

NURSES REGISTRATION (AMENDMENT) ACT.

Act No. 54, 1964.

Elizabeth II,
No. 54, 1964
An Act to make further provisions relating to the constitution of the Nurses Registration Board, the registration of nurses, the enrolment of nursing aides and the disposal of retention fees; for these and other purposes to amend the Nurses Registration Act, 1953-1961; to validate certain matters; and for purposes connected therewith. [Assented to, 9th December, 1964.]

BE

BE it enacted by the Queen's Most Excellent Majesty, by No. 54, 1964 and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Nurses Registration (Amendment) Act, 1964". Short title and citation.

(2) The Nurses Registration Act, 1953, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Nurses Registration Act, 1953-1964.

2. (1) The Principal Act is amended—

Amendment
of Act No.
10, 1953.

(a) by omitting from the definition of "Mental hospital" in section three the words "a hospital for the insane" and by inserting in lieu thereof the words "a mental hospital or an authorised hospital within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts"; Sec. 3.
(Interpre-
tation.)

(b) (i) by omitting from paragraph (b) of subsection one of section five the words "Inspector-General of Mental Hospitals" and by inserting in lieu thereof the words "Director of State Psychiatric Services"; Sec. 5.
(Members
of the
Board.)

(ii) by inserting at the end of the same subsection the following new paragraph :—

The member referred to in paragraph (b) of this subsection may from time to time nominate a person to act in his place as a member.

(c)

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 Sec. 15.
 (Register
 of nurses.)

- (c) (i) by inserting next after subsection three of section fifteen the following new subsection :—

(3A) Where any person is entitled to have the particulars and matters referred to in subsection three of this section entered in more than one subdivision of the Register, all such particulars and matters may be entered in one subdivision only, and in any such case entries referential to the subdivision in which all such particulars and matters are entered may be made in any other appropriate subdivision.

- (ii) by omitting subsection five of the same section ;

Sec. 17.
 (Annual
 retention
 fees.)

- (d) (i) by omitting from paragraph (b) of subsection one of section seventeen the word "registered" where secondly occurring ;

- (ii) by omitting from the same paragraph the words "Provided that the provisions of this paragraph shall not require the Board to notify any registered nurse in accordance with such provisions during the year one thousand nine hundred and fifty-four." ;

- (iii) by omitting paragraph (c) of the same subsection and by inserting in lieu thereof the following paragraph :—

(c) If any registered nurse fails in any year, after being so notified, to pay any such retention fee on or before the thirty-first day of December in that year the Board shall remove her name from the Register.

Sec. 18.
 (Removal of
 names of
 certain per-
 sons from
 Register.)

- (e) by omitting subsections two and three of section eighteen ;

(f)

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- (f) (i) by omitting paragraph (a) of subsection one of section nineteen and by inserting in lieu thereof the following paragraph : —

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Sec. 19.
(Removal of name on account of misconduct, etc.)

- (a) has been convicted in New South Wales or elsewhere of any felony or misdemeanour or of any offence punishable summarily by imprisonment for six months or upwards; or;

- (ii) by omitting from subsection two of the same section the word "offence" and by inserting in lieu thereof the words "felony, misdemeanour or offence";

- (g) by omitting from section twenty-three the word "fifty" and by inserting in lieu thereof the words "one hundred";

Sec. 23.
(Unregistered or unenrolled persons not to hold themselves out as registered nurses or enrolled aides.)

- (h) by omitting from subsection one of section thirty the word "twenty" and by inserting in lieu thereof the word "fifty";

Sec. 30.
(Penalties.)

- (i) (i) by omitting from subsection two of section thirty-two the words ", where in any year the prescribed retention fee payable by registered nurses or enrolled nursing aides exceeds the sum of five shillings, only the amount of five shillings in respect of each retention fee" and by inserting in lieu thereof the words "only one-half of each retention fee paid by registered nurses and enrolled nursing aides";

Sec. 32.
(Financial provisions.)

