the Health and Safety in Employment Act 1992, before the word “medical” where it last occurs in section 34(4) (line 3, correctly 4, on page 221), the word “registered”.

To omit, from the item relating to the Health and Safety in Employment Act 1992, the amendment proposed to section 36(c)(i) and (ii) and clauses 3 and 5 of the First Schedule (lines 5 to 7, correctly lines 6 to 8, on page 221).

To omit, from the item relating to the Hospitals Act 1957, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 9 to 14 on page 221).

To insert, in the item relating to the Hospitals Act 1957, before the word “medical” in section 135(3)(a) (line 19 on page 221), the word “registered”.

To omit, from the item relating to the Hospitals Act 1957, the amendment proposed to section 139(1) and (2) (line 34 on page 222).

To omit the item relating to the Human Tissue Act 1964 (lines 1 to 8 on page 223).

To omit, from the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, the words “and **registered medical practitioner**” in the list of definitions proposed to be repealed in section 6(1) (lines 15 to 16 on page 223).

To add, in the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, to the definition of “**health practitioner**” proposed to be inserted in section 6(1) (line 15 on page 224), the words “, and includes, for the purposes of this Act, a registered medical practitioner”.

To omit, from the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, the definition of “**medical practitioner**” proposed to be inserted in section 6(1) (lines 24 to 29 on page 224).

To insert, in the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, before the words “medical practitioner” in paragraph (a) of the definition of “**registered health professional**” proposed to be substituted in section 6(1) (line 22 on page 226), the word “registered”.

To omit, from the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, the amendment proposed to paragraph (a) of the definition of **treatment provider** in section 6(1) (lines 35 and 36 on page 226).

To omit, from the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001, the repeal and substitution proposed of section 93, the

amendment proposed to sections 37(1)(a), 94, and 102(2)(a), the repeal and substitution proposed of clause 27 of Schedule 1, the amendment proposed to clauses 7(3)(b), 13(1)(b), 57(1), and (3)(b), and 61(4) and (6) of Schedule 1, and the repeal proposed of so much of Schedule 6 as relates to the Medical Practitioners Act 1995 (line 37 on page 226 to line 22 on page 228).

To omit the item relating to the Judicature Act 1908 (lines 23 to 29 on page 228).

To omit the item relating to the Justices of the Peace Act 1957 (line 35 on page 228 to line 3 on page 229).

To omit, from the item relating to the Land Transport Act 1998, the amendment to the definition of **doctor's surgery** in section 2(1) (lines 5 and 6 on page 229).

To omit, from the item relating to the Land Transport Act 1998, the words “, **registered medical practitioner**,” in the list of definitions to be repealed in section 2(1) (lines 7 to 8 on page 229).

To omit, from the item relating to the Land Transport Act 1998, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 21 to 25 on page 229).

To omit, from the item relating to the Land Transport Act 1998, the words “sections 13(3), 18(1) to (3), 60(1)(b) and (c), 64(1), 72, 73(1) to (5), 74(4), 75(2) to (4), 76(1)(c), 79(1), 99(3)(d), 100(1)(a)(i), 199(5), 209(1) the word ‘registered’ wherever it occurs” (line 37 on page 229 to line 2 on page 230), and substitute the words “section 18(1) to (3) the word ‘registered’ wherever it occurs before the word ‘optometrist’”.

To omit the items relating to the Law Practitioners Act 1982, the Local Government Act 1974, the Local Government Official Information and Meetings Act 1987, and the Maori Community Development Act 1962 (lines 3 to 34 on page 230).

To omit, from the item relating to the Mental Health (Compulsory Assessment and Treatment) Act 1992, the words “definitions of **medical practitioner** and” (line 2 on page 231), and substitute the words “definition of”.

To omit, from the item relating to the Mental Health (Compulsory Assessment and Treatment) Act 1992, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 5 to 9 on page 231).

To add, in the item relating to the Mental Health (Compulsory Assessment and Treatment) Act 1992, to the definition of “**registered health professional**” proposed to be inserted in section 2(1) (line 27 on page 231), the words “, and includes, for the purposes of this Act, a registered medical practitioner”.

To omit, from the item relating to the Misuse of Drugs Act 1975, the words “**medical practitioner**” in the list of definitions to be repealed in section 2(1) (line 2 on page 232).

To omit, from the item relating to the Misuse of Drugs Act 1975, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 11 to 15 on page 232).

To add, in the item relating to the Misuse of Drugs Act 1975, to the definition of “**registered health professional**” proposed to be inserted in section 2(1) (line 30 on page 232), the words “, and includes, for the purposes of this Act, a registered medical practitioner”.

To omit the item relating to the Misuse of Drugs Amendment Act 1978 (lines 34 to 36 on page 232).

