

Map 6 - Application for Registration or Enrolment under Mutual Recognition

KEY:

- Entries in black in the Maps are general commentary & contain questions & statements that require checking as to their veracity or information to be provided by Board
- Entries in blue are where there is specific reference to the issues in the statute or subordinate legislation
- Entries in violet are where there is legislation that has been assented to but has not commenced at the time of writing
- Entries in green indicate where the statute & other regulatory instruments may be silent but the regulatory authority has a policy regarding the issue
- Entries in red indicate information provided during interview with the various nursing & midwifery regulatory authorities, nursing & midwifery leaders & chief nursing officers in each state & territory.
- ✓ **Feed back has been received from jurisdiction**

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	ACT	NSW	NT	QLD	SA	TAS	VIC	WA
Health Professional Regulatory Regime Specific to Nursing & Midwifery	<p><i>* Health Professionals Act 2004</i></p> <p><i>Health Professionals Regulation 2004</i></p> <p><i>Health Act 1993</i></p>	<p><i>* Nurses and Midwives Act 1991</i></p> <p><i>Health Care Complaints Act 1993</i></p> <p><i>Nurses and Midwives Regulation 2003</i></p> <p><i>Nurses and Midwives Amendment (Performance Assessment) Act 2004</i></p>	<p><i>* Health Practitioners Act 2004</i></p>	<p><i>* Nursing Act 1992</i></p> <p><i>Health Practitioner Registration Boards (Administration) Act 1999</i></p> <p><i>Health Practitioners (Professional Standards) Regulation 2000</i></p> <p><i>Nursing Regulation 2005</i></p>	<p><i>* Nurses Act 1999</i></p> <p><i>Nurses Regulations 1999</i></p> <p><i>Nurses (Electoral) Regulations 1999</i></p>	<p><i>* Nursing Act 1995</i></p> <p><i>Nursing (Fees) Regulations 1998</i></p>	<p><i>* Nurses Act 1993</i></p> <p><i>Nurses Regulations 2004</i></p> <p><i>Health Professions Registration Act 2005 (HPRAct) (uncommenced)</i></p>	<p><i>* Nurses Act 1992</i></p> <p><i>Nurses Rules 1993</i></p> <p><i>Nurses Code of Practice 2000</i></p> <p><i>Nurse Practitioners Code of Practice 2004</i></p> <p><i>Nurses & Midwives Bill 2005</i></p>

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
6.1	Registration or enrolment in jurisdiction required to practice	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6.2	Legislation in jurisdiction†	<i>Mutual Recognition (Australian Capital Territory) Act 1992 & Trans-Tasman Mutual Recognition Act 1997 (ACT)</i>	<i>Mutual Recognition (New South Wales) Act 1992 & Trans-Tasman Mutual Recognition (New South Wales) Act 1997</i>	<i>Mutual Recognition (Northern Territory) Act 1992 & Trans-Tasman Mutual Recognition Act 1998 (NT)</i>	<i>Mutual Recognition (Queensland) Act 1992 & Trans-Tasman Mutual Recognition (Queensland) Act 2003</i>	<i>Mutual Recognition (South Australia) Act 1993 & Trans-Tasman Mutual Recognition (South Australia) Act 1999</i>	<i>Mutual Recognition (Tasmania) Act 1993 & Trans-Tasman Mutual Recognition (Tasmania) Act 2003</i>	<i>Mutual Recognition (Victoria) Act 1998 & Trans-Tasman Mutual Recognition (Victoria) Act 1998</i>	<i>Mutual Recognition (Western Australia) Act 2001</i>
6.3	Mutual recognition - within Australia & between Australian & NZ	<p>A person is also suiMap to practice in nursing &/or midwifery if they are unconditionally registered in another jurisdiction & are entitled to be registered in the ACT under the <i>Mutual Recognition Act 1992</i> or the <i>Trans-Tasman Mutual Recognition Act 1997</i> – Cl 114</p> <p>There needs to be more adherence to MR across the jurisdictions as it appears there is not consistent application across Australia.</p>	<p>A person who has a current authority to practise as a nurse or midwife in another State or Territory is eligible to be registered and to carry on that equivalent occupation in NSW.</p> <p>The <i>Trans Tasman Mutual Recognition Act 1997</i> enables nurses or midwives who are registered or enrolled in New Zealand to have the choice of applying for registration or enrolment in NSW under the mutual recognition provisions or under the <i>Nurses and Midwives Act 1991</i> [1].</p>	<p>Health Professionals Act silent. Only available information is on the 2 application for registration forms [2, 3].</p>	<p>Applicants who possess a current practising certificate as a registered or enrolled nurse, or authorisation to practise as a midwife, with another registering authority within Australia or NZ will be granted substantive registration under the provisions of the <i>Mutual Recognition Act 1992</i> or the <i>Trans-Tasman Mutual Recognition Act 2003</i>.</p> <p>All applicants will be checked against Council's Disciplinary Action List.</p> <p>Upon approval, applicants will be issued with an Annual Licence Certificate. The Act does not make provision for the issuing of a Certificate of Registration or Enrolment or a badge.</p>	<p>Nurses who successfully apply under the <i>Mutual Recognition (SA) Act 1993</i> are granted deemed registration or enrolment which enables the nurse to commence employment while details of current registration or enrolment are verified interstate [5].</p> <p>Nurses currently registered or enrolled in New Zealand may apply for registration or enrolment under the <i>Trans-Tasman Mutual Recognition (SA) Act 1999</i>. The requirements are the same as those under the <i>Mutual Recognition (SA) Act 1993</i> [6].</p>	<p>Under the provisions of the <i>Mutual Recognition Act, 1992</i> a person who has a current authority to practise in one State/Territory in an occupation recognised as equivalent to an occupation in another State/Territory, is eligible to be registered and to carry on that equivalent occupation in that second State or Territory.</p> <p>Applicants will receive a certificate of 'deemed registration' indicating the duration of and any conditions that apply to their practice.</p> <p>Deemed registration continues until substantive registration</p>	<p>The <i>Mutual Recognition Act 2001</i> provides for the Mutual Recognition of regulatory standards related to goods & occupations such as nursing within each State & Territory of Australia. A person who is registered as a nurse in one State/Territory is eligible to register & carry on the equivalent occupation in a second State/Territory. This entitlement is subject to certain conditions, including lodgement of a written notice/application [Statutory Declaration] & the nurse having a current authority to practise in another State/Territory [9].</p> <p>NOTE: there are no provisions for mutual recognition of nurses or</p>	

* Either under the *Mutual Recognition Act 1992* (Cwth) or the *Trans-Tasman Mutual Recognition Act 1997* (Cwth).