- (ii) by omitting from the same subsection the words "of the retention fees" and by inserting in lieu thereof the word "thereof".

(j)

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 Sec. 35.
 (Regulations.)

- (j) by omitting from paragraph (k) of subsection one of section thirty-five the word "twenty" and by inserting in lieu thereof the word "fifty".

(2) Paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of February, one thousand nine hundred and sixty-two.

Further amendment of Act No. 10, 1953.

Sec. 5.
 (Members of the Board.)

3. (1) The Principal Act is further amended—

- (a) (i) by omitting from subsection one of section five the word "seventeen" and by inserting in lieu thereof the word "eighteen";

(ii) by inserting next after paragraph (c) of the same subsection the following new paragraph :—

(ci) one shall be a teaching professor in the School of Medicine in the University of New South Wales, nominated by the Council of the said University;

Sec. 9.
 (Appointments to casual vacancies.)

- (b) (i) by inserting in paragraph (a) of subsection two of section nine after the word "Sydney," the words "or the Council of the University of New South Wales,";

(ii) by inserting in the same paragraph after the word "Senate," where secondly occurring the words "or of the said Council,";

Sec. 10.
 (Board meetings.)

- (c) by omitting from subsection one of section ten the word "nine" and by inserting in lieu thereof the word "ten";

Sec. 13.
 (Registrar and officers of Board.)

- (d) by omitting subsection one of section thirteen and by inserting in lieu thereof the following subsection :—

(1) There shall be a Registrar of the Board who shall be appointed under and shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts.

(2)

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(2) Notwithstanding the provisions of paragraph (b) **No. 54, 1964** of subsection two of section five of the Principal Act, the member of the Nurses Registration Board first appointed pursuant to paragraph (ci) of subsection one of section five of that Act, as amended by this Act, shall hold office until the expiry of the term of office of the members of the Board (other than the members referred to in paragraphs (a) and (b) of that subsection) holding office immediately before the day appointed pursuant to subsection three of this section, but he shall be eligible for re-appointment.

(3) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

4. (1) The Principal Act is further amended—

- (a) by inserting in paragraph (f) of subsection one of section five after the word "nurses" the words "and mothercraft nurses";
- (b) by inserting next after paragraph (d) of subsection two of section fifteen the following new paragraph :—
- (c) (i) by omitting from paragraph (b) of subsection one of section sixteen the words "or infants' nurse" and by inserting in lieu thereof the words ", infants' nurse or mothercraft nurse";
- (ii) by omitting from paragraph (b) of subparagraph (i) of paragraph (c) of the same subsection the words "or psychiatric nurse" and by inserting in lieu thereof the words ", psychiatric nurse or mothercraft nurse";
- (iii) by omitting from subparagraph (iii) of paragraph (c) of the same subsection the word "or";

Further amendment of Act No. 10, 1953.

Sec. 5. (Members of the Board.)

Sec. 15. (Register of nurses.)

Sec. 16. (Qualifications for registration.)

(iv)

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(iv) by omitting from paragraph (b) of subparagraph (i) of paragraph (d) of the same subsection the words "or midwifery nurse" and by inserting in lieu thereof the words ", midwifery nurse or mothercraft nurse";

(v) by inserting at the end of paragraph (d) of the same subsection the following word and new paragraph :—

; or

(e) as a mothercraft nurse if—

(i) (a) she holds a certificate as prescribed stating that she has attended the practice of one or more hospitals or homes for children or such similar institutions approved by the Board for the period prescribed; or

(b) being a person who is registered under this Act as a general nurse, psychiatric nurse, midwifery nurse or infants' nurse she holds a certificate as prescribed stating that she, subsequent to being registered as such, has attended the practice of one or more of such hospitals, homes or similar institutions for not less than the period prescribed; and

(ii) she has attained the age of eighteen years; and

(iii) she has passed such examinations as the Board prescribes.

