



**Te Kaunihera
Rata o
Aotearoa**

Medical
Council of
New Zealand

Policy – Registration in New Zealand

Policy Statement

Te Kaunihera Rata o Aotearoa Medical Council of New Zealand (Council) may consider applications for registration within a scope of practice, to practise medicine in New Zealand if the doctor:

- meets fitness for registration requirements as set out in section 16 of the Health Practitioners Competence Assurance Act 2003 (HPCAA), and
- holds a prescribed qualification for the scope of practice as set by the Council under section 12 of the HPCAA, and
- is competent to practise within the specified scope of practice.

The Council has established policy requirements for each element to inform its decision-making on applications, enabling it to give effect to the provisions of the HPCAA.

Registration requirements and procedure

1. To be considered for registration, applicants must apply on the correct form, provide the required documentation and pay an application fee. Incomplete applications cannot be considered. The Council will consider a duly completed application for registration as soon as reasonably practicable after receiving it.
2. All applicants are required to ensure the Council receives accurate and relevant information (both within the application form and by way of supporting information) to enable Council to consider the application. The Council has authority to cancel the registration of any applicant who obtains registration by making a false or misleading representation (whether oral or written) or who is found not to have been entitled to be registered.

Application not considered where monies owing

3. If any fines, costs or expenses that the applicant has been ordered by the Health Practitioners Disciplinary Tribunal to pay remain unpaid, the Registrar may decline to take any action, or to permit any action to be taken, on the application for registration until the fine, costs or expenses are paid. The applicant may request the Council to review any such decision to decline to act on the application.

Core elements for applications

4. An application for registration will be considered taking account of all three prerequisites:
 - a. holding a qualification for the scope of practice prescribed by the Council under

- section 12 of the HPCAA (a 'prescribed qualification'); and
- b. meeting fitness for registration requirements as set out in section 16 of the HPCAA; and
- c. evidence of competence to practise within the specified scope of practice.

Holding a prescribed qualification

5. The HPCAA requires the Council to prescribe the qualification or qualifications for every scope of practice that the Council has determined. The prescribed qualification(s) for each scope of practice are published on the Council's website.
6. An applicant who applies for registration in a scope of practice or for a change to the scope of practice within which he or she is registered must hold a relevant prescribed qualification for that scope. If an applicant applies who does not hold a prescribed qualification, the Registrar will inform the applicant that he or she proposes to decline the application. The applicant will be given an opportunity to be heard by, and make submissions to, Council in respect of the proposed decision.
7. The Council may decline to register any applicant who does not have the qualification(s) prescribed by Council for that scope of practice. Without limiting that authority, Council may, alternatively:
 - a. Treat an overseas qualification as a prescribed qualification if, in Council's opinion that qualification is either equivalent to or as satisfactory as a prescribed qualification.
 - b. Vary a prescribed qualification where the Council proposes to limit the health services that the applicant is permitted to perform and is satisfied that the varied qualification is adequate for the performance of those health services and for the protection of the public.

Fitness for registration

8. An applicant for registration must satisfy the requirements set out in section 16 of the HPCAA. That is, the applicant may not be registered if:
 - a. *He or she does not satisfy the Council that he or she is able to communicate effectively within the scope of practice in which he or she is applying to be registered; or that his or her ability to communicate in and comprehend English is sufficient to protect the health and safety of the public:*

To satisfy this requirement, the applicant must meet one of the options set out in Council's *Policy on English language requirements*.

In addition to this, the Council or Registrar may, before registration is granted, or before authorising a change to an applicant's existing scope of practice, require the applicant to take and pass an examination or assessment set or recognised by the Council or Registrar, to satisfy Council that the applicant's ability to communicate in and comprehend English is sufficient to protect the health and safety of the public. Such a requirement is part of the process of considering the application and cannot be taken as a proposal to decline the application.

- b. *The Council considers that the applicant is unable to practise medicine in the scope applied for because of a mental or physical condition:*

Applicants are required to make a formal declaration (and disclose relevant information) in relation to their mental and physical health. Applications for registration that contain disclosures relevant to Council's decision-making are referred to the Council's Health Committee.

