

LEGISLATIVE COUNCIL BRIEF

NURSES REGISTRATION ORDINANCE (CHAPTER 164)

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2004

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2004

INTRODUCTION

On 7 January 2004, the Nursing Council of Hong Kong (the Council), in exercise of the power under section 27(3) of the Nurses Registration Ordinance (Cap. 164) (the Ordinance) and with the approval of the Secretary for Health, Welfare and Food, made the following regulations -

- (a) the Nurses (Registration and Disciplinary Procedure) (Amendment) Regulation 2004, at Annex A; and
- (b) the Enrolled Nurses (Enrolment and Disciplinary Procedure) (Amendment) Regulation 2004, at Annex B.

JUSTIFICATIONS

2. Regulation 13(3) of the Nurses (Registration and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. A) and the Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations (Cap. 164 sub. leg. B) stipulates that any person who has, on two occasions, failed to pass a required examination shall not be entitled to enter again for that examination unless he has undergone a period of additional training and instruction being not less than six months at a training school approved by the Council for that branch of nursing in which he has applied to be examined.

3. In line with the current international trend in pre-registration nursing education, it is our policy to upgrade basic nursing education to degree level in order to enhance the quality of health care services. With the decrease in the number of local training schools offering sub-degree programmes, it is increasingly difficult for applicants who have failed to pass an examination on

two occasions, especially those who are trained outside Hong Kong, to meet the aforesaid requirement of undergoing additional training and instruction of not less than six months before being allowed to enter the examination again. The existing licensing examination will continue to provide effective screening, and the proposed regulations therefore should not compromise the standard of nurses. Besides, sections 8(2) and 14(2) of the Ordinance already empower the Council to require applicants for registration or enrolment to prove his competence in nursing by undergoing specified training even after they have passed a required examination, the Council considered it appropriate to remove the training requirement prescribed in regulation 13(3) of Cap. 164 sub. leg. A and B.

THE REGULATIONS

4. The regulations repeal regulation 13(3) of Cap. 164 sub. leg. A and B so that applicants for registration or enrolment who have failed to pass an examination on two occasions will not be required to undergo additional training and instruction of not less than six months at an approved training school before entering again for that examination.

LEGISLATIVE TIMETABLE

5. The legislative timetable is as follows –

Publication in the Gazette	30 January 2004
Tabling at Legislative Council	4 February 2004

IMPLICATIONS OF THE REGULATIONS

6. The regulations are in conformity with the Basic Law, including the provisions concerning human rights. They will not affect the current binding effect of the Ordinance and have no financial and civil service, economic, productivity, environmental and sustainability implications.

PUBLIC CONSULTATION

7. Public consultation is not considered necessary as the regulations affect only applicants for registration or enrolment with the Council who have failed to pass an examination on two occasions, the number of which is very small.

PUBLICITY

8. A press release will be issued on 30 January 2004 when the regulations are gazetted. A spokesman of the Council will be available to answer media and public enquiries.

OTHERS

9. 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
28 January 2004