

AUSTRALIAN CAPITAL TERRITORY.

No. 6 of 1959.

AN ORDINANCE

To amend the *Nurses Registration Ordinance 1933-1956*.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1955*.

Dated this second day of June, 1959.

W. J. SLIM
Governor-General.

By His Excellency's Command,

DONALD A. CAMERON
Minister of State for Health for and on behalf of the
Minister of State for the Interior.

NURSES REGISTRATION ORDINANCE 1959.

1.—(1.) This Ordinance may be cited as the *Nurses Registration Ordinance 1959*.^{*} Short title
and citation.

(2.) The *Nurses Registration Ordinance 1933-1956*[†] is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Nurses Registration Ordinance 1933-1959*.

2. The title of the Principal Ordinance is repealed and the following title inserted in its stead:— Title.

“An Ordinance to provide for the Registration of Nurses and the Enrolment of Nursing Aids, and for other purposes.”.

^{*} Notified in the *Commonwealth Gazette* on 25th June, 1959.

[†] Ordinance No. 1, 1933, as amended by No. 13, 1933; No. 5, 1936; No. 27, 1937; No. 17, 1941; No. 2, 1949; and No. 1, 1957.

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3. Section three of the Principal Ordinance is repealed and the following section inserted in its stead:—

Parts.

“ 3. This Ordinance is divided into Parts, as follows:—

Part I.—Preliminary (Sections 1-4).

Part II.—Administration (Sections 5-18).

Part III.—Registration and Qualifications of Nurses (Sections 19-28).

Part IIIA.—Enrolment and Qualifications of Nursing Aids (Sections 28A-28N).

Part IV.—The Conduct of the Practice of Nursing (Sections 29-42).

Part V.—Legal Procedure (Sections 43-47).

Part VI.—Regulations (Section 48).”.

Interpretations.

4. Section four of the Principal Ordinance is amended—

(a) by inserting in sub-section (1.), after the definition of “ the Director-General ”, the following definition:—

“ ‘ the matron ’, in relation to a hospital, includes, in the absence from duty of the matron of the hospital, the deputy of the matron of the hospital;” and

(b) by adding at the end of sub-section (1.) the following definition:—

“ ‘ the Roll ’ means the Roll of Nursing Aids kept under this Ordinance.”.

Heading of Part III.

5. The heading of Part III. of the Principal Ordinance is repealed and the following heading inserted in its stead:—

“ Part III.—Registration and Qualifications of Nurses.”.

Mode of registration.

6. Section twenty-one of the Principal Ordinance is amended by omitting sub-section (2.).

7. Section twenty-two of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

Persons entitled to apply for registration.

“ 22.—(1.) A person who—

(a) attends, for not less than three years, the practice of one or more hospitals approved by the Board as training schools for general nurses;

(b) undergoes the prescribed course of training in the theory and practice of nursing; and

(c) passes the examinations for general nurses determined by the Board,

is entitled to apply to the Board for registration as a general nurse.

“(2.) A person who—

- (a) attends, for not less than the period, or the appropriate period for the class of person in which the person is included, prescribed for qualifying for registration as a midwifery nurse, an infants’ nurse or a mental nurse, the practice of one or more hospitals approved by the Board as training schools for midwifery nurses, infants’ nurses or mental nurses, as the case may be; and
- (b) passes the examinations for midwifery nurses, infants’ nurses or mental nurses, as the case may be, determined by the Board,

is entitled to apply to the Board for registration as a midwifery nurse, an infants’ nurse or a mental nurse, as the case may be.

“(3.) For the purposes of the last preceding sub-section—

- (a) the period prescribed for qualifying for registration as a midwifery nurse is—
 - (i) if the person is registered as a general nurse in a State or Territory of the Commonwealth—one year; or
 - (ii) in any other case—two years;
- (b) the period prescribed for qualifying for registration as an infants’ nurse is two years; and
- (c) the period prescribed for qualifying for registration as a mental nurse is—
 - (i) if the person is registered as a general nurse in a State or Territory of the Commonwealth—two years; or
 - (ii) in any other cases—three years.

