

# Policy

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## Managing Registers

Effective 22 November 2025

<b>Policy title</b>	Managing Registers
<b>Reference number</b>	20251122 MSC Managing Registers
<b>Scope</b>	This policy applies to Te Kaunihera Pūtaiao Hauora o Aotearoa   Medical Sciences Council of New Zealand

Associated documents	File name
Health Practitioners Competence Assurance Act 2003	<a href="#">Health Practitioners Competence Assurance Act 2003 No 48 (as at 15 June 2023)</a> , <a href="#">Public Act Contents – New Zealand Legislation</a>
Privacy Act 1993	<a href="#">Privacy Act 2020 No 31 (as at 30 March 2025)</a> , <a href="#">Public Act Contents – New Zealand Legislation</a>
Births, Deaths, Marriages, and Relationships Registration Act 2021	<a href="#">Births, Deaths, Marriages, and Relationships Registration Act 2021 No 57 (as at 05 April 2025)</a> , <a href="#">Public Act Contents – New Zealand Legislation</a>

Revision Schedule			
Version number	Version date	Approved by	Next review
One	June 2020	MSC	2022
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# Background

1. The Medical Sciences Council (the Council) is responsible for the regulation of medical laboratory science and anaesthetic technology practitioners under the Health Practitioners Competence Assurance Act 2003 (the Act).
2. The Council's core function is to protect the health and safety of the New Zealand public by ensuring medical laboratory scientists and anaesthetic technicians are competent and fit to practise.
3. This policy document sets out the factors the Council will consider in the provision and maintenance of registers, including the registration and practising certificate information of individual practitioners.

# Scope

4. This policy applies to all practitioners registered with, or seeking registration with, the Medical Sciences Council.

# Legislative context

## New Zealand enactments

5. The provisions for keeping registers of practitioners are set out in sections 136-150 of the Health Practitioners Competence Assurance Act 2003. Registers may be in electronic or printed form.
6. The Council must give regard to its legislative obligations under part 7 (sharing, accessing, and matching personal information) of the Privacy Act 2020 when publishing information on their registers.

## Information published on registers

7. Under section 138 of the Act the following information must be entered on a register:
  - The name of the health practitioner
  - The qualification(s) by virtue of which the practitioner is registered
  - The scope(s) of practice in which the practitioner is registered

- Any change to the practitioner's scope(s) of practice
- Whether the practitioner holds an annual practising certificate or an interim practising certificate
- If the registration of the practitioner is suspended and any current conditions relating to its suspension.

8. The Council can also publish any other information it considers appropriate.
9. The Registrar is responsible for ensuring all information entered on a register is current and correct. This responsibility may be delegated by the Registrar to the Deputy Registrar and staff in the regulation team at the Medical Sciences Secretariat.

# Managing the register

## Practitioner documentation

### Certificate of registration

10. Under section 139 of the Act the Registrar may issue a registration certificate stating all the current information that is entered in the relevant register in relation to a practitioner. The certificate will be issued upon request from the practitioner and on payment of the relevant fee. The certificate must be signed and dated by the Registrar.

### Requirements of the practitioner

11. Under section 140 the practitioner must provide the Registrar:

- A postal address for service; and
- An electronic address for service.

### Name change

12. Under section 141 of the Act a practitioner must notify the Registrar of any changes to their name within one month of the change. The practitioner must provide formal evidence of a legal name change such as a certified copy of their marriage certificate, a deed poll certificate, or a statutory declaration.
13. Upon receipt of documentation evidencing a change of name for a practitioner, or that the register entry is incorrect, the Registrar must correct the entry relating to the practitioner in the relevant register.

# Cancellation of registration

## Section 142

14. All practitioners have a right to ask for their name to be removed from the relevant register under section 142 of the Act. Upon written receipt of a written request from a practitioner, the Council may direct the Registrar to cancel the practitioner's entry in the register.
15. The Council must not direct the Registrar to cancel the practitioner's entry in the register if there are criminal or disciplinary actions pending against the practitioner.

## Section 143

16. Upon receipt of a formal notice under the Births, Deaths, Marriages, and Relationships Registration Act 2021 of the death of a registered practitioner, the Registrar will cancel the practitioner's entry in the relevant register.
17. Additionally, without having received a formal notice, if the Council believes on reasonable grounds that a practitioner has died, they may direct the Registrar to cancel that practitioner's entry in the relevant register.

