

New South Wales.



ANNO QUINTO DECIMO

GEORGI V REGIS.

Act No. 37, 1924.

An Act to provide for the registration and regulation of nurses ; to amend the Private Hospitals Act, 1908 ; and for purposes consequent thereon or incidental thereto. [Assented to, 17th December, 1924.]

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. (1) This Act may be cited as the "Nurses' Registration Act, 1924."

Short title
and com-
mencement.

(2)

Nurses' Registration.

(2) This Act shall come into operation on a day to be appointed by the Governor and notified in the Gazette.

Interpreta-
tion.

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

“Mental hospital” includes a hospital for the insane.

“Minister” means the Minister for Public Health or other Minister to whom the administration of this Act is for the time being committed by the Governor.

“Prescribed” means prescribed by this Act, or by any regulation made thereunder.

“Register” means the register of nurses to be kept under this Act.

“Registered” means registered under the provisions of this Act.

“Registrar” means registrar appointed under the provisions of this Act.

“Regulations” means regulations made under this Act.

“The board” means the Nurses' Registration Board of New South Wales appointed under the provisions of this Act.

Words importing the female gender shall include the male excepting in respect of midwifery nurses.

Constitution of board.

Appointment
of board.

3. (1) The Governor shall appoint a board, to be called the Nurses' Registration Board of New South Wales, consisting of seven persons, namely:—

- (a) The Director-General of Public Health, who shall ex officio be chairman of the board;
- (b) the Inspector-General of Mental Hospitals, who shall ex officio be a member of the board;
- (c) the principal teacher of obstetrics in the University of Sydney, who shall ex officio be a member of the board;
- (d) one legally qualified medical practitioner, who shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association;
- (e)

Nurses' Registration.

- (e) three nurses, two of whom shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association. One of such nurses shall be a past or present nurse of a general hospital, one a past or present nurse of a midwifery hospital. The third nurse shall be a past or present nurse of a mental hospital who shall be nominated in manner prescribed by regulation by certificated mental nurses. In the case of the nomination to the first board, the regulations shall be made by the Governor and notified in the Gazette: Provided that registered nurses of the respective classes mentioned shall be appointed as members of the second or any subsequent board under this paragraph.

(2) The secretary to the Board of Health shall The registrar.
ex officio be the registrar of the board.

4. (1) The members of the board (other than the Tenure of office, vacancies, &c.
Director-General of Public Health, the Inspector-General of Mental Hospitals, and the principal teacher of obstetrics in the University of Sydney) shall hold office for three years, but they shall be eligible for reappointment.

(2) If any member of the board is absent without the permission of the board from four consecutive meetings of the board, or becomes bankrupt, or is convicted of any indictable offence, or becomes insane, or resigns his seat, or dies, his seat shall thereby become vacant; and every such vacancy shall be deemed to be an extraordinary vacancy.

(3) On the occurrence of any extraordinary vacancy in the board, or in case of the failure of the New South Wales Council of the Australasian Trained Nurses Association within one month to nominate a member, the Governor may appoint another person to fill the vacancy. Any person appointed to fill an extraordinary vacancy shall hold office only for the remainder of the term for which his predecessor was appointed, but shall be eligible for reappointment.

(4)

Nurses' Registration.

(4) During any vacancy in the board the remaining members, subject to there being a quorum, may act as if no vacancy existed.

(5) A quorum of the board shall consist of not less than four members.

(6) At any meeting of the board the chairman, or in his absence any member elected by the members present to act as chairman at such meeting, shall preside, and shall have a casting as well as a deliberative vote.

Powers and duties of board.

Duties of
the board.

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

- (a) To appoint examiners.
- (b) To determine the character, subjects, and conduct of examinations.
- (c) To appoint the places where, and the times when, examinations shall be held.
- (d) To cause the names of qualified nurses to be entered in the prescribed manner in the register.
- (e) To appoint, subject to the approval of the Minister, such officers as may be necessary for the purposes of this Act.
- (f) To issue and cancel certificates of registration; and
- (g) generally to do any act or perform any duty which may be necessary for the due and proper carrying out of the provisions of this Act.

Power of
board to
remove and
suspend.

