

LEGISLATIVE COUNCIL BRIEF

NURSES REGISTRATION ORDINANCE (CHAPTER 164)

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2002

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2002

INTRODUCTION

At the meeting of the Executive Council on 26 November 2002, the Council ADVISED and the Chief Executive ORDERED that -

- (a) the Nurses (Registration and Disciplinary Procedure) (Amendment) Regulation 2002, at Annex A; and
- (b) the Enrolled Nurses (Enrolment and Disciplinary Procedure) (Amendment) Regulation 2002, at Annex B,

should be made under section 27(1) of the Nurses Registration Ordinance (Cap. 164) (the Ordinance) to prescribe the fees payable for requests for review of examination results at full cost recovery level.

JUSTIFICATIONS

2. Examinations are conducted by the Nursing Council of Hong Kong (the Council) in accordance with sections 8 and 14 of the Ordinance for the registration and enrolment of nurses. With the commencement of the Medical and Health Care (Miscellaneous Amendments) Ordinance 2002 on 12 July 2002, sections 8A and 14A were added to the Ordinance to provide for the procedures for review of examination results. Specifically, sections 8A(3) and 14A(3) of the Ordinance provide that the Council shall review the relevant examination result on receipt of a request accompanied by a prescribed fee. It is therefore necessary to prescribe the fees payable for requests for review of examination results.

THE REGULATIONS

3. The regulations prescribe the fees payable for requests for review of results of examinations conducted by the Council for the registration and enrolment of nurses. In line with Government policy that fees and charges should in general be set at levels sufficient to recover the full cost of providing the services, the proposed fees payable for requests for review of examination results are set at full cost recovery level i.e. \$425 per application.

LEGISLATIVE TIMETABLE

4. The legislative timetable is as follows –

Publication in the Gazette	6 December 2002
Tabling at Legislative Council	11 December 2002

IMPLICATIONS OF THE PROPOSAL

5. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance and has no civil service, economic, productivity, environmental and sustainability implications. The proposal will generate an estimated annual revenue of \$2,550.

PUBLIC CONSULTATION

6. The Council has been consulted and agreed to the proposed fees. Consultation with the general public is not considered necessary, as they are not likely to be affected by the proposal.

PUBLICITY

7. A press release will be issued on 6 December 2002 when the regulations are gazetted. A spokesman will be available to answer media and public enquiries.

OTHERS

8. For any enquiries on this brief, please contact Miss Noel TSANG, Assistant Secretary for Health, Welfare and Food at 2973 8118.

Health, Welfare and Food Bureau
4 December 2002

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE)
(AMENDMENT) REGULATION 2002

(Made by the Chief Executive in Council under section
27(1) of the Nurses Registration
Ordinance (Cap. 164))

1. Commencement

This Regulation shall come into operation on 14 February 2003.

2. Regulation added

The Nurses (Registration and Disciplinary Procedure) Regulations
(Cap. 164 sub. leg.) are amended by adding before Part IV -

"14A. Fees for requests for review
of results of examinations

The fee specified in item 4A of the Second Schedule shall
be the prescribed fee for the purpose of section 8A(3) of the
Ordinance."

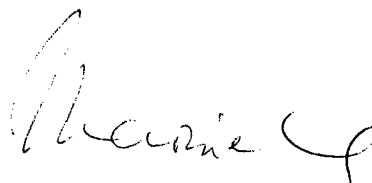
3. Fees

The Second Schedule is amended -

(a) within the square brackets, by repealing "& 14" and
substituting ", 14 & 14A";

(b) by adding -

"4A. For request for review of
result of examination 425".



Clerk to the Executive Council

COUNCIL CHAMBER

26 November 2002

Explanatory Note

This Regulation prescribes the fees payable for requests for review of results of examinations under section 8 of the Nurses Registration Ordinance (Cap. 164) in respect of registered nurses.

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY PROCEDURE)
(AMENDMENT) REGULATION 2002

(Made by the Chief Executive in Council under section 27(1)
of the Nurses Registration Ordinance (Cap. 164))

1. Commencement

This Regulation shall come into operation on 14 February 2003.

2. Regulation added

The Enrolled Nurses (Enrolment and Disciplinary Procedure)
Regulations (Cap. 164 sub. leg.) are amended by adding before Part
IV -

"14A. Fees for requests for review of
results of examinations

The fee specified in item 4A of the Second Schedule shall
be the prescribed fee for the purpose of section 14A(3) of the
Ordinance."

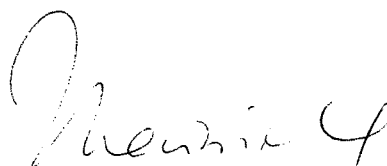
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(a) within the square brackets, by repealing "& 14" and
substituting ", 14 & 14A";

(b) by adding -

"4A. For request for review of result of
examination 425".



Clerk to the Executive Council

COUNCIL CHAMBER

26 November 2002

Explanatory Note

This Regulation prescribes the fees payable for requests for review of results of examinations under section 14 of the Nurses Registration Ordinance (Cap. 164) in respect of enrolled nurses.