(vi)

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- (vi) by omitting from subsection two of the same No. 54, 1964 section the word “and” where firstly occurring;
- (vii) by inserting in the same subsection after the words “infants’ nurse,” the words “and the age of eighteen years in the case of a mothercraft nurse.”;
- (viii) by omitting from subsection three of the same section the word “and” where firstly occurring;
- (ix) by inserting in the same subsection after the words “infants’ nurse,” the words “and the age of eighteen years in the case of a mothercraft nurse.”;
- (x) by inserting at the end of paragraph (a) of subsection four of the same section the following new paragraph :—

Where before the day appointed pursuant to paragraph (a) of subsection two of section four of the Nurses Registration (Amendment) Act, 1964, any person has attended the practice of any hospital or home for children or similar institution approved by the Board, the period of such attendance shall be taken into account in determining whether such person has attended the practice of any hospital or home for children or similar institution for the relevant period prescribed by or under paragraph (e) of subsection one of this section.

- (xi) by omitting from paragraph (b) of the same subsection the word, letter and symbols “(c) and” and by inserting in lieu thereof the letter and symbols “(c),”;
- (xii) by inserting in the same paragraph after the letter and symbols “(d)” where firstly occurring the words, letters and symbols “and paragraph (b) of subparagraph (i) of paragraph (e)”;
- (xiii)

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(xiii) by inserting in the same paragraph after the words "or hospitals" the words "or homes";

(xiv) by omitting from subparagraph (i) of the same paragraph the words "or infants' nurse" and by inserting in lieu thereof the words ", infants' nurse or mothercraft nurse";

(xv) by omitting from subparagraph (ii) of the same paragraph the words "or psychiatric nurse" and by inserting in lieu thereof the words ", psychiatric nurse or mothercraft nurse";

(xvi) by omitting from subparagraph (iii) of the same paragraph the words "or midwifery nurse" and by inserting in lieu thereof the words ", midwifery nurse or mothercraft nurse";

(xvii) by inserting next after the same subparagraph the following new subparagraph :—

(iv) the said paragraph (b) of subparagraph (i) of paragraph (e) is a general nurse, psychiatric nurse, midwifery nurse or infants' nurse.

Sec. 23.
(Unregistered or unenrolled persons not to hold themselves out as registered nurses or enrolled aides.)

(d) by inserting next after paragraph (e) of section twenty-three the following new paragraph :—

(ei) a mothercraft nurse unless she is registered under this Act as a mothercraft nurse; or;

Sec. 24.
(Unauthorised nursing.)

(e) by omitting from subsection one of section twenty-four the words "or infants' " and by inserting in lieu thereof the words ", infants' or mothercraft";

(f)

- (f) by omitting from section thirty-one the words "or infants'" wherever occurring and by inserting in lieu thereof the words ", infants' or mothercraft"; No. 54, 1964
Sec. 31.
(Document under hand of Registrar to be prima facie evidence.)
- (g) by omitting from subsection two of section thirty-four the words "or the age of nineteen years in the case of an infants' nurse" and by inserting in lieu thereof the words ", the age of nineteen years in the case of an infants' nurse or the age of eighteen years in the case of a mothercraft nurse"; Sec. 34.
(Board may adopt alternate schemes of training and examinations in certain cases.)
- (h) (i) by inserting in paragraph (e) of subsection one of section thirty-five after the word "hospitals" the words ", homes or similar institutions"; Sec. 35.
(Regulations.)
- (ii) by inserting in the same paragraph after the word "hospital" the words ", home or similar institution".

(2) (a) This section, paragraphs (d) and (e) of subsection one excepted, shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(b) Paragraphs (d) and (e) of subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette, being a day not earlier than the day appointed pursuant to paragraph (a) of this subsection.

(3) The member of the Nurses Registration Board holding office pursuant to paragraph (f) of subsection one of section five of the Principal Act immediately before the day appointed pursuant to paragraph (a) of subsection two of this section shall be deemed to have been elected by registered midwifery nurses and mothercraft nurses.