6. (1) The board may—

- (a) for misconduct suspend any nurse from practice as a registered nurse for such time as it deems just, or remove from the register the name of any nurse, and shall notify the nurse accordingly :

Provided that the board shall not under this paragraph suspend any nurse from practice or remove any nurse's name from the register without sending to such nurse by registered letter a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person ;

(b)

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- (b) restore to the register the name of any nurse so removed ; and
- (c) suspend any registered nurse temporarily from such practice if such suspension appears to it necessary to prevent the spread of infection :

Provided that the Director-General of Public Health or a medical practitioner authorised by him shall have power to suspend a midwifery nurse under this paragraph pending consideration by the board.

(2) Any person whose name is ordered under the provisions of the preceding subsection to be removed from the register shall within fourteen days from the notification to her of the order surrender her certificate of registration and badge to the board. Surrender of certificate.

If she fails to do so she shall be liable to a penalty not exceeding two pounds for every day during which the offence is continued.

(3) The board may pay such compensation to any midwifery nurse suspended under the provisions of paragraph (c) of subsection one of this section as it thinks fit.

7. (1) Any nurse who is aggrieved by any decision of the board under paragraph (a) of subsection one of the last preceding section may, within three months after she has been notified of such decision, appeal therefrom to a District Court judge. Appeal from decision of the board.

(2) Such judge shall inquire into and decide upon the appeal, and for that purpose may do all such matters and things relating thereto in the same manner and to the same extent as he is empowered to do in the exercise of his ordinary jurisdiction as a District Court judge, and his decision shall be final and without appeal.

8. The board may examine any person upon oath, or take a solemn declaration from any person, for the purposes of this Act. 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 Power to examine witnesses.

Nurses' Registration.

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.

Registration of nurses.

Who may be
registered.

9. (1) Any person who has attained the age of twenty-one years, is of sound health, and who satisfies the board as to good character, may be registered—

(a) as a general nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more medical and surgical hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a mental nurse, has attended the practice of such hospitals for not less than two years; and

(ii) she has passed such examinations as the board prescribes; or

(b) as a mental nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more mental hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than two years; and

(ii) she has passed such examinations as the board prescribes; or

(c) as a midwifery nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more maternity hospitals approved by the board for the period prescribed, being not less than one year, or that she, subsequently to being

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being registered as a general nurse, has attended the practice of such hospitals for not less than the period of six months; and

- (ii) she has passed such examinations as the board prescribes; or
- (d) as an infants' nurse if—
 - (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more hospitals for children or such similar institutions approved by the board for the period prescribed;
 - (ii) she has passed such examinations as the board prescribes.

(2) Any person who has attained the age of twenty-one years, is of sound health, who satisfies the board as to good character, and who produces evidence satisfactory to the board of having been trained as a nurse and registered in any other part of His Majesty's dominions in which an Act providing for the registration of nurses is in force, and which admits to its register nurses registered under this Act on reciprocal terms, may, upon payment of the fee payable on the registration of other persons, be registered under this Act, provided that the board is satisfied that the standard of training and examination in such other part of His Majesty's dominions is equivalent to the standard prescribed in pursuance of this Act.

(3) Any person, not otherwise provided for under subsection two of this section, who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who produces evidence satisfactory to the board of having been trained as a nurse, and of having obtained a certificate approved by the board from any institution or person or body of persons in any part of His Majesty's dominions outside New South Wales, may, upon payment of the fee payable on the registration of other persons, be registered under this Act, provided that she has passed such examinations as the board prescribes, and the board is satisfied that her qualifications are adequate. **10.**

Nurses' Registration.

Provision for
existing
nurses.

10. Any person who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who, within one year from the commencement of this Act or within such further time as the board may in any particular case allow, applies to be registered may be registered according to her qualifications as a general, mental, infants', or midwifery nurse if such person—

- (1) holds an appropriate certificate as required by section nine and satisfies the board that she has shown proficiency in the particular branch in which she applies to be registered; or
- (2) produces to the board certificates of competency from two legally qualified medical practitioners, and other sufficient evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she applies to be registered, and that, at the commencement of this Act, she had been for at least three years bona fide engaged in the practice of nursing in New South Wales; or
- (3) is a member of any nursing association approved by the board.

Register.

11. (1) The registrar shall enter in a register, in the prescribed manner and on being paid the prescribed fee, the full name and address, date of registration, and description of qualifications for which registration is granted, and all other prescribed particulars of every general, mental, infants', or midwifery nurse, whom the board declares qualified to be so registered. The registrar shall transmit to the Minister in the month of January in each year separate lists of the general, mental, infants', and midwifery nurses whose names and addresses are then on the register. The Minister shall cause such lists to be published in the Gazette.