## Section 146

18. The Council may direct the Registrar to cancel a practitioner's entry in a register and give them notice of that cancellation if the Council is satisfied the practitioner obtained registration by making a false or misleading representation or declaration (whether oral or written); or the practitioner was not entitled to be registered.
19. Before ordering cancellation of a practitioner's registration under section 146 of the Act, the Council must inform the practitioner of the reasons for the proposal to cancel their registration and give them a reasonable opportunity to make written submissions and be heard on the matter, either personally or by their representative. *Reasonable opportunity* is the equivalent of at least 20-working days and may be longer depending on individual circumstances.
20. If no appeal is received from the practitioner or their representative within the stated timeframe, the Council may direct the Registrar to notify the cancellation in any publications as directed by the Council.

# Cancellation of registration for an overseas-qualified practitioner

## Section 147

21. The Council may review the registration of an internationally qualified practitioner if satisfied that:

- The practitioner is registered with an overseas qualification and the educational establishment that issued the qualification has cancelled or suspended it (or other equivalent action); or
- An overseas regulatory body has, as a result of disciplinary action taken against the practitioner:
  - Removed the practitioner's name from the register; or
  - Suspended the practitioner's registration; or
  - Taken action equivalent to removing the practitioner's name from the register or suspending their registration.

22. Reasonable steps must be taken to give the practitioner written notice of the grounds on which the Council has decided to undertake the review, inclusive of a copy of any information in the Council's possession relating to the cancellation, suspension, or removal concerned. The practitioner is to be given reasonable opportunity to make written submissions and be heard on the matter, either personally or through their representative.

23. After the review the Council may direct the Registrar to either:

- Suspend the practitioner's registration for any period it thinks fit and direct the Registrar to note the suspension in the relevant register; or
- Cancel the practitioner's entry in the relevant register.

24. The Registrar must take all steps to ensure the practitioner is given a copy of any suspension or cancellation notice.

# Restoration to a register

25. Under section 145 of the Act the Registrar must, upon receipt of a written application from a practitioner, restore the practitioner's entry on the register if their registration had been cancelled under the following circumstances:
  - The Council's belief the practitioner had died; or
  - The practitioner had previously requested their entry in the register be cancelled; or
  - The Council had not received a response to their correspondence asking if the practitioner wished to have their entry in the register cancelled.
26. A practitioner cannot be restored to a register if they:
  - Do not meet the Council's fitness for registration requirements; or
  - Are subject to pending disciplinary proceedings by the Health and Disability Commissioner; or
  - Are subject to an order made by the Health Practitioners Disciplinary Tribunal that the practitioner's registration is cancelled.
27. In support of their application to be restored to a register the practitioner must provide certified criminal history checks from each country they have lived in for 12 months or more since last practising their profession in New Zealand. The police document must be no more than six months old.
28. The practitioner must pay the relevant restoration fee to the Council as set out in the current Gazette schedule of fees notice.
29. Upon restoration to the register the practitioner may apply to the Council for an annual practising certificate. That application will be considered under the Council's *Return to Practice* policy.
30. If the practitioner wishes to become registered after having their restoration request declined, they can apply for registration and complete all associated processes as they did when they first applied for registration.

# Revision of registers

31. Under section 144 of the Act the Registrar may at any time, and must at the Council's request, ask whether a practitioner wishes to have their entry on the relevant register cancelled. The query is to be sent by letter to the practitioner at their last known address.

32. Practitioners have six months after the letter was sent to respond to the Registrar. At that point, or if the email is returned as undeliverable, the Registrar may notify the practitioner in writing that their entry in a register may be cancelled if there is no response within a further 10 working days of that notice. The Council may then direct the Registrar to cancel the entry relating to the practitioner if no response has been received within the final 10 day notice period.
33. The Council will undertake an annual revision of its registers, whereby practitioners who have not held a practising certificate within the previous five years are asked whether they wish to remain on the register, or to ask for their registration be cancelled. Practitioners will be advised of their right to request, at any time following their removal, to be restored to the relevant register.
34. If there is no response to this query, the Registrar will follow the formal process outlined in section 144 and this policy, by writing a letter to the practitioner at their last known address asking whether a practitioner wishes to have their entry on the relevant register cancelled.
35. All communication regarding revisions of the register will be retained on the practitioner's file.