† Registration is granted under the *Mutual Recognition Act 1992 (Commonwealth) & Trans Tasman Mutual Recognition Act 1997 (Commonwealth)*. The state legislation enables the Commonwealth legislation to have effect, but it is the Commonwealth legislation under which registration is granted.

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					Note: Persons seeking endorsement to practise as a mental health nurse must make application under the <i>Nursing Act 1992</i> . [4].		is granted or, until it is cancelled or refused by the relevant Board. Deemed registration automatically leads to substantive registration within one month of the grant of deemed registration if a written notice to the contrary has not been issued within this month by the local registration authority [7].		midwives from NZ. The WA Government has not enacted a <i>Trans Tasman Mutual Recognition Act</i> , therefore nurses & midwives applying from NZ are required to apply under the <i>Nurses Act 1992</i> . This causes frustration for those applicants.
6.4	Requirements for registration under the <i>Mutual Recognition Act 1992</i> (Cwth) – s19 & the <i>Trans-Tasman Mutual Recognition Act 1997</i> (Cwth) – s18								
6.4.1	Lodgement of a written notice (application) with the Board seeking registration or enrolment as a nurse &/or a midwife in accordance with the mutual recognition principle	Specific application form for registration under <i>Mutual Recognition Act 1992</i> or <i>Trans Tasman Mutual Recognition Act 1997</i> [10, 11] Ss18(1) <i>Trans- Tasman Mutual Recognition Act 1997</i> & 19(1) <i>Mutual Recognition Act 1992</i>	Specific application form for registration under <i>Mutual Recognition Act 1992</i> or <i>Trans Tasman Mutual Recognition Act 1997</i> [12]. The legislation states that an application must comply with the requirements of s 19 of the <i>Mutual Recognition Act</i> or s 18 of the <i>Trans Tasman Mutual Recognition Act</i> . A form cannot be required. The Board provides a form to assist applicants to comply with the relevant legislation but the form is not required.	Specific application forms for: <ul style="list-style-type: none"> registration/ enrolment under <i>Mutual Recognition Act 1992</i> or <i>Trans Tasman Mutual Recognition Act 1997</i> [3] registration as a direct entry midwife under <i>Mutual Recognition Act 1992</i> or <i>Trans Tasman Mutual Recognition Act 1997</i> [2]. 	Specific application forms for: <ul style="list-style-type: none"> registration/ enrolment or authority to practise as a midwife under <i>Mutual Recognition Act 1992</i> or <i>Trans Tasman Mutual Recognition Act 2003</i> [13] NP Endorsement <i>Mutual Recognition Act 1992</i> [14]. 	Specific application for registration under <i>Mutual Recognition Act 1993</i> or <i>Trans Tasman Mutual Recognition Act 1999</i> [15]. NPs must complete both the specific application under MR as well as the NP application [16].	In Tasmania the written notice (application form) must be in accordance with Section 19(2) of the <i>Mutual Recognition Act 1992</i> . Application forms for registration in Tasmania are available from appropriate registration authorities [7].	Specific application form for registration under <i>Mutual Recognition Act 1998</i> or <i>Trans Tasman Mutual Recognition Act 1998</i> [17].	Specific application form for registration under <i>Mutual Recognition(WA) Act 2001</i> [18].

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6.4.2	State the specific area of nursing &/or midwifery that the person is registered or enrolled for in: the first State & specify that State; or NZ	Yes [10, 11] <i>Ss18(2)(a) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(a) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Yes [15]	Yes [19]	Yes [17]	Yes [18]
6.4.3	State the area of nursing &/or midwifery that for which registration is sought	Yes [10, 11] <i>Ss18(2)(b) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(b) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Yes [15]	Yes [19]	Yes [17]	Information not specifically requested
6.4.4	Specify all the participating jurisdictions in which the person has substantive registration for equivalent occupations	Yes [10, 11] <i>Ss18(2)(c) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(c) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Yes [15]	Yes [19]	Yes [17]	Yes [18]
6.4.5	State that the person is not the subject of disciplinary proceedings in any participating jurisdiction (including any preliminary investigations or action that might lead to disciplinary proceedings) in relation to nursing	Information not specifically requested <i>Ss18(2)(d) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(d) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14] Not asked of NP applicants. NOTE: Applications for endorsement must be made under the Nursing Act (except if a midwife or NP) [13].	Yes [15]	Yes [19]	Yes [17]	Yes [18]

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	&/or midwifery								
6.4.6	State that the person's registration in any participating jurisdiction is not cancelled or currently suspended as a result of disciplinary action	Yes [10, 11] <i>Ss18(2)(e) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(e) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes – has never been cancelled, restricted, limited, suspended or made subject to conditions, or given an undertaking to a RA [13, 14] Not asked of NP applicants.	Yes [15]	Yes [19]	Yes [17]	Yes [18]
6.4.7	State that the person is not otherwise personally prohibited from carrying on nursing & or midwifery in any participating jurisdiction, & is not subject to any special conditions in carrying on that occupation, as a result of criminal, civil or disciplinary proceedings in any State	Yes [10, 11] <i>Ss18(2)(f) Trans-Tasman Mutual Recognition Act 1997 And 19(2)(f) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Only asks if any special conditions have been placed upon the person carrying out the occupation for which registration/ enrolment is sought [15].	Yes [19]	Yes [17]	Yes [18]
6.4.8	Specify any special conditions to which the person is subject in carrying on any such occupation in any participating jurisdiction	Information not specifically requested <i>Ss18(2)(g) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(g) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Yes [15]	Yes [19]	Yes [17]	Yes [18]