A copy of such Gazette, or a copy of the register signed by the chairman 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 registered.

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(2) In the case of a person whose name does not appear in any such copy, a certificate under the hand of the registrar of the entry of her name in the register shall be prima facie evidence that she is so registered as a general, mental, infants', or midwifery nurse.

(3) A certificate purporting to be signed by the registrar that the name of a person whose name appears in the register has been removed from the register, and of the date of such removal, shall be prima facie evidence that such person is not registered, and of the date as from which she ceased to be so registered.

Offences.

12. After the expiration of a period of twelve months from the commencement of this Act a person shall not take or use the name or title of—

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

- (a) a registered nurse, or use any initials, or description, or any name, title, addition, or designation implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a general nurse, unless she is registered as a general nurse; or
- (c) a mental nurse, unless she is registered as a mental nurse; or
- (d) an infants' nurse, unless she is registered as an infants' nurse; or
- (e) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as a midwifery nurse.

Any person who, after the expiration of the said period, not being so registered, takes or uses any such name, initials, title, addition, designation, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

13. (1) After the expiration of a period of twelve months from the commencement of this Act—

Unauthorised nursing.

- (a) no registered mental, infants', or midwifery nurse shall act in a capacity in which she is not registered;
- (b) no person who is not registered as a midwifery nurse shall for gain attend any lying-in woman.

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Any

Nurses' Registration.

Any person contravening the provisions of this section shall be liable upon summary conviction to a fine not exceeding twenty pounds.

(2) The provisions of this section shall not apply to—

- (a) any legally qualified medical practitioner ;
- (b) any person attending a lying-in woman who does not reside within five miles of a legally qualified medical practitioner or midwifery nurse, or in whose case no such practitioner or nurse is known after due inquiry to be able or willing to attend ; or
- (c) any person rendering assistance in a case of emergency.

Registered
nurses not to
employ unregis-
tered persons
as substitutes.

14. A registered nurse shall not employ an unregistered person as her substitute.

Any nurse offending against this section shall be liable to a penalty not exceeding twenty pounds.

Badges.

15. A registered nurse shall be entitled to wear a badge of prescribed design issued by the board, and any person not a registered nurse who wears such or a similar badge shall be liable, on summary conviction, to a penalty not exceeding ten pounds.

Penalties.

16. Save as otherwise expressly provided, any registered nurse who fails, neglects, or refuses to comply with any lawful order or direction of the board, made pursuant to this Act, shall be liable to a penalty not exceeding ten pounds.

Miscellaneous.

Fees and
expenses.

17. (1) There shall be payable by every person who comes up for examination or is registered the fees mentioned in the Schedule to this Act. Every registered midwifery nurse shall also pay the annual fee mentioned in the said Schedule in respect of the retention of her name on the register. Such fees shall be paid to the board. The board shall apply such fees to the payment of expenses connected with examinations and registration under this Act, and to the payment of salaries of the officers of the board, to the compensation of midwifery nurses

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nurses suspended under paragraph (c) of subsection one of section six of this Act, and to the general expenses of the board.

(2) 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 the receipts and expenditure of the board during the year, and its liabilities at the close of the year, which statement shall be certified as correct by a public accountant.

Publication
of financial
statements.

18. Any person who wilfully makes, or causes to be made, any false statement as to any particular required to be entered in the register shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding twenty-five pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

Penalty for
wilful falsifi-
cation of the
registers.

19. The board may make regulations—

Regulations.

- (a) governing its proceedings, and defining the duties of its officers;
- (b) regulating the issue and surrender of badges and of certificates of registration to nurses;
- (c) prescribing the period of attendance at hospitals prior to registration, the conditions under which a hospital shall be recognised as a training school for nurses, regulating and supervising courses of training, and prescribing the form of certificates as to such attendance, and the persons by whom they may be granted;
- (d) regulating the character, subjects, and conduct of examinations for registration;
- (e) prescribing, in so far as it may be necessary to prevent the spread of infection, the duties of nurses;
- (f) providing for the removal from the register of the names of nurses who have died;
- (g) providing for the removal from the register of the names of nurses who have left the State or who have become insane persons or patients within the meaning of the Lunacy Act, 1898, and for the circumstances under which such names shall be restored to the register;

c

(h)

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- (h) regulating and supervising the practice of midwifery nurses and providing for the notification of diseases either in the mother or the newborn child by such nurses;
- (i) generally for carrying out the provisions of this Act; and
- (j) imposing a penalty of not more than twenty pounds for any breach of such regulations.