To add, in the item relating to the New Zealand Public Health and Disability Act 2000, to the definition of “**health professional body**” proposed to be inserted in section 6(1) (line 4 on page 233), the words “, and includes the Medical Council of New Zealand under the Medical Practitioners Act 1995”.

To add, in the item relating to the New Zealand Public Health and Disability Act 2000, to the definition of “**health practitioner**” proposed to be inserted in section 6(1) (line 13 on page 233), the following word and paragraph:

; and

“(c) includes, for the purposes of this Act, a medical practitioner” .

To omit, from the item relating to the New Zealand Public Health and Disability Act 2000, the repeal and substitution proposed of clause 2(2)(c) of Schedule 5 (lines 18 to 22 on page 233).

To omit, from the item relating to the New Zealand Public Health and Disability Act 2000, the words “and the Medical Practitioners Act 1995” (lines 23 to 24 on page 233).

To omit, from the item relating to the New Zealand Public Health and Disability Act 2000, the repeal proposed in Schedule 10 of a definition in regulations (lines 25 to 27 on page 233).

To omit the item relating to the Official Information Act 1982 (lines 28 to 34 on page 233).

To omit, from the item relating to the Parental Leave and Employment Protection Act 1987, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (line 37 on page 233 to line 6 on page 234).

To omit, from the item relating to the Parental Leave and Employment Protection Act 1987, the amendment proposed to sections 13(1), 31(3)(b) and (c)(i), and 45(2) (lines 13 to 14 on page 234).

To omit, from the item relating to the Penal Institutions Act 1954, the definition of “**medical practitioner**” proposed to be inserted in section 2(1) (lines 23 to 27 on page 234).

To omit, from the item relating to the Police Act 1958, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 30 to 34 on page 234).

To omit, from the item relating to the Police Act 1958, the amendment proposed to section 28(5) (line 1 on page 235).

To omit, from the item relating to the Privacy Act 1993, the proposed new section 29(4) (lines 3 to 8 on page 235).

To omit, from the item relating to the Privacy Act 1993, the words “Medical Practitioners Act 1995,” (line 11 on page 235).

To omit, from the item relating to the Protection of Personal and Property Rights Act 1988, the definition of “**medical practitioner**” proposed to be inserted in section 2 (lines 21 to 25 on page 235).

To omit, from the item relating to the Protection of Personal and Property Rights Act 1988, the amendments proposed to sections 32(2)(c)(i), 33(3)(c), 87(1B)(a), and 87(1F)(a) (line 31 on page 235 to line 27 on page 236).

To omit, from the item relating to the Radiation Protection Act 1965, the definition of “**medical practitioner**” proposed to be substituted in section 2(1) (lines 3 to 9 on page 237).

To insert, in the item relating to the Radiation Protection Act 1965, after the entry relating to the repeal of the definition of **medical practitioner** (after line 9 on page 237), the following entry:

Omit from the definition of **medical practitioner** in section 2(1) the expression “1968”, and substitute the expression “1995”.

To omit, from the item relating to the Securities Act 1978, the amendment proposed to clause 2 of the Second Schedule (lines 29 to 31 on page 237).

To omit, from the item relating to the Social Security Act 1964, the words “definitions of **medical practitioner** and” (line 2 on page 238), and substitute the words “definition of”.

To omit, from the item relating to the Social Security Act 1964, the definition of “**medical practitioner**” proposed to be inserted in section 3(1) (lines 11 to 15 on page 238).

To add, in the item relating to the Social Security Act 1964, to the definition of “**health practitioner**” proposed to be substituted in section 69C(8) and to be inserted in section 69FA(1) (lines 26 and 36 on page 239), the following word and paragraph:

; and

“(c) includes, for the purposes of this Act, a medical practitioner” .

To omit the items relating to the State Sector Act 1988, the Summary Offences Act 1981, the Summary Proceedings Act 1957, the Trans-Tasman Mutual Recognition Act 1997, the Tuberculosis Act 1948, the Veterinarians Act 1994, and the War Pensions Act 1954 (line 5 on page 240 to line 27 on page 241).

Schedule 5

To omit the words “, and **registered medical practitioner**” from the list of definitions in section 13(1) (line 8 on page 242).

To add to the definition of “**health practitioner**” proposed to be inserted in section 13(1) (line 35 on page 242) the words “, and includes, for the purposes of this Act, a registered medical practitioner”.

To omit the definition of “**medical practitioner**” proposed to be inserted in section 13(1) (lines 5 to 10 on page 243).

To insert in paragraph (a) of the definition of “**registered health professional**”, before the words “medical practitioner” (line 3 on page 245), the word “registered”.