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6.4.9	Give consent to the making of inquiries of, & the exchange of information with, the authorities of any participating jurisdiction regarding the person's activities in nursing &/or midwifery or occupations or otherwise regarding matters relevant to the notice.	Yes [10, 11] <i>Ss18(2)(h) Trans-Tasman Mutual Recognition Act 1997 & 19(2)(h) Mutual Recognition Act 1992</i>	Yes [12]	Yes [2, 3]	Yes [13, 14]	Yes [15]	Yes [19]	Yes [17]	Yes [18]
6.4.10	The notice must be accompanied by a document that is either the original or a copy of the instrument evidencing the person's existing registration (or, if there is no such instrument, by sufficient information to identify the person and the person's registration).	Certified copy of registration as a nurse, midwife or nurse practitioner [10, 11] <i>Ss18(3) Trans-Tasman Mutual Recognition Act 1997 & 19(3) Mutual Recognition Act 1992</i>	Original or certified copy of current practising certificate evidencing registration or enrolment [12].	Original or certified copy of current Annual Practising Certificate/ Entitlement to Practice [2] or evidence of current registration or enrolment in Australia or NZ [3].	Copy of current annual practising certificate issued by the RA in another Australian state, territory or NZ [13]. Certified copy not requested for application forms for registration/ enrolment or authority to practise as a midwife. Certified copy of current practising certificate that shows current authorisation as a NP - not required under MR [14].	The original or a complete & accurate copy of current Annual Practising Certificate from the State, territory or NZ [20].	Original or certified copy of current authority to practise as an RN and/or midwife [19].	Original or certified copy of current authority to practise as an RN &/or midwife [17].	Original or certified copy of current Licence to Practice from an Australian RA [18].
6.4.11	The instrument evidencing the person's existing registration, the	Statutory Declaration made under the <i>Statutory Declarations Act 1959</i> (ACT) [10, 11] <i>Ss18(4) Trans-Tasman</i>	Statutory Declaration made under the relevant legislation of the jurisdiction in which the declaration is made [12].	Commonwealth of Australia Statutory Declaration made under the <i>Statutory Declarations Act 1959</i> (Cwth) [2, 3].	Statutory Declaration made under the <i>Oaths Act 1867</i> (Qld) [13, 14].	Statutory Declaration made under the <i>Oaths Act 1936</i> (SA) [15].	Statutory Declaration made under the <i>Oaths Act 2001</i> (Cwth) [19].	Statutory Declaration [17] – jurisdictional instrument not specified, therefore it can be made under the relevant legislation of	Statutory Declaration [18] – jurisdictional instrument not specified, therefore it can be made under the relevant legislation of the jurisdiction in which the

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	person must certify in the notice that the accompanying document is the original or a complete and accurate copy of the original.	<i>Mutual Recognition Act 1997 & 19(4) Mutual Recognition Act 1992</i>						the jurisdiction in which the declaration is made. The Act does not specify the jurisdictional instrument; however Statutory Declaration is made in accordance with Evidence Act (Vic) 1958.	declaration is made.
6.5	Effect of mutual recognition	<p>Registration must be granted within one month after the notice is lodged with the local registration authority. When granted, registration takes effect as from the date the notice was lodged – s 21 MRA.</p> <p>The MR Act and TTMR Act requires that registration must be granted within one month after the notice is lodged with the Board. Lodgement means the date on which the application, relevant documentation and the determined fees are received in the office of the Board. Registration commences from the date of lodgement. This is called 'deemed registration' and entitles the person to commence practise from that date - [21, 22].</p>	<p>An applicant is deemed to be registered or enrolled when the relevant notice (in the form of a stat dec accompanied by copy of current practising certificate) is lodged with the Board. [12].</p> <p>The Board issues a certificate of "deemed registration" when the application is initially lodged; the person is then able to practise as a RN, RM or EN, including any conditions that are applied to the applicant's practice [1, 23]</p> <p>"Deemed registration" continues until substantive registration is granted or cancelled or refused [23].</p> <p>A certificate of "substantive registration" is issued when the Board has completed its enquiries, within one month[1], unless the Board has issued a written notice to the contrary within that</p>	<p>Registration must be granted within one month after the notice is lodged with the local registration authority. When granted, registration takes effect as from the date the notice was lodged – s 21 MRA.</p> <p>No information available re Board Policy.</p>	<p>Section 25 of the <i>Mutual Recognition Act 1992</i> provides for an applicant to be granted 'deemed' registration. Applicants under this Act will be granted 'deemed' registration from the date of receipt of the notification until a decision is made to either grant, refuse or postpone substantive registration.</p> <p>Such decision will be made within one month from receipt of the notification.</p> <p>A person who holds 'deemed' registration may practise in the relevant capacity during the period of deemed registration unless a condition has been imposed to the contrary [4].</p>	<p>Nurses who successfully apply under the <i>Mutual Recognition (SA) Act 1993</i> are granted deemed registration or enrolment which enables the nurse to commence employment while details of current registration or enrolment are verified interstate. Deemed registration or enrolment continues until substantive registration or enrolment is granted, or until it is cancelled or refused by the Board. Applicants will be notified of such decisions within one calendar month.</p> <p>Substantive registrants will be issued with an initial registration or enrolment certificate & a certificate of registration or enrolment which provides evidence of registration or enrolment & a licence to practice [5].</p>	<p>A person who lodges a mutual recognition application is, pending the grant or refusal of registration, deemed to be registered from the date of lodgement of the completed application. Deemed registration entitles a person to practice in accordance with the laws of Tasmania as if full (substantive) registration has been granted.</p>	<p>A person who lodges a mutual recognition application is, pending the grant or refusal of registration, deemed to be registered from the date of lodgement of the completed application. Deemed registration entitles a person to practice in accordance with the laws of Victoria as if full (substantive) registration has been granted.</p> <p>A person may only practice within the limits conferred by the person's substantive registration in the first State, & within the limits conferred by the deemed registration in Victoria & subject to any conditions applicable to deemed registration.</p> <p>Deemed registration continues until it is cancelled, or full (substantive) registration is granted or refused by the Board. Deemed registrants must be notified of such</p>	<p>A person who is registered as a nurse in one State/Territory is eligible to register & carry on the equivalent occupation in a second State/Territory. This entitlement is subject to certain conditions, including lodgement of a written notice/application [Statutory Declaration] & the nurse having a current authority to practise in another State/Territory.</p> <p>Deemed Registration will be granted for a period not exceeding 28 days. Any requests for additional documentation/information supporting an application will need to be provided within this period. Failure to do so will result in the application being cancelled [18].</p>