“22A. A person—

- (a) who has undergone training as a general nurse, a midwifery nurse, an infants’ nurse or a mental nurse in a hospital or school of nursing outside the Australian Capital Territory, whether she completed her training or not, and whose training is considered by the Board to have been of a satisfactory standard;
- (b) who undergoes such supplementary training, if any, and passes such examinations, if any, as the Board directs in her case; and
- (c) who speaks the English language in a manner that the Board considers satisfactory,

Persons trained
outside the
Territory.

is entitled to apply to the Board for registration as a general nurse, a midwifery nurse, an infants’ nurse or a mental nurse, as the case may be.

Registration.

“ 22B.—(1.) Subject to this section, where a person who—
 (a) has attained the age of twenty years;
 (b) is of good fame and character; and
 (c) is entitled so to apply,

applies to the Board for registration as a general nurse, a midwifery nurse, an infants' nurse or a mental nurse, the Board shall register the person as a general nurse, a midwifery nurse, an infants' nurse or a mental nurse, as the case may be.

“ (2.) The Board shall not register a male person as a midwifery nurse or an infants' nurse.

“ (3.) The Board shall not register a person unless the person proves to the satisfaction of the Board that the person is of sound health or of such a state of health that, if the person were registered, the health of anyone attended by the person would not be endangered.

“ (4.) On registration, the Board shall, on payment of the prescribed fee, issue to the person registered a certificate of registration in the prescribed form.”

8. After Part III. of the Principal Ordinance the following Part is inserted:—

“ Part IIIA. Enrolment and Qualifications of Nursing Aids.

Roll of Nursing Aids.

“ 28A.—(1.) The Board shall keep a roll, to be called the Roll of Nursing Aids.

“ (2.) A person shall be enrolled by the entering in the Roll of her name and qualifications and such other particulars relating to her as are prescribed.

“ (3.) An entry in the Roll shall be signed by the Chairman of the Board.

Approved training hospitals.

“ 28B.—(1.) The Board may approve of a hospital as a training hospital for nursing aids.

“ (2.) The Board may, at any time, cancel an approval given under the last preceding sub-section.

Examinations.

“ 28C.—(1.) The Board may hold examinations for nursing aids.

“ (2.) The Board may make an arrangement with the Nurses Registration Board constituted under the Nurses' Registration Act, 1953-1958 of the State of New South Wales, or that Act as amended at any time, for the conduct by that Board of examinations for nursing aids.

“ (3.) An examination conducted in pursuance of an arrangement referred to in the last preceding sub-section shall, for the purposes of this Ordinance, be deemed to be an examination held by the Board.

“ 28D. A person who—

- (a) undergoes, for a period of two years, at a hospital approved by the Board as a training hospital for nursing aids, the course of training approved by the Board for nursing aids; and
- (b) passes the examinations for nursing aids held by the Board,

Persons entitled to apply for enrolment.

is entitled to apply to the Board for enrolment as a nursing aid.

“ 28E.—(1.) A person who is, at the commencement of this Part, employed as a nursing aid at a hospital in the Territory is entitled, if the Board so approves, to apply to the Board for enrolment as a nursing aid.

Persons employed as nursing aids at commencement of Part.

“ (2.) The Board may, before giving an approval under the last preceding sub-section, require a person to undergo such course of training, and to pass such examinations, as the Board directs in her case.

28F. A person—

- (a) who has been trained as a general nurse, a nursing aid or an assistant in nursing in a hospital or school of nursing outside the Australian Capital Territory, whether she completed her training or not, and whose training is considered by the Board to have been of a satisfactory standard for a nursing aid;
- (b) who undergoes such supplementary training, if any, and passes such examinations, if any, as the Board directs in her case; and
- (c) who speaks the English language in a manner that the Board considers satisfactory

Persons trained outside the Territory.

is entitled to apply to the Board for enrolment as a nursing aid.

