

LEGISLATIVE COUNCIL BRIEF

Nurses Registration Ordinance (Chapter 164)

Nurses (Registration and Disciplinary Procedure) (Amendment) Regulation 1999

Enrolled Nurses (Enrolment and Disciplinary Procedure) (Amendment) Regulation 1999

INTRODUCTION

On 3 May 1999, the Nursing Council of Hong Kong, in exercise of the power under section 27(3) of the Nurses Registration Ordinance (Cap. 164), made the following Amendment Regulations (at Annex) :

- (a) Nurses (Registration and Disciplinary Procedure) (Amendment) Regulation 1999; and
- (b) Enrolled Nurses (Enrolment and Disciplinary Procedure) (Amendment) Regulation 1999

2. The Secretary for Health and Welfare approved these Amendment Regulations in accordance with the aforesaid section on the same day.

BACKGROUND AND ARGUMENT

3. The Nurses Registration (Amendment) Ordinance 1997 (“Amendment Ordinance”) provides for, inter-alia, expansion of the composition of the Nursing Board and renaming the latter as the Nursing Council. Provisions in the Amendment Ordinance to this effect became effective on 3 May 1999. As a result, the Nursing Council has replaced the Nursing Board on the same day.

4. At present, there are two sets of regulations under the Nurses Registration Ordinance, namely, the Nurses (Registration and Disciplinary Procedure) Regulations and the Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations. The references to “Nursing Board” in these two

regulations should be changed to “Nursing Council” to enable the Nursing Council to take over the duties and powers of the Nursing Board under these two regulations.

5. The two Amendment Regulations shall become effective on 7 May 1999 when they are published in the Gazette. This is to minimize the time during which neither the Nursing Board nor the Nursing Council may exercise the powers and discharge the duties conferred by the two existing regulations.

THE REGULATIONS

6. Each of the two Amendment Regulations provides for replacing the references to “Board” (printed in different styles) with references to “Council” and the references to “委員” with references to “成員” in the respective regulations.

PUBLIC CONSULTATION

7. As the Amendment Regulations are consequential to the commencement of the relevant parts of the Amendment Ordinance, public consultation is not necessary.

BASIC LAW IMPLICATIONS

8. The Department of Justice has advised that the Amendment Regulations are consistent with the Basic Law.

HUMAN RIGHTS IMPLICATIONS

9. The Department of Justice has advised that the Amendment Regulations have no human rights implications.

BINDING EFFECT OF THE LEGISLATION

10. The Amendment Regulations will not affect the current binding effect of the existing provisions.

FINANCIAL AND STAFFING IMPLICATIONS

11. There are no financial or staffing implications.

PUBLICITY

12. The Nursing Council has issued a press release to announce the establishment of the Nursing Council and the details of the two Amendment Regulations.

ENQUIRY

13. For any enquiry, please contact :

Mr Fletch CHAN
Assistant Secretary for Health and Welfare
Health and Welfare Bureau

Telephone: 2973 8118

Health and Welfare Bureau
7 May 1999

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Annexes

- Annex A Nurses (Registration and Disciplinary Procedure) (Amendment)
Regulation 1999
- Annex B Enrolled Nurses (Enrolment and Disciplinary Procedure)
(Amendment) Regulation 1999