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			month [23]					decisions within one month from the date of lodgement of the completed application form. Deemed registration ceases if the applicant ceases to be substantively registered in every other participating jurisdiction mentioned in the application or the applicant requests cancellation [8].	
6.6	Registration Authority's capacity to inquire further into a person's suitability to practice nursing or midwifery prior to granting full, unconditional registration or enrolment	The consent required in the application form enables the Board to make enquiries of & the exchange of information with the authorities of any State/ Territory/ Country regarding activities in practising as a nurse &/or midwife or otherwise relevant to the application [10, 11]. The Board has less than a month in which to make these inquiries before being obliged to register the applicant within a month, unless there is cause – s 21 MRA.	Board may make enquiries with other registration authorities to verify the information provided by the applicant within the month. Substantive registration may be postponed or refused in cases where eg the applicant has provided false or misleading information [1].	The consent required in the application form enables the Board to make enquiries of & the exchange of information with the authorities of any State/ Territory/ Country regarding activities as a health practitioner [2, 3]. The Board has less than a month in which to make these inquiries before being obliged to register the applicant within a month, unless there is cause – s 21 MRA.	The consent required in the application form enables the Council to make enquiries of & the exchange of information with the authorities of any State/ Territory/ Country regarding practice as a nurse &/or midwife &/or NP, or any other matters relevant to the application [13, 14] The Council has less than a month in which to make these inquiries before being obliged to register the applicant within a month, unless there is cause – s 21 MRA.	A local RA in one State (sic) must, when requested provide information to another State's RA in regard to an application for registration/ enrolment. The local RA as the recipient of this information is subject to any law relating to confidentiality that applies under the law of the State under which the RA is constituted or exercises its functions [20]. The consent required in the application form enables the Board to make enquiries of & the exchange of information with the authorities of any Australian State or Territory or NZ regarding activity in the relevant occupation or otherwise relevant to the application [15].	Within the 1 month period from date of lodgement, the Board will request information from other participating jurisdictions in regard to the application for registration. The Board, as the recipient of this information, is subject to any law relating to secrecy or confidentiality that applies under Tasmanian law. The consent required in the application form enables the Board to exchange in participating jurisdictions regarding practice as a nurse or midwife and any other matters relevant to the application.	Within the 1 month period from date of lodgement, the Board will request information from other participating jurisdictions in regard to the application for registration. The Board, as the recipient of this information, is subject to any law relating to secrecy or confidentiality that applies under Victorian law [8]. The consent required in the application form enables the Board to exchange in participating jurisdictions regarding practice as a nurse or midwife & any other matters relevant to the application [17]	The consent required in the application form enables the Board to make enquiries of & the exchange of information with the authorities of any State or Territory regarding activities in nursing practice or otherwise relevant to this application. The consent required in the application form enables the Board to exchange in participating jurisdictions regarding practice as a nurse or midwife & any other matters relevant to the application [18].
6.7	Evidence of	Evidence of nursing	The application form	The application form	The application form requests:	The application form	The application form	The application form	The application form

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	qualifications	(including medication administration for enrolled nurses), midwifery &/or nurse practitioner qualifications, if registration is required in these areas & the current practising card does not specify that the applicant is authorised to practise in these areas. Original or certified copies of degree, diploma are sought [10, 11]. Schedule 3.10 & 4.8 of Health Practitioner Regulations	requests: a list of qualifications on which original registration or enrolment was granted; the country or state that they were obtained; the educational institution; & the year they were obtained [12]. In regard to application form requesting qualifications: this is not required by the legislation. It is requested from applicants for data collection purposes but an application cannot be refused if this information is not provided.	requests: a list of qualifications; the educational institution; & the year they were completed [2, 3]. No other information or verification is required. This does not form part of the Stat Dec.	a list of qualifications for registration or enrolment. For applicants seeking: <ul style="list-style-type: none"> ▪ registration/ enrolment (??)/ authorisation as a midwife only ▪ Endorsement/authorisation as a midwife ▪ Endorsement as an NP The application form requests details on qualifications; the educational institution; & the year they were commenced & completed [13, 14].	requests: a list of qualifications; the educational institution; & the year they were completed – sworn as part of the Stat Dec [15].	requests: a list of qualifications; pre-registration & postgraduate; the educational institution; country, state or territory in which they were obtained; and the years commenced and completed. Information covered under the oath sworn in the State Dec.	requests: a list of qualifications; pre-registration & postgraduate; the educational institution; country, state or territory in which they were obtained; & the years commenced & completed. Information covered under the oath sworn in the Stat Dec [17].	requests: a list of qualifications; the educational institution location in which they were obtained; the duration of the course & the year completed. Information covered under the oath sworn in the Stat Dec [18].
6.8	Evidence of successful completion of education programs	If possible, a transcript indicating successful completion of all components of the course is sought [10, 11].	Not requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on the achievement of education qualifications. Ss 19 & 20 of the MR Act seem quite clear in this regard.	Not requested on application	Not requested on application	Not requested on application	Not requested on application	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	Not requested on application
6.9	Approval of education programs by Authority required	Not required for MR	The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on the achievement of education qualifications.	Unlikely given the limited information requested & the timeframe for inquiry under the MRA.	Unlikely given the limited information requested & the timeframe for inquiry under the MRA.	Not requested on application	Unlikely given the limited information requested & the timeframe for inquiry under the MRA.	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on	Not required for MR

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								each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	
6.10	Recency of practice	< 5 years self declaration & no minimum period [10, 11]. Schedule 3, 3.8(3) & Schedule 4, 4.6(3)	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating experience in any form.	No information requested on application	< 5 years self declaration <ul style="list-style-type: none"> ▪ Been employed as RN, EN or midwife, or ▪ Been required to use nursing &/or midwifery competence, or ▪ Completed an accredited or approved pre-registration, pre-enrolment, midwifery, mental health nursing or re-entry program & ▪ Practice in past 5 years is relevant to application [13]. The competence declaration of the application form is only required to be completed during the renewal period of 1 April – 30 June.	Evidence of nursing practice in past 5 years ie Statement of Service or official reference on employer letterhead, signed by the appropriate senior officer, & must include: <ul style="list-style-type: none"> ▪ Name ▪ Position held ▪ Dates of employment. If applicant s have not been employed as nurse in past 5 years they are required to demonstrate competence as a nurse. This may require an individual to undertake an approved re-entry program [15].	Competence to Practice Policy [24]. The MR Act overrides Nursing Act if they have current APC in another State.	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	Under mutual recognition, if the applicant is registered in another state or territory, then the Board is required to register them in WA regardless of the recency of practice as is the case with applicants currently registered with NSW who had no five year limit. [18].
6.11	Competency ‡ requirements – in areas in which they practice	Self declaration [10, 11]. Schedule 3, 3.8 & Schedule 4, 4.6	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on the demonstration of competence.	No information requested on application	Self declaration Also required to declare if applicant is continuing to improve their knowledge, skills & judgement to ensure their practice is safe & competent [13].	No information requested on application for registration or enrolment NPs: Applicant identifies the band & area of practice & any other conditions such as prescribing and clinical privileges. The applicant will provide evidence of equivalence of	?	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial	Declaration that the applicant has continued to maintain their knowledge & skills to demonstrate continuing professional competence in their nursing/midwifery practice [18].