To omit the amendment proposed to the definition of “**treatment provider**” in section 13(1) and to sections 14(2)(c) and (d), 45(1)(a), and 84(2), the repeal and substitution proposed of section 98, the amendment proposed to clauses of Schedule 1, and the amendment proposed to Schedule 7 (line 11 on page 245 to line 4 on page 246).

Schedule 6

To omit the items relating to the Abortion Regulations 1978 and the Accident Insurance (Insurer Returns) Regulations 1999 (lines 3 to 10 on page 247).

To omit, from the item relating to the Accident Insurance (Insurer's Liability to Pay Cost of Treatment) Regulations 1999, all of the entries except the entry relating to the omission from item 8 of the Schedule (omit line 11 on page 247 to line 8 on page 248, and line 13 on page 248).

To omit the items relating to the Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999, the Boxing and Wrestling Regulations 1958, and the Children, Young Persons, and Their Families (Forms) Regulations 1989 (line 14 on page 248 to line 16 on page 250).

To omit, from the item relating to the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, the definition of "**medical practitioner**" proposed to be inserted in regulation 2 (lines 26 to 30 on page 250).

To add, in the item relating to the Children, Young Persons, and Their Families (Residential Care) Regulations 1996, to the entry relating to the amendment to regulations 7(1)(a) and 14(2), (4), and (5) (line 18 on page 251), the words "before the words 'nurse' or 'dentist'".

To omit the items relating to the Coroners Regulations 1989, the Cremation Regulations 1973, the Criminal Investigations (Blood Samples) Regulations 1996, the Education (Home-Based Care) Order 1992, and the Electoral Regulations 1996 (line 21 on page 251 to line 6 on page 252).

To omit, from the item relating to the Electroplating Regulations 1950, the words "and (3)" (line 15 on page 252).

To omit the item relating to the Engine Drivers' Examination Regulations 1952 (lines 16 to 23 on page 252).

To omit the items relating to the Fish Export Processing Regulations 1995 and the Game Regulations 1975 (lines 17 to 33 on page 253).

To omit, from the item relating to the Health (Bursaries) Regulations 1965, the definition of "**medical practitioner**" proposed to be inserted in regulation 2 (lines 25 to 29 on page 254).

To insert, in the item relating to the Health (Bursaries) Regulations 1965, after the word "qualify" in regulation 3(b)(iii) (line 32 on page 255), the words "for conditional registration".

To omit, from the item relating to the Health Entitlement Cards Regulations 1993, the definition of "**medical practitioner**" proposed to be inserted in regulation 2(1) (lines 10 to 15 on page 256).

To omit, from the item relating to the Health Entitlement Cards Regulations 1993, the words "**general practitioner**," (line 25 on page 256).

To omit, from the item relating to the Health Entitlement Cards Regulations 1993, the definition of "**general practitioner**" proposed to be inserted in regulation 17 (lines 28 to 30 on page 256).

To insert, in the item relating to the Health Entitlement Cards Regulations 1993, after the word "any" in the definition of "**medical treatment**" proposed to be inserted in regulation 17 (line 32 on page 256), the words "medical practitioner or by any".

To omit, from the item relating to the Health Entitlement Cards Regulations 1993, the definition of "**scope of practice**" proposed to be inserted in regulation 17 (lines 2 to 3, correctly to lines 3 to 4, on page 257).

To omit, from the item relating to the Health (Needles and Syringes) Regulations 1998, the definition of “**medical practitioner**” proposed to be inserted in regulation 2 (lines 12 to 16 on page 257).

To omit the item relating to the Health (Quarantine) Regulations 1983 (lines 26 to 34 on page 257).

To insert, in the item relating to the Health (Retention of Health Information) Regulations 1996, after the word “a” in regulation 4(h) (line 4 on page 258), the words “medical practitioner or a”.

To omit, from the item relating to the Hospitals Regulations 1993, the definition of “**medical practitioner**” proposed to be inserted in regulation 2(1) (lines 9 to 13 on page 258).

To omit the items relating to the Injury Prevention, Rehabilitation, and Compensation (Public Health Acute Services) Regulations 2002 and the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Regulations 2002 (line 4 on page 259 to line 8 on page 260).

To omit, from the item relating to the Intellectually Handicapped Persons Homes Regulations 1955, the definition of “**medical practitioner**” proposed to be inserted in regulation 2 (lines 13 to 17 on page 260).

To omit, from the item relating to the Intellectually Handicapped Persons Homes Regulations 1955, the words “and (5) and 10(3) and (4)” (line 30 on page 260), and substitute the words “(b) and (c) and (5)”.

To omit, from the item relating to the Land Transport (Driver Licensing) Rule 1999, the definition of “**medical practitioner**” proposed to be inserted in regulation 2(1) (lines 3 to 7 on page 261).