Regulations
to be
published.

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

- (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 fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Offences and
penalties.

21. All informations for offences against this Act or the regulations 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 in a summary manner before any stipendiary or police magistrate or two justices of the peace.

Officers, &c.,
not to be
personally
liable.

22. No matter or thing done or suffered by the board, or by any member, or the registrar, or any officer of the board, bona fide in the execution, or intended execution, of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or duties, shall subject the board or any member, or the registrar, or the officer, or any other person, or the Crown, to any liability in respect thereof.

23.

Nurses' Registration.

23. The Private Hospitals Act, 1908, is amended as follows :—

Amendment
of Act No. 14
of 1908.

- (a) (i) By omitting from section two the definitions of "hospital nurse" and "midwifery nurse"; and
- (ii) by inserting at the end of the same section the following definition: "'Registered' as applied to a nurse means registered under the provisions of the Nurses' Registration Act, 1924";
- (b) by omitting sections three, four, and five; Secs. 3, 4, 5.
- (c) (i) by omitting from subsection one of section ten the words "hospital nurse" wherever occurring and by inserting in lieu thereof the words "registered general nurse"; and
- (ii) by inserting in paragraph (b) of the same subsection before the word "midwifery" the word "registered"; *Ibid.*
- (iii) by omitting from paragraph (c) of the same subsection the word "and" and by inserting in lieu thereof the words "who is also registered as a"; *Ibid.*
- (iv) by inserting in paragraph (c) of the same subsection before the word "midwifery" where it secondly occurs the word "registered"; *Ibid.*
- (d) by omitting from subsection two of section ten the words "under paragraphs (b) and (c) aforesaid." Sec. 10 (2).

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	0	10	6
Fee payable for the retention on the register of the name of any midwifery nurse in any year	0	5	0

By Authority :

ALFRED JAMES KENT, Government Printer, Sydney, 1924.

Amended Regulations

23. The Private Hospitals Act, 1908, is amended as follows:

(a) (i) The definition in section two of the definition of "hospital nurse" and "nursing" shall be amended to read as follows:

(ii) It is hereby declared that the definition of "hospital nurse" and "nursing" shall be amended to read as follows:

(iii) The definition of "hospital nurse" and "nursing" shall be amended to read as follows:

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(xxii) The definition of "hospital nurse" and "nursing" shall be amended to read as follows:

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 9 December, 1924.*

New South Wales.



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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.** (1) This Act may be cited as the "Nurses' Registration Act, 1924."
(2) Short title and commencement.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. B. WALKER,
Chairman of Committees of the Legislative Assembly.

*Nurses' Registration.*Interpreta-
tion.

(2) This Act shall come into operation on a day to be appointed by the Governor and notified in the Gazette.

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

“Mental hospital” includes a hospital for the insane.

“Minister” means the Minister for Public Health or other Minister to whom the administration of this Act is for the time being committed by the Governor.

“Prescribed” means prescribed by this Act, or by any regulation made thereunder.

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(b) the Inspector-General of Mental Hospitals, who shall ex officio be a member of the board;

(c) the principal teacher of obstetrics in the University of Sydney, who shall ex officio be a member of the board;

(d) one legally qualified medical practitioner, who shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association;

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(e) three nurses, two of whom shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association. One of such nurses shall be a past or present nurse of a general hospital, one a past or present nurse of a midwifery hospital. The third nurse shall be a past or present nurse of a mental hospital who shall be nominated in manner prescribed by regulation by certificated mental nurses. In the case of the nomination to the first board, the regulations shall be made by the Governor and notified in the Gazette: Provided that registered nurses of the respective classes mentioned shall be appointed as members of the second or any subsequent board under this paragraph.

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Director-General of Public Health, the Inspector-General of Mental Hospitals, and the principal teacher of obstetrics in the University of Sydney) shall hold office for three years, but they shall be eligible for reappointment.

(2) If any member of the board is absent without the permission of the board from four consecutive meetings of the board, or becomes bankrupt, or is convicted of any indictable offence, or becomes insane, or resigns his seat, or dies, his seat shall thereby become vacant; and every such vacancy shall be deemed to be an extraordinary vacancy.