‡ **Competence** - “the combination of skills, knowledge, values and abilities that underpin effective &/or superior performance in a profession/occupational area. Continuing professional competence is the ability of nurses (& midwives) to demonstrate that they have maintained their competence in their current area of practice”-The Australian Nursing and Midwifery Council (ANMC).

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
						authorisation & area of practice/band from first state/territory to second state/territory [16].		registration.	
6.12	Adequate written & spoken English to practice nursing	No information requested on application Section 37(1)(b)	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on the demonstration of language skills.	No information requested on application	No information requested on application	No	No information requested on application.	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	No information requested on application
6.13	Mental & physical health requirements	Self declaration [10, 11]. s23(b) & Schedule 3, 3.6 & Schedule 4, 4.5	No information requested on application Information may be available if a condition has been applied by the Health Committee, a PSC or the Tribunal. The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any health requirements.	Self declaration [2, 3].	Self declaration [13]	No information requested on application Form currently under review	Self declaration [19]	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	Self declaration [18].
6.14	Addiction to alcohol, other drug or substance that may affect ability to practice	Self declaration [10, 11]. Clause 142	No information requested on application Information may be available if a condition has been applied by the Health Committee, a PSC or the Tribunal. The legislation provides that eligibility for	No information specifically requested on application	No information specifically requested on application	No information requested on application	Self declaration [19]	Not a requirement under the MR legislation. The purpose of the legislation is to facilitate the freedom of goods and services within Australian & NZ. Therefore it relies on each State having	Self declaration [18].

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
			registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any health requirements.					ensured that the nurses it registers has the appropriate qualifications and competencies for initial registration.	
6.15	Communication skills requirement	No information requested on application	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any communication skills.	No information requested on application	No information requested on application	No information requested on application	No information requested on application	No information requested on application	No information requested on application
6.16	Proof of identity	<ul style="list-style-type: none"> 100 points ID check certified photo evidence of name changes [10, 11]. <p>Schedule 3, 3.10(2), 3.10(1)(c) & Schedule 4, 4.8(1)(b) & 4.8(2)</p>	<p>Basic details on application form, covered by the stat dec [12].</p> <p>The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any documentation of identity other than practicing certificate in previous jurisdiction.</p>	<ul style="list-style-type: none"> Proof of Identity (eg Drivers Licence, Passport, Birth Certificate, Statutory Declaration attesting to the applicants identity or other form of official identification) Evidence of Name Change (eg. Marriage Certificate, Divorce Decree or Deed Poll (if applicable)) [2, 3]. 	Basic details on application form, covered by the stat dec [13]	<ul style="list-style-type: none"> Documentation evidencing identity eg passport, driver's license, birth certificate. Evidence of name change [15]. 	Proof of identity (eg Drivers Licence, Passport, Birth Certificate, Statutory Declaration attesting to the applicant's identity or other form of official identification) Evidence of Name Change (eg Marriage Certificate, Divorce Decree or Deed Poll (if applicable)) [19].	<ul style="list-style-type: none"> Evidence of identity – original or certified copy of full birth certificate or current passport. Evidence of name change [17]. 	<ul style="list-style-type: none"> Original or certified copy of birth certificate of passport Evidence of name change [18].
6.17	Commitment to follow codes of conduct & ethics	Self declaration – ANMC Codes &/or ACMI Codes [10, 11]	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating	No information requested on application	Self declaration – ANMC Codes &/or ACMI Codes [13]	No information requested on application	No information requested on application	No information requested on application	No information requested on application

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
			jurisdiction and is not in any way dependent on demonstrating any other requirements.						
6.18	Details of previous employment	Yes Over last 5 years [10, 11].	No information requested on application The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any other requirements.	Yes ▪ Last practising position ▪ Ever been registered /enrolled in NT previously [2, 3].	No information requested on application	Yes See 6.10 NPs: must provide a letter from their employer indicating the status of employment [16].	Yes ▪ Last practising position ▪ Dates [19].	Not a requirement under the legislation.	Yes Details of last or most recent employment as a nurse; specialty; state/territory or country; & dates [18].
6.19	References	Not required	Not required The legislation provides that eligibility for registration is based on entitlement to practise in another participating jurisdiction and is not in any way dependent on demonstrating any other requirements.	Not required	Not required	May provide evidence of recency of practice – see 6.10	Not required	Not a requirement under the legislation.	Not required
6.20	Professional indemnity requirements	Self declaration – if self employed will disclose professional indemnity status to clients? [10, 11]. Although no specific requirements for nurses or midwives under Schedules 3 & 4.	No information requested on application Not required	No information requested on application	No information requested on application	No information requested on application for registration or enrolment NPs: evidence of professional indemnity is required.	No information requested on application for registration or enrolment.	Not a requirement under the legislation.	No information requested on application The new draft Nurses & Midwives Bill 2005 provides for a discretionary power where the Board 'may' require applicants to hold professional indemnity insurance.
6.21	Other requirements		Nil			JP only may witness Stat Dec. NPs: The above evidence will be provided through interview & submission of any supporting evidence such as			