To insert, in the item relating to the Land Transport (Driver Licensing) Rule 1999, after the word “a” where it first occurs in the definition of “**registered health professional**” proposed to be inserted in regulation 2(1) (line 18 on page 261), the words “medical practitioner or a”.

To omit, from the item relating to the Land Transport (Driver Licensing) Rule 1999, the words “**registered medical practitioner,**” from the list of definitions proposed to be revoked in regulation 2(1) (line 23 on page 261).

To add, in the item relating to the Land Transport (Driver Licensing) Rule 1999, to the entry relating to the amendment to regulations 38(1)(b), 41(1), 56(1)(d), 77(2), and 82(1)(d), (line 27 on page 261), the words “before the words ‘optometrist’ or ‘occupational therapist’”.

To omit, from the item relating to the Lead Process Regulations 1950, the definition of “**medical practitioner**” proposed to be inserted in regulation 2 (lines 30 to 34 on page 261).

To omit, from the item relating to the Lead Process Regulations 1950, the words “and (2)” (line 1 on page 262).

To omit the item relating to the Meat Regulations 1969 (lines 2 to 9 on page 262).

To omit, from the item relating to the Misuse of Drugs Regulations 1977, the definition of “**medical practitioner**” proposed to be inserted in regulation 2(1) (lines 20 to 24 on page 263).

To omit, from the item relating to the Obstetrics Regulations 1986, the definition of “**medical practitioner**” proposed to be inserted in regulation 2(1) (lines 21 to 25 on page 264).

To omit the item relating to the Old People's Homes Regulations 1987 (lines 24 to 30 on page 265).

To omit, from the item relating to the Penal Institutions Regulations 2000, the words "**medical practitioner**," from the list of definitions proposed to be revoked in regulation 3 (lines 32 to 33 on page 265).

To add, in the item relating to the Penal Institutions Regulations 2000, to the definition of "**health practitioner**" proposed to be inserted in regulation 3 (line 11 on page 266), the following word and paragraph:

; and

"(c) includes, for the purposes of these regulations, a medical practitioner" .

To omit, from the item relating to the Penal Institutions Regulations 2000, the definition of "**medical practitioner**" proposed to be inserted in regulation 3 (lines 18 to 22 on page 266).

To omit the items relating to the Traffic Regulations 1976 and the Venereal Diseases Regulations 1982 (lines 4 to 26 on page 267).

Schedule 7

To omit, from the item relating to the Health and Disability Services (Safety) Act 2001, the words "the Medical Practitioners Act 1995," (line 27 on page 268).

To omit the item relating to the Injury Prevention, Rehabilitation, and Compensation Act 2001 (lines 11 to 14 on page 269).

To omit the item relating to the Medical Practitioners Act 1995 (line 16 on page 269).

To omit, from the item relating to the Public Bodies Contracts Act 1959, the words "the Medical Council of New Zealand," (lines 29 to 30 on page 269).

Schedule 8

To omit the items relating to the Medical Practitioners Act Commencement Order 1996 and the Medical Practitioners (Vocational Registration) Order 1999 (lines 27 to 30 on page 271).

Explanatory note

This Supplementary Order Paper makes amendments to the Health Practitioners Competence Assurance Bill required to exclude medical practitioners from coverage under the legislation at this time.

The new legislation no longer builds on the existing Medical Practitioners Act 1995 to provide better regulation of all the professions in the health area. It contains provisions that will alter significantly the way in which the medical profession is presently regulated and its ability to manage its own profession. Medical practitioners have strong concerns with a number of aspects of the proposed legislation, and do not wish it to be extended to them in its present form. The new legislation threatens to create disruption and uncertainty that will be harmful to patient safety and the public interest in this important area. It is essential that the opposition of medical practitioners to legislative change that directly affects their profession should be minimised as far as possible.

They already have relatively new regulatory legislation in the form of the 1995 Act (which replaced an Act that had lasted for 27 years, the Medical Practitioners Act 1968). A new regime should not be imposed on them at this time, but the possibility kept open of extending it to them under provisions to that effect that are contained in the legislation. This would allow more time to work carefully on amendments that will be necessary to create a regime that medical practitioners are comfortable with and can support.

A number of amendments are made to the Bill, and especially to provisions and schedules concerning consequential changes to other legislation, to retain the status quo in terms of the regulatory system governing medical practitioners at this time. The amendments ensure that medical practitioners will not be one of the health professions, and the Medical Council of New Zealand will not be one of the authorities, to which the new legislation will apply. They also ensure that other legislation will continue to apply to the medical profession, whether that is achieved under existing legislation through separate provision for medical practitioners or by amalgamating them with other health practitioners in appropriate cases.
