

# Licence Application Process for Medical Practitioners

*This document sets out the process for medical practitioners applying for a licence to use irradiating apparatus or radioactive material under the Radiation Protection Act 1965 (“the Act”).*

## **The legal position**

Licences are issued by the National Radiation Laboratory (“the NRL”) under delegated authority from the Director-General of Health. Licences to use ionising radiation for diagnostic or therapeutic purposes may only be granted to persons who have special knowledge in its safe use or application (Sections 2(1) and 18(2) of the *Act*). The NRL therefore considers that only medical practitioners<sup>1</sup> are eligible to obtain licences for these purposes.

Radiologists and radiation oncologists are automatically deemed to have the required special knowledge. In all other cases the Minister of Health must favourably determine this question before the NRL can issue a licence (Section 2(2)).

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<sup>1</sup> Health practitioners registered in a scope of practice issued by the Medical Council under the *Health Practitioners Competence Assurance Act 2003*.

## **Application process**

On receipt of a completed application form and fee the NRL determines the scope to be applied to the licence. Normally this will limit the permitted radiation use to a vocation (eg, cardiology, nuclear medicine). In the case of General Practitioners the scope may also be limited according to the type of procedures permitted by the licence (eg, by permitting extremity radiography only).

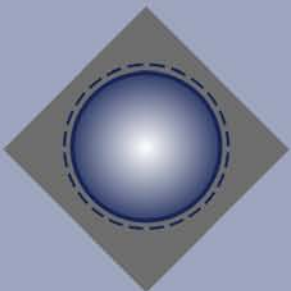
The NRL makes the final licensing decision if the applicant is a radiologist or radiation oncologist. All other applications from medical practitioners must be referred to the Minister for an assessment of the applicant’s special knowledge in the safe use or application of ionising radiation.

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### **Assessment of special knowledge by the Minister**

The Minister assesses the applicant's special knowledge based on advice received from the Radiation Protection Advisory Council ("RPAC") which in turn acts on advice received from its specialist committee, the Medical Licensing Advisory Committee ("MLAC").

MLAC must consider the applicant's experience and qualifications (Section 2(3)). No unfavourable recommendation can be made unless the applicant has been given the opportunity of appearing before the committee to provide further evidence. A recommendation that the applicant only has

the required special knowledge subject to meeting a condition imposed by MLAC is regarded as an unfavourable recommendation pursuant to Section 2(3).

If the Minister's decision is favourable, the NRL will then issue a licence.

### **Fees**

Fees are set in the *Radiation Protection Regulations 1982* (regulation 27). The annual licence fee is \$300. In addition there is a one-off fee of \$180 if the initial application is referred to MLAC.

**Reviewed February 2009**



New Zealand Government