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
						<p>correlation of standards/criteria that supports the requested area of practice/band on the appropriate evidence form.</p> <p>Advisory panel to comprise – Convenor from Education and Accreditation Committee, Clinician, Registration Assessment Officer, Policy and Education Coordinator [16].</p>			
6.22	Fee waiver	No ability within legislation to waive fees	The Board has adopted the ANMC policy on waiving fees for cross-border practice. In addition, some other applications are granted even though they are outside the ANMC policy, particularly where the person is registered and primarily practices in another jurisdiction and the majority of practice is undertaken in the other jurisdiction.	The Board has the power to waive fees. Applicants must apply in writing & the request must meet the requirements in the policy.		<p>In a country as large as Australia, nurses may at times be required to travel across State and Territory borders to provide a nursing service. In the interests of reducing the financial burden on those nurses who are required to register in more than one state or territory, all RAS now have the ability in certain circumstances, to consider waiving the fees, or exempt an individual, from the requirement to pay a fee. The criteria for waiver of fees for registration or enrolment are:</p> <ul style="list-style-type: none"> ▪ holding current registration or enrolment as a nurse/ midwife/ mental health nurse/ NP in another Australian state or territory; & ▪ employment as a nurse/ midwife/ mental health nurse/ nurse 	<p>Nurses who are registered and employed in an adjacent State & as part of their employment are required to practice as a nurse in Victoria must be registered in this State. However, consideration will be given to waiving payment of the initial registration fee, endorsement fee if applicable, & renewal of registration fee subject to meeting the criteria:</p> <ul style="list-style-type: none"> ▪ The nurse must be currently registered and maintain current registration in the adjacent State ▪ The nurse is currently employed in the adjacent State ▪ The conditions of employment require the nurse to cross the border to Tasmania to provide nursing care 	<p>Nurses who are registered and employed in an adjacent State & as part of their employment are required to practice as a nurse in Victoria must be registered in this State. However, consideration will be given to waiving payment of the initial registration fee, endorsement fee if applicable, & renewal of registration fee subject to meeting the criteria:</p> <ul style="list-style-type: none"> ▪ The nurse must be currently registered and maintain current registration in the adjacent State ▪ The nurse is currently employed in the adjacent State ▪ The conditions of employment require the nurse to cross the border to Victoria to provide nursing care 	<p>That the following criteria for the waiver of fees in cross border practice include but not be limited to:</p> <ul style="list-style-type: none"> ▪ The nurse must be currently registered in an adjacent state or territory where they are employed by a health facility; ▪ The terms of employment & geographical location require the nurse to physically cross into a second (or third) state or territory to provide a nursing service for a period of time ▪ The frequency & duration of the provision of the nursing service in the second state. <p>Nurses who are registered & employed in an adjacent State & as part of their employment are required to practice as a nurse in</p>

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
						practitioner in another Australian State or Territory; & <ul style="list-style-type: none"> required as a condition of employment to cross a State or Territory border to practise nursing in this state for short periods at irregular intervals during a period of time which extends over one month [25]. 	<ul style="list-style-type: none"> The frequency and duration of the service provided in Tasmania does not exceed that undertaken in the adjacent State The employer must make application to the Board for waiving of fees.	<ul style="list-style-type: none"> The frequency and duration of the service provided in Victoria does not exceed that undertaken in the adjacent State The nurse must make application to the Board for waiving of fees [26]. 	WA must be registered in this State. However, consideration will be given to waiving payment for the initial registration fee & the renewal of registration fee subject to the nurse meeting the following criteria: <ul style="list-style-type: none"> The nurse is currently registered & maintains current registration in the adjacent state. The nurse is currently employed in the adjacent State. The conditions of employment require the nurse to cross the border into WA to provide nursing care. The frequency & duration of the service provided in Western Australia does not exceed the frequency & duration of service undertaken in the adjacent State. The nurse will make annual application to the Board for the waiver of fees [18].
6.23	Fees	\$80	\$60 - RN, RM and EN, \$150 - NP same fees as if application is made under <i>Nurses & Midwives Act</i>	\$75	\$44- application fee \$85 – licence fee	\$70 – initial registration fee \$105 - \$55 – Practising fee – sliding scale related to time within the year that the application is received [20].	\$80 initially \$120 APC \$48 Additional Qualification	\$120 – Division 1 or 2 \$40 - each post graduate qualification [17].	\$120 – initial registration under the <i>Mutual Recognition Act 2001</i> .
6.24	Issues in relation to the application of mutual recognition policy								
6.24.1	General	Clear it is very important	NSW sends fax to <u>every</u>	The failure of NSW to	MR applications are granted	Work well with MRA		Board accepts the spirit	Fees & application

Map 6 - Application for Registration or Enrolment under Mutual Recognition*

No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
		<p>that ANMC needs to reach its full potential to improve the consistency of standards & approaches so that moving across jurisdictions is straightforward.</p> <p>Concerns about NSW having not recency of practice requirements. ACT has had people applying under MR who have a current practising certificate but have not practised for many years.</p> <p>Board Regulation Committee would wish to interview individual with a view to obtaining a voluntary undertaking from them that they would undertake a refresher course (>5 years & < 10 years since practised, or a re-entry course (if > 10 years) since they had practised, or agreement to undertake a period of supervised practice.</p>	<p>RA in Australia & NZ when they receive an application under MR as part of making inquiries.</p> <p>Other jurisdictions report that this is burdensome & will not answer unless there is some issue or the person is registered or enrolled in that jurisdiction.</p> <p>There has been at least one situation where an applicant had not declared that they were registered in a jurisdiction, therefore making a false claim enabling registration to be denied.</p> <p>Registration/enrolment/ authorisation will be denied under MR if there are any professional conduct issues concerning the applicant, but can apply under the <i>N&M Act</i>.</p> <p>This has been problem where another jurisdiction has no obligation to inform other RAs when they impose conditions, suspensions, de-registration or undertakings eg QLD. This relates to s 33 of the <i>MR Act</i> which permits disciplinary conditions or suspensions to be replicated by other participating jurisdictions - applies only if arises</p>	<p>require ongoing currency of practice, even after long periods away from practice poses significant concerns for Ras who are obliged to register/ enrol/ endorse applicants under mutual recognition.</p> <p>Places the full burden upon the employer to test the appropriateness & currency of skills, knowledge & experience of an applicant for a position.</p>	<p>deemed registration on receipt of their application and a decision is made within 30 days as required by the legislation.</p> <p>Though, employers report difficulty in recruiting nurses & midwives from across the borders in Australia – can take 3-4 months for registration to be processed.</p> <p>Lack of standardization across of Australia of educational preparation requirements as well as registration requirements.</p>	<p>applications – usually an over-the-counter procedure.</p> <p>Sometimes has a logistical problem when a large number of requests for information come in eg from NSW who requests information from all jurisdictions.</p>		<p>of the MR principle & does not get involved in skirmishes regarding the inconsistency of educational preparation.</p> <p>Concerns that competency is not tested through the MR process.</p> <p>There has not been adequate collaboration between industry & academe to date around the quality & consistency of curricula – ½ doz models of university education..</p> <p>There is significant difference in clinical placement requirements – percentages of course & requirement of hours vary widely.</p> <p>Difference is good but outcomes do need to be consistent. Local parochialism influences the 'nursing conversations'.</p>	<p>processes are burdensome for RAs.</p>

