

1995—No. 505

**NURSES ACT 1991—REGULATION**

(Relating to infection control standards)

NEW SOUTH WALES



*[Published in Gazette No. 105 of 1 September 1995]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Nurses Act 1991, has been pleased to make the Regulation set forth hereunder.

ANDREW REFSHAUGE  
Deputy Premier and Minister for Health.

---

**Commencement**

1. This Regulation commences on 8 September 1995.

**Amendment**

2. The Nurses Regulation 1992 is amended by omitting clause 24A (as inserted by the Regulation made under the Nurses Act 1991 published in Gazette No. 74 of 16 June 1995 at pages 3171–3175) and by inserting instead the following clause:

**Infection control standards**

24A. (1) An accredited nurse must not, without reasonable excuse, fail to comply with the infection control standards set out in Schedule 2 to the extent that they apply to the nurse in the practice of nursing.

(2) In determining whether or not an accredited nurse has a reasonable excuse for failing to comply with a standard, particular consideration is to be given to the following:

- (a) whether the circumstances involved the provision of emergency treatment;

- (b) whether the nurse's employer failed to provide the necessary equipment, including providing access to it and training in its use, that would have enabled the nurse to comply with the standard (and whether the failure to provide such equipment was reported by the nurse to the Director-General of the Department of Wealth).
- 

#### **EXPLANATORY NOTE**

From 8 September 1995, nurses will be required to comply with the infection control standards specified in the Nurses Regulation 1992. The object of this Regulation is to remove the monetary penalty specified in relation to this requirement, however failing to comply with a standard without a reasonable excuse may still constitute grounds for disciplinary action.

This Regulation is made under the Nurses Act 1991, including section 78 (the general regulation making power).

---