“ 28G.—(1.) Subject to this section, where a person who—

Enrolment.

- (a) is of good fame and character; and
- (b) is entitled so to apply,

applies to the Board for enrolment as a nursing aid, the Board shall enrol that person as a nursing aid.

“ (2.) The Board shall not enrol a person as a nursing aid unless the person proves to the satisfaction of the Board that the person is of sound health or of such a state of health that, if the person were enrolled, the health of anyone attended by the person would not be endangered.

“ (3.) On enrolment, the Board shall, on payment of a fee of Seven shillings and sixpence, issue to the person enrolled a certificate of enrolment in a form approved by the Board.

“(4.) If the Board refuses to enrol a person as a nursing aid under this Ordinance, the Board shall, if required by that person, state in writing the reason for the refusal.

Removal from Roll.

“28H.—(1.) The Board may remove from the Roll the name of a person—

- (a) whose enrolment has been obtained by fraud or misrepresentation;
- (b) whose certificate or other evidence of qualification is withdrawn or cancelled by the body by which it was conferred;
- (c) who is convicted, whether in the Territory or elsewhere, of an indictable offence or of any other offence that, in the opinion of the Board, renders her unfit to be employed as a nursing aid;
- (d) who is certified as insane; or
- (e) who is found by the Board to have been guilty of—
 - (i) habitual drunkenness or habitual addiction to a drug; or
 - (ii) any other prescribed misconduct.

“(2.) If, in pursuance of this section, the Board removes the name of a person from the Roll, the Board shall, if so required by that person, state in writing the reason for the removal.

Inquiry before removal from Roll.

“28J.—(1.) Before removing the name of a person from the Roll in pursuance of the last preceding section, the Board shall hold an inquiry.

“(2.) At the inquiry the person may be represented by counsel, a solicitor or an agent who may examine witnesses and address the Board on her behalf.

“(3.) Pending the holding of the inquiry, the Board may suspend temporarily the enrolment of the person to whom the inquiry relates.

Appeals.

“28K.—(1.) A person whose application for enrolment is refused by the Board or whose name is removed from the Roll by the Board in pursuance of section twenty-eight H of this Ordinance may appeal to the Supreme Court against the decision of the Board.

“(2.) The Board shall be the respondent upon the appeal.

“(3.) The appeal shall be in the nature of a rehearing, but the Supreme Court may have regard to material that was before the Board.

“(4.) If the Supreme Court allows the appeal, it may order that the appellant be enrolled as a nursing aid under this Ordinance or that the name of the appellant be restored to the Roll, as the case may be.

“(5.) Jurisdiction to hear and determine appeals under this section is vested in the Supreme Court.

“ 28L. A person shall not be employed as a nursing aid except in a hospital and under the supervision of a registered nurse.

Employment of nursing aids.

“ 28M. A person shall not, in connexion with an application for enrolment as a nursing aid under this Ordinance, make a false or misleading statement or produce a false certificate, testimonial or other document.

Fraudulent enrolment.

Penalty: One hundred pounds.

“ 28N. The Board shall remove from the Roll the names of all enrolled nursing aids who have died and may make such other alterations in the Roll as are necessary.”

Alteration of Roll.

9. Section forty-one of the Principal Ordinance is amended by adding at the end thereof the following word and paragraph:—

Application of Part IV.

“ or (e) the giving or performance in a hospital and under the supervision of a registered nurse of any nursing service by a person who is enrolled as a nursing aid under this Ordinance or undergoing a course of training approved by the Board for nursing aids or directed by the Board in her case.”

10. The heading of Part VI. of the Principal Ordinance is repealed and the following heading inserted in its stead:—

Heading of Part VI.

“ Part VI.—Regulations.”