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
			<p>from criminal /civil proceedings or disciplinary matters; does not extend to non-disciplinary health matters.</p> <p>Status of 'undertakings' is seen as problematic.</p> <p>Note the obligation upon employers to establish an applicant's fitness for a position.</p> <p>NSW tries to honour the letter of the law because MR does not enable any review of standards of qualifications.</p>						
6.24.2	RNs				<p>Comment made of the current practice of international nurses & midwives seeking registration in other jurisdictions & then using the MRA provisions to move to Qld.</p> <p>Many had applied initially & been assessed by the Council as having the equivalence of an EN.</p>				
6.24.3	ENs	Concerns about the variation in educational preparation of Ens for the administration of medications across Australia.	The Board tries to ensure that, in the spirit of MR arrangements, applicants are given entitlement to practise in NSW which is equivalent to their entitlement in jurisdiction of origin. It may refer to medication endorsement for ENs & , again, the Board tries to provide equivalent entitlement & sometimes that may require imposition of conditions. In the past,	<p>In NT there is no provision in the legislation to authorise or endorse Ens for eg higher level competence in medication administration.</p> <p>There is great unevenness across the:</p> <ul style="list-style-type: none"> ▪ Educational preparation of Ens in Australia, most obvious in the area of medication 	<p>Quality of the education regarding medications is of concern.</p> <p>Queensland has adopted a standardised 18 month Diploma course in the TAFE system with the medication components embedded within the pre-enrolment course.</p>	<p>Inconsistency in educational preparation in relation to Ens administering medications – particularly Victoria.</p> <p>SA does not place conditions or limitations on the practice of Ens who are not at the required level of competence.</p>	<p>Inconsistency in educational preparation in relation to Ens administering medications– Board is supportive of movement of ENs to a Diploma instead of Certificate 4 preparation.</p> <p>Department will sponsor ENs who need to do a medication program.</p>	<p>There is recognition of the issues around the inconsistency of practice around medication administration by Division 2 nurses.</p>	<p>Inconsistency across the country in the educational preparation for ENs relating to medication administration is a problem for employers in WA.</p> <p>ENs in WA have medication administration included in their initial education so are competent in this area prior to registration.</p> <p>ENs coming to WA from</p>

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
			most of the conditions related to precluding administration of medications by intravenous route, where applicable.	administration. <ul style="list-style-type: none"> Delegations to Ens – some jurisdictions have very restrictive policy around the role of the EN while others have broadened the scope of practice for Ens & have a very liberal view of the role. This makes the question of 'equivalence' very challenging.					other states/territories under MR will be registered but the onus will be on the EN & the employer to ascertain level of competence in medication administration. The <i>Scope of Nursing Practice Decision Making Framework</i> is used as a tool to assist in determining competence or not.
6.24.4	Midwives		In NSW if a person also has a nursing qualification that entitles them to be an RN then they are required to be registered on both registers. If an applicant under MR applies only to be registered as a midwife then the <i>MRAAct</i> prevails over the requirements of the <i>Nurses & Midwives Act</i> .		No DEM Bachelor of Midwifery authorised by Council – registered on Register as a 'non-nurse – midwife only'.		Board currently not accepting applications from direct entry midwives – they are difficult to place. The capacity for re-deployment across all areas of nursing & midwifery is a presumption in Tasmania.	Under the current legislation the Board was having to register applicants in Division 1 with a restriction placed upon their practice to practice midwifery only. New Act allows for DEM midwives to be given 'specific' registration as they are not qualified for general registration – s 7.	Direct entry midwives have no access to the registers under the current <i>Nurses Act</i> . If registered in another jurisdiction, can be registered with restriction to practice only midwifery under 'silver card' under MR only. New Bill enables separate registration of midwives.
6.24.5	Mental health nurses	No longer a specialist category in the ACT. A direct entry mental health nurse with at current practising certificate is registered on the RN register		Direct entry mental health nurses registered as general nurses are granted full registration under MR – no regulatory mechanism to limit practice to the area of mental health. Also there are some concerns about nurses prepared through comprehensive undergraduate program, generally with no post graduate qualifications & 'a bit of experience' put themselves up as	Direct entry mental health nurses registered as general nurses are granted full registration under MR – currently no practice restrictions but do not get endorsement as a Mental Health Nurse on the Register – this is only available to nurses who undertake post graduate qualifications in mental health nursing. Cannot apply under MRA to practice as a Mental Health Nurse.	Perception that Board is preventing nurses practising in the area of mental health – however it is the employers who are limiting access to jobs if applicants do not have the required level of supervision.	Primary problem area currently. Requirement to have qualifications acknowledge is at the level of a Graduate Diploma – this causes consternation for holders of Graduate Certificates.		Direct entry mental health nurses have no access to the registers under the current <i>Nurses Act</i> . If registered in another jurisdiction, can be registered with restriction to practice only in mental health under 'silver card' under MR only.. Separate authorisation of mental health nurses is not supported.

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
				specialised mental health nurses.					
6.24.6	NPs/MPs	<p>Equivalence is a big question.</p> <p>Concerns about the variation in educational preparation of NPs across Australia eg if application received from a NP where there is no requirement for Masters level educational preparation.</p> <p>NP authorisation requirements are seen as quite restrictive. Can be endorsed under MR Act but may not meet the requirements under Cl 3.7 of the <i>Health Professionals Regulations</i>.</p> <p>Board is working on liberalising NP transfers across jurisdictions.</p> <p>At time of writing only 1 NP application had been received.</p>	<p>NPs can gain recognition in NSW under MR law. The legislation provides that it must be permitted.</p> <p>As NP practice and regulation are still emerging, the only difficulty might be in ascertaining what is the applicant's practising entitlement in jurisdiction of origin so that we can grant equivalent entitlement. However, this should be clarified as applications are received and inquiries made and will not be an impediment. (Note : in NSW entitlement to prescribe medication is granted by the Director-General of NSW Health Department and is separate to authorisation to practise as a nurse practitioner. While NMB can grant authorisation to practise as an NP, the person would then need to make separate application to the Director-General to have guidelines approved permitting prescribing of medication.)</p> <p>There is some evidence that a NP who is endorsed in another jurisdiction in Australia would gain recognition in NSW under MR < 1</p>	<p>Currently no legislative or policy infrastructure for the recognition of NPs in the NT other than the Board's endorsement of the ANMC standards, but Board can accept application from registered/ authorised/ endorse NP under MR.</p>		<p>Authorisation of NPs coming from some jurisdictions is proving theoretically problematic (has not been tested yet) eg from NPs ACT with a Masters of Nurse Practitioner come without the SA requirements such as the experience in advanced practice.</p> <p>Equivalence is therefore considered an issue.</p>		<p>Some challenges were seen concerning the clinical masters equivalence policy & the categories of NPs.</p>	

