



## **Health Practitioners (Protected Quality Assurance Activity—Royal Australasian College of Surgeons—MALT System) Notice 2016**

Pursuant to section 54(3) of the Health Practitioners Competence Assurance Act 2003, the Minister of Health, being satisfied of the matters set out in that subsection, gives the following notice.

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### **Notice**

**1 Title**

This notice is the Health Practitioners (Protected Quality Assurance Activity—Royal Australasian College of Surgeons—MALT System) Notice 2016.

**2 Commencement**

This notice comes into force on the day after the date of its notification in the *Gazette*.

**3 Revocation of this notice**

This notice is revoked on 5 May 2021.

**4 Interpretation**

In this notice, unless the context otherwise requires,—

**MALT practitioner** means a health practitioner who is one of the following:

- (a) a Fellow of the RACS who—

- (i) maintains a case log or undertakes a clinical audit using the MALT system; or
- (ii) is training towards a subspecialty:
- (b) a surgical trainee in the RACS's Surgical Education and Training programme;
- (c) an international medical graduate being assessed for fellowship of the RACS;
- (d) a medical practitioner engaging with the RACS's Junior Doctor Framework

**MALT system** means the RACS's Morbidity Audit and Logbook Tool system

**RACS** means the Royal Australasian College of Surgeons.

## **5 Declaration of protected quality assurance activity**

The following quality assurance activity is are protected to the extent that it is are undertaken in relation to a MALT practitioner and using of the MALT system:

- (a) collection and storage of information about clinical activities, including outcome data;
- (b) evaluation of the practitioner's performance by supervisors and assessors;
- (c) self-evaluation by the practitioner of his or her own performance;
- (d) evaluation and analysis of information and data stored in the MALT system;
- (e) provision of feedback to the practitioner about his or her performance.

Dated at Wellington this 23rd day of May 2016.

Hon Dr Jonathan Coleman,  
Minister of Health.

### **Explanatory note**

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice comes into force on the day after the date of its notification in the *Gazette*. It declares the quality assurance activity described in *clause 5* to be protected. Quality assurance activities are activities that are undertaken to improve the practices or competence of health practitioners by assessing the health services performed by those practitioners. This notice relates to medical practitioners who are using the Royal

Australasian College of Surgeons' Morbidity Audit and Logbook Tool system. The effect of protecting a quality assurance activity is that—

- any information that becomes known solely as a result of the activity is confidential; and
- any documents brought into existence solely for the purposes of the activity are confidential; and
- the persons who engage in the activity in good faith are immune from civil liability.

The protections afforded by this notice are subject to certain statutory exceptions. For example, this notice does not prohibit the disclosure of information that does not identify, either expressly or by implication, a particular individual.

This notice is revoked on 5 May 2021.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 23 June 2016.  
This notice is administered by the Ministry of Health.