

Tribunal dismisses review of conditions on registration

19 May 2015

The Qld Civil and Administrative Tribunal has dismissed an application by a Dr Nicolae Cruceru to review a Medical Board of Australia decision to impose conditions on his registration.

Dr Cruceru was first registered to practise in Australia in July 2003, under what was known as special purpose registration under the former *Medical Practitioners Registration Act 2001* (Qld). In July 2007, the Board imposed conditions on Dr Cruceru's registration requiring him to meet the requirements for more permanent registration within four years, as was required by law at the time.

When the National Law came into effect in 2010, special purpose registration was replaced with limited registration. Under the National Law, the Board may grant limited registration to international medical graduates who do not qualify for specialist or general registration.

Limited registration requires, among other things, a practitioner to provide evidence they are making satisfactory progress towards meeting the qualifications required for general or specialist registration.

Dr Cruceru failed part of the Australian Medical Council (AMC) exam three times. Successful completion of the AMC examination leads to the AMC certificate being awarded and this qualifies an applicant for general registration.

In 2011, the Board decided to refuse his application for limited registration on the basis that Dr Cruceru hadn't shown satisfactory progress towards meeting the qualifications for general or specialist registration. Dr Cruceru sought a review of this decision, and in December 2012 the tribunal ordered the Board's decision to be set aside, and for Dr Cruceru to be granted limited registration for the following 12 months. The tribunal also ordered Dr Cruceru to sit the AMC exam and to keep the Board informed of this progress.

When Dr Cruceru applied to renew his registration in March 2014, the Board (in consultation with Dr Cruceru) renewed his limited registration, on the condition that he could only continue to practise until June 2014, subject to a court or tribunal agreement with AHPRA. In May 2014, Dr Cruceru sought a review of the condition on the basis that it would limit his employment opportunities.

Dr Cruceru's limited registration was linked to his employment in an [area of need, and his area of need declaration expired on 30 June 2014](#). The Board applied to the tribunal to have Dr Cruceru's review of the condition dismissed on this basis.

The tribunal:

- dismissed the application to review the Board's decision to impose the condition, and
- ordered Dr Cruceru to pay the Board's costs.

The reasons for the decision are on the [AustLII website](#).

For more information

- Lodge an [online enquiry form](#)
- For registration enquiries: 1300 419 495 (within Australia) +61 3 9275 9009 (overseas callers)
- For media enquiries: (03) 8708 9200