



An Atlas of the Legislation & Professional Regulation of Nursing & Midwifery in Australia



**The National Nursing and
Nursing Education Taskforce (N³ET)**

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National Nursing and Nursing Education Taskforce

The National Nursing & Nursing Education Taskforce (N³ET) was established in November 2003 State, Territory and Australian Government Ministers for Education and Health to implement recommendations of the National Review of Nursing Education – Our Duty of Care report. The Taskforce brings together some of Australia’s leading nursing and nursing education and training specialists who have been nominated for their leadership qualities and collective expertise. Members of the Taskforce are supported by a Secretariat located within, and supported by, the Department of Human Services, Victoria.

Background

As part of the work on Recommendation 4 from the National Review of Nursing Education (2002) Our Duty of Care report, the N³ET has undertaken an exercise to map the legislation and professional regulation of nursing and midwifery practice across Australia. The need for a contemporary map of nursing and midwifery legislation and regulation was identified by N³ET and a broad range of stakeholders at the N³ET Scope of Practice Symposium (March 2005) and highlighted on the N³ET Blueprint for National Action as a core activity underpinning a number of related activities in Priority Action Areas.

Scope of Atlas

The Atlas provides a detailed and contemporary snapshot of the similarities and differences in legislation and policy that supports particular aspects of the professional regulation of nurses and midwives in each of the jurisdictions in Australia. This in turn, is intended to prompt and promote consideration of opportunities for achieving greater national consistency in these matters both through legislation reform and through a national approach to professional regulation by nursing and midwifery

At this point, the Atlas is not a comprehensive review of the full range of the regulatory framework governing the practice and conduct of nurses. The mapping exercise cuts across the material from a few specific and key angles, that is:

- the quality and safety of healthcare for the community - a nurse or midwife’s competence¹ to practice safely;
- portals of entry and the mobility of the nursing & midwifery workforce across jurisdictions, specifically within Australia.

This work has occurred against a shifting background of legislation reform both at the state and territory and national levels. While it will be current for only a short space in time, there are a number of learnings from this exercise.

The information in this document has been provide by Chief Nurses, the nursing and midwifery regulatory authorities and the Australian Nursing and Midwifery Council over the period of January to May 2006 and was verified as correct at that time. Acknowledgement must be made of the high level of cooperation and assistance by the regulatory authorities and the State and Territory Chief Nurses throughout the course of this Project.

How to use the Atlas

The Atlas contains eight maps focusing on key areas of inquiry for the Taskforce. Each map has a title that indicates the focus of the map.

Information in the maps is colour coded to denote the source of information:

- Entries in black in the tables is 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 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.

Citations to source documents are incorporated in the maps and the Reference List is included at the end of each map.

As there is substantial detail in the maps, to avoid repetition, cross-referencing is used and where possible, links are provided in the electronic version.

Nursing and Midwifery Legislation and Regulation Atlas

HEALTH PROFESSIONAL REGULATORY REGIMES SPECIFIC TO NURSING & MIDWIFERY IN AUSTRALIA - PROTECTION OF THE COMMUNITY'S HEALTH & SAFETY & ENABLING THE MOBILITY OF THE NURSING & MIDWIFERY WORKFORCE

MAPS:

[Map 1](#) The Legislation, the Regulatory Authority & Professional Standards

[Map 2](#) The Registers and/or Rolls of Nurses & Midwives

[Map 3](#) Original Entry to Practice Requirements

Map 4 Application by Qualified Nurse or Midwife for Registration or Enrolment not Currently Registered or Enrolled in Any Australian State, Territory or New Zealand (not available)

[Map 5](#) Application for Restoration to Register or Roll

[Map 6](#) Application for Registration or Enrolment under Mutual Recognition

[Map 7](#) Renewal of Registration or Enrolment

[Map 8](#) Safe Practice in Specialty Areas of Nursing and Midwifery

[Map 9](#) Setting & Reviewing Educational Standards