The Health Committee has delegated authority from Council to advise the Registrar to propose to decline the application or to propose conditions on the scope of practice of the applicant. In that case, the Registrar will inform the applicant of the proposed decision. The applicant will then have an opportunity to be heard by, and make submissions to, Council in respect of the proposed decision.

- c. *He or she:*

- i. *has been convicted by any court in New Zealand or elsewhere of any offence punishable by imprisonment for a term of three months or longer, and he or she does not satisfy the Council that the offence does not reflect adversely on his or her fitness to practise; or*
- ii. *is under investigation in respect of any matter that may be the subject of professional disciplinary proceedings in New Zealand or in another country, and the Council believes that those proceedings reflect adversely on his or her fitness to practise medicine; or*
- iii. *is subject to an order of a professional disciplinary tribunal (whether in New Zealand or in another country) or to an order of an educational institution accredited by the Council, or to an order of an authority or of a similar body in another country; and does not satisfy the Council that that order does not reflect adversely on his or her fitness to practise medicine:*

Applicants are required to make a formal declaration (and disclose relevant information) in relation to any such circumstances. Applicants must also disclose police or other investigations whether or not they have resulted in formal court proceedings or have been resolved out of court. Applications for registration that contain disclosures relevant to Council's decision-making are considered by Council's Registrar.

The Registrar has delegated authority from Council to determine if the application can proceed. If the Registrar declines to accept the application, the Registrar will inform the applicant that he or she proposes to decline the application. The applicant will be given an opportunity to be heard by, and make submissions to, Council in respect of the proposed decision.

- d. *The Council has reason to believe that the applicant may endanger the health or safety of members of the public.*

The Registrar has delegated authority from Council to determine if the application can proceed. If the Registrar declines to accept the application on the basis that he or she has reason to believe that the applicant may endanger the health or safety of members of the public, the Registrar will inform the applicant that he or she proposes to decline the application. The applicant will be given an opportunity to be heard by, and make

submissions to, Council in respect of the proposed decision.

Competence in scope of practice

9. An applicant must provide any information Council requests as part of their application, relating to the applicant's competence to practice. This includes certificates of good standing/certificate of professional status, CVs, and referee reports.
10. The Council or Registrar may, before registration is granted, or before authorising a change to an applicant's existing scope of practice, require an applicant to take and pass an examination of assessment set or recognised by the Council or Registrar, to satisfy that the applicant is competent to practise in the desired scope of practise. Such a requirement is part of the process of considering the application and cannot be taken as a proposal to decline the application.

Registration may be granted subject to conditions

11. Council's primary consideration is to protect the health and safety of members of the public by ensuring that doctors are competent and fit to practise medicine. In considering an application for registration, the Council must consider whether the applicant is qualified and competent to practise within the requested scope of practice. To ensure this, Council may consider whether conditions may be required on an applicant's registered scope of practice.
12. These conditions may include that the applicant
 - a. practise under supervision or oversight
 - b. not perform certain tasks, or perform those tasks only under certain circumstances
 - c. practise only in a stated capacity, for example as an employee or a nominated person or a person of a stated class
 - d. practise in association with one or more nominated persons or persons of a stated class
 - e. practises only for a specified period
 - f. attain one or more further stated qualifications or further experience of a stated kind
 - g. practise under any other condition that the Council believes on reasonable grounds to be necessary to protect the safety of the public.
13. If the Council considers registration may only be granted subject to conditions, it will inform the applicant of its proposed decision. The applicant will be given an opportunity to be heard by and make submissions to Council in respect of the proposed decision.
14. Registration to work within the provisional general or provisional vocational scopes of practice will only be granted to a doctor who is able to provide details of where they intend to practise medicine in New Zealand. That is required to enable the place of employment and the supervisor to be approved by Council.
15. The doctor must attend a registration interview with a Council employee or approved agent and show evidence of a confirmed job offer. The only exception to this requirement is a New Zealand graduate who is registered immediately after completing their medical degree course.

16. A newly registered doctor must also be issued with a practising certificate before he or she may commence practising medicine in New Zealand.

Version control

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