

No. , 1914.

A BILL

To provide for the registration of nurses qualified to practise in New South Wales; to amend the Private Hospitals Act, 1908; and for other purposes.

BE it enacted by the King's Most Excellent Majesty, by 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:—

Preliminary.

1. This Act may be cited as the "Nurses' Registration Act, 1914." Short title.

2. In the construction of this Act, unless the context Interpreta-
tion. otherwise indicates—

- “Prescribed” means prescribed by this Act, or by any regulation made thereunder.
- “Registrar” means registrar appointed under the provisions of this Act.
- “Registered” means registered under the provisions of this Act.
- “The board” means the Nurses' Registration Board appointed under the provisions of this Act.

Constitution of board.

3. The Governor shall appoint a board, which shall Appointment
of board. be a body corporate by the name of the Nurses' Registration Board of New South Wales, consisting of seven persons, namely:—

- (a) The President of the Board of Health, who shall ex officio be chairman of the board.
- (b) The chief medical officer of the Department of Public Instruction.
- (c) Two duly qualified medical practitioners, who shall be upon the active staffs of metropolitan general hospitals.
- (d) One past or present matron of a general hospital, one past or present matron of a midwifery hospital, and one representative nominated by the Council of the Australasian Trained Nurses Association.

4. The members of the board (other than the President of the Board of Health) shall hold office for three years, but they shall be eligible for re-appointment, and any vacancy caused by the death or retirement of any member of the board, or the failure of the Council of the Australasian Trained Nurses Association to nominate a member shall be filled by the Governor, and the person so appointed shall hold office for the balance of three years. Tenure of
office.

Powers and duties of board.

5. The duties of the board shall be as follows:—

- (a) To appoint examiners.

Duties of
the board.

- (b) To decide upon the places where, and the times when, examinations shall be held.
- (c) To appoint, subject to the approval of the Minister, a registrar and such other officers as is necessary for the purposes of this Act.
- (d) To decide upon the suspension of any nurse from practice as a registered nurse, or the removal from the register of the name of any nurse for disobeying the rules and regulations from time to time laid down under this Act by the board, or for other misconduct, and also to decide upon the restoration to the register of the name of any nurse so removed.
- (e) To issue and cancel certificates; and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act.

6. The board may make regulations—

Regulations.

- (a) governing their own proceedings, and defining the duties of their own officers;
- (b) regulating the issue of certificates to nurses;
- (c) prescribing the course and method of training necessary prior to application for registration, and regulating the conduct of examinations of nurses;
- (d) prescribing, in so far as it may be necessary in the interests of public health, the duties of nurses and the conditions under which a nurse may be suspended from practising as a registered nurse;
- (e) generally to carry out the provisions of this Act.

7. All regulations so made, if approved by the Governor, shall—

Regulations to be published.

- (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and
- (iii) be laid before both Houses of Parliament within seven days after publication if Parliament is in session, and if not, then within seven days after the commencement of the next

next session. But if either House of the Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

8. The board may examine any person upon oath, or take a solemn declaration from any person, for the purposes of this Act; and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he or she shall be guilty of a misdemeanour, and shall, on conviction, be liable to be imprisoned, with or without hard labour, for any period not exceeding twelve months.

Power to
examine
witnesses.

Registration of nurses.

9. Any person who has attained the age of twenty-one years, and is of sound health, and has passed the prescribed examinations held from time to time by the examiners appointed under this Act, may be registered upon satisfying the board as to good character and previous training as prescribed under this Act: Provided that the board shall have power, on being satisfied that her qualifications are adequate, to register a nurse who has obtained her certificate outside the State.

Who may be
registered.

10. After the first day of January, one thousand nine hundred and fifteen, a person shall not be entitled to take or use the name or title of—

Unregistered
persons not to
assume a
name of
registered
nurse, &c.

- (a) a registered nurse, or to use any initials or description implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a hospital general or mental nurse, unless she is registered as a hospital nurse; or
- (c) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as an obstetric nurse.

Any

Nurses' Registration.

Any person who, after such date, not being so registered, takes or uses any such name, initials, title, or description as aforesaid shall be liable on conviction to a penalty not exceeding *twenty* pounds.

11. Any person who, within one year from the commencement of this Act, claims to be registered shall, subject to the regulations made hereunder, be registered according to her qualifications as a hospital or obstetric nurse if such person—

Provision for existing nurses.

- (1) holds a certificate from any hospital recognised by the board (a) in the case of a person claiming to be registered as a hospital nurse, that she has gone through a course of at least three years' training; (b) in the case of a person claiming to be registered as an obstetric nurse that she has gone through a course of at least twelve months' training; or
- (2) produces to the board certificates of competency from two duly qualified medical practitioners, or other evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she claims to be registered, and that, at the passing of this Act, she had been for at least three years in bona fide practice of nursing, and bears a good character; or
- (3) is a member of any nursing association recognised by the board:

Provided that a person who is registered under the provisions of subsection two or subsection three shall not be deemed to be a hospital nurse or a midwifery nurse for the purposes of the Private Hospitals Act, 1908, unless such person is approved, as such, by the board.

12. The registrar shall enter in a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all hospital and obstetric nurses respectively, and shall transmit in the

Register.

month of January in each year a certified copy of such register to the Minister, who shall cause the same thereupon to be published in the Gazette. A copy of such Gazette, or a copy of the register, signed by the president of the board, shall be prima facie evidence, in all legal proceedings, that the persons mentioned therein are registered as therein stated, and the omission of any name therefrom shall be prima facie evidence that such person is not so registered.

13. All persons registered under this Act shall be entitled to wear a distinctive badge approved by the board, and any person whose name does not appear on the register who wears such or a similar badge shall be liable, on summary conviction, to a fine not exceeding *ten* pounds. Badges.

14. Any nurse who is aggrieved by any decision of the board refusing to register her, and any registered nurse who is aggrieved by any decision of the board suspending her from practice as a registered nurse, or removing her name from the register, or refusing to restore her name to the register, may appeal therefrom to a District Court judge within six months after the notification of such decision to such nurse, and the decision of such judge shall be final. Appeal from
decision of
the board.

The board shall not suspend any nurse or remove any nurse's name from the register without sending to such nurse a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing and in person.

General.

15. There shall be payable by every person who comes up for examination or registration the fees mentioned in the Schedule to this Act. All such fees shall be paid to the board. The board shall devote such fees to the payment of expenses connected with the examination and registration, and to the payment of salaries of the officers of the board and to the general expenses of the board. The board shall, as soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date, showing Fees and
expenses.

showing the receipts and expenditure, including the liabilities of the board, during the year, which statement shall be certified as correct by a public accountant.

16. Any person wilfully making, or causing to be made, any falsification in any matter relating to the register of nurses, shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding fifty pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

Penalty for wilful falsification of the registers.

17. All informations for offences against this Act shall be laid by the registrar, or some other officer appointed by the board for that purpose, and all penalties, when recovered, shall be paid to the board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

Offences and penalties.

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	1	1	0