Map 6 - Application for Registration or Enrolment under Mutual Recognition*									
No	Key Elements	ACT ✓	NSW ✓	NT ✓	QLD ✓	SA ✓	TAS ✓	VIC ✓	WA ✓
			month?						
6.24.7	Others								

References

NSW - <http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NONE/0>

1. Nurses & Midwives Board (NSW). *Application under the Mutual Recognition Act 1992 or the Trans-Tasman Mutual Recognition Act 1997*. 2005 [cited; Available from: <http://www.nursesreg.nsw.gov.au/mutual.htm>].
2. Health Professions Licensing Authority - Northern Territory, *Application for Registration as a Direct Entry Midwife Mutual Recognition Act (Commonwealth) 1992, Section 19 Notice Trans Tasman Mutual Recognition Act (Commonwealth) 1997, Section 18 Notice*. Undated.
3. Health Professions Licensing Authority - Northern Territory, *Application for Registration/ Enrolment - Mutual Recognition Act (Commonwealth) 1992, Section 19 Notice; Trans-Tasman Mutual Recognition Act (Commonwealth) 1997, Section 18 Notice*. Undated.
4. Queensland Nursing Council, *Registration Policy*. 2004.
5. Nurses Board of South Australia. *Registrations - Interstate Educated Nurses*. 2001 [cited 14 April 2006]; Board website]. Available from: http://www.nursesboard.sa.gov.au/reg_ien.html.
6. Nurses Board of South Australia. *Registrations - Overseas Educated Nurses*. 2001 [cited 14 April 2006]; Board website]. Available from: http://www.nursesboard.sa.gov.au/reg_oen.html.
7. Nursing Board of Tasmania, *Guidelines and Information on the Operation of Mutual Recognition in Tasmania*. 2006.
8. Nurses Board of Victoria, *Mutual Recognition Policy*. 2004.
9. Nurses Board of Western Australia, *Guidelines for Initial Registration under the Mutual Recognition (WA) Act 2001*. undated.
10. ACT Nurses and Midwives Board, *Application for Registration as a Midwife under the Mutual Recognition Act 1992 or the Trans-Tasman Mutual Recognition Act 1997*. 2006: Canberra.
11. ACT Nurses and Midwives Board, *Application for Registration as a Nurse under the Mutual Recognition Act 1992 or the Trans-Tasman Mutual Recognition Act 1997*. 2006: Canberra.
12. Nurses & Midwives Board (NSW), *Application for Registration - Mutual Recognition Act 1992, Trans-Tasman Mutual Recognition Act 1997*. 2005.
13. Queensland Nursing Council, *Application Package QNC2 - Mutual Recognition Act 1992, Trans-Tasman Mutual Recognition Act 2003*. 2004.

14. Queensland Nursing Council, *Nurse Practitioner Endorsement: Application Package QNC3 - Nursing Act 1992, Mutual Recognition Act 1992*. 2005.
15. Nurses Board of South Australia, *Application for Registration/Enrolment under the Mutual Recognition (South Australia) Act 1993 and Trans-Tasman Mutual Recognition (South Australia) Act 1999*. 2001: Adelaide.
16. Nurses Board of South Australia, *Process for Authorisation of Nurse Practitioner in South Australia through Mutual Recognition*. 2003: Adelaide.
17. Nurses Board of Victoria, *Application - Mutual Recognition*. 2004.
18. Nurses Board of Western Australia, *Application for Initial Registration under the Mutual Recognition (WA) Act 2001*. undated.
19. Nursing Board of Tasmania, *Notice Under Section 19 of the Mutual Recognition Act 1992 of the Commonwealth Seeking Registration/Enrolment as a Nurse*. undated.
20. Nurses Board of South Australia, *Mutual Recognition Guidelines and Requirements*. 2005: Adelaide.
21. ACT Nurses and Midwives Board, *Registration as a Midwife under the Mutual Recognition Act 1992 or the Trans-Tasman Mutual Recognition Act 1997*. 2006: Canberra.
22. ACT Nurses and Midwives Board, *Registration as a Nurse under the Mutual Recognition Act 1992 or the Trans-Tasman Mutual Recognition Act 1997*. 2006: Canberra.
23. Nurses & Midwives Board (NSW), *Guidelines and Information on the Operation of Mutual Recognition in New South Wales*. 2005.
24. Nursing Board of Tasmania, *Competence to Practise Policy*. 2004.
25. Nurses Board of South Australia. *Registrations - Cross Border Principle*. 2001 [cited 14 April 2006]; Board website]. Available from: http://www.nursesboard.sa.gov.au/reg_cbnp.html.
26. Nurses Board of Victoria, *Waiver of fees for cross border practice*. 2000.

Action that can be taken by a registration authority if they are not satisfied of a person's suitability to practice nursing or midwifery in that jurisdiction

The registration authority may postpone the grant of registration or enrolment, if:

- any of the statements or information in the application are materially false or misleading; or
- any document or information as required providing evidence of person's existing registration has not been provided or is materially false or misleading; or
- the circumstances of the person lodging the application have materially changed since the date of the application or the date it was lodged; or
- the authority decides that the occupation in which registration is sought is not an equivalent occupation – MRA s22(1).

If the grant of registration has been postponed, the registration authority may in due course grant or refuse the registration – MRA s22(2).

The registration authority may not postpone the grant of registration for longer than a period of 6 months, and the person is entitled to registration immediately, at the end of that period, unless registration was refused at or before the end of that period – MRA s22(3).

Grounds on which an application registration under the *Mutual Recognition Act 1992 (Cwth)* – s19 & the *Trans-Tasman Mutual Recognition Act 1997 (Cwth)* can be refused

A local registration authority may refuse the grant of registration, if:

- any of the statements or information in the notice as required by section 19 are materially false or misleading; or
- any document or information as required by section 19 (3) has not been provided or is materially false or misleading; or
- the authority decides that the occupation in which registration is sought is not an equivalent occupation and equivalence cannot be achieved by the imposition of conditions – MRA s23(1).

Appeals or review of decisions of a registration authority's decision

Applications may be made to the Administrative Appeals Tribunal in accordance with the *Administrative Appeals Tribunal Act 1975* – MRA s34 & TTMRA s33.

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