(3) On the occurrence of any extraordinary vacancy in the board, or in case of the failure of the New South Wales Council of the Australasian Trained Nurses Association within one month to nominate a member, the Governor may appoint another person to fill the vacancy. Any person appointed to fill an extraordinary vacancy shall hold office only for the remainder of the term for which his predecessor was appointed, but shall be eligible for reappointment.

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- (e) To appoint, subject to the approval of the Minister, such officers as may be necessary for the purposes of this Act.
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Power of
board to
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- (a) for misconduct suspend any nurse from practice as a registered nurse for such time as it deems just, or remove from the register the name of any nurse, and shall notify the nurse accordingly :

Provided that the board shall not under this paragraph suspend any nurse from practice or remove any nurse's name from the register without sending to such nurse by registered letter a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person ;

(b)

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- (b) restore to the register the name of any nurse so removed; and
- (c) suspend any registered nurse temporarily from such practice if such suspension appears to it necessary to prevent the spread of infection:

Provided that the Director-General of Public Health or a medical practitioner authorised by him shall have power to suspend a midwifery nurse under this paragraph pending consideration by the board.

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If she fails to do so she shall be liable to a penalty not exceeding two pounds for every day during which the offence is continued.

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(2) Such judge shall inquire into and decide upon the appeal, and for that purpose may do all such matters and things relating thereto in the same manner and to the same extent as he is empowered to do in the exercise of his ordinary jurisdiction as a District Court judge, and his decision shall be final and without appeal.

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9. (1) Any person who has attained the age of twenty-one years, is of sound health, and who satisfies the board as to good character, may be registered—

(a) as a general nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more medical and surgical hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a mental nurse, has attended the practice of such hospitals for not less than two years; and

(ii) she has passed such examinations as the board prescribes; or

(b) as a mental nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more mental hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than two years; and

(ii) she has passed such examinations as the board prescribes; or

(c) as a midwifery nurse if—

(i) she holds a certificate as prescribed, stating that she has attended the practice of one or more maternity hospitals approved by the board for the period prescribed, being not less than one year, or that she, subsequently to being

Nurses' Registration.

being registered as a general nurse, has attended the practice of such hospitals for not less than the period of six months; and

(ii) she has passed such examinations as the board prescribes; or

(d) as an infants' nurse if—

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

(ii) she has passed such examinations as the board prescribes.

(2) Any person who has attained the age of twenty-one years, is of sound health, who satisfies the board as to good character, and who produces evidence satisfactory to the board of having been trained as a nurse and registered in any other part of His Majesty's dominions in which an Act providing for the registration of nurses is in force, and which admits to its register nurses registered under this Act on reciprocal terms, may, upon payment of the fee payable on the registration of other persons, be registered under this Act, provided that the board is satisfied that the standard of training and examination in such other part of His Majesty's dominions is equivalent to the standard prescribed in pursuance of this Act.

(3) Any person, not otherwise provided for under subsection two of this section, who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who produces evidence satisfactory to the board of having been trained as a nurse, and of having obtained a certificate approved by the board from any institution or person or body of persons in any part of His Majesty's dominions outside New South Wales, may, upon payment of the fee payable on the registration of other persons, be registered under this Act, provided that she has passed such examinations as the board prescribes, and the board is satisfied that her qualifications are adequate.

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Provision for
existing
nurses.

10. Any person who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who, within one year from the commencement of this Act or within such further time as the board may in any particular case allow, applies to be registered may be registered according to her qualifications as a general, mental, infants', or midwifery nurse if such person—

- (1) holds an appropriate certificate as required by section nine and satisfies the board that she has shown proficiency in the particular branch in which she applies to be registered; or
- (2) produces to the board certificates of competency from two legally qualified medical practitioners, and other sufficient evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she applies to be registered, and that, at the commencement of this Act, she had been for at least three years bona fide engaged in the practice of nursing in New South Wales; or
- (3) is a member of any nursing association approved by the board.

Register.

11. (1) The registrar shall enter in a register, in the prescribed manner and on being paid the prescribed fee, the full name and address, date of registration, and description of qualifications for which registration is granted, and all other prescribed particulars of every general, mental, infants', or midwifery nurse, whom the board declares qualified to be so registered. The registrar shall transmit to the Minister in the month of January in each year separate lists of the general, mental, infants', and midwifery nurses whose names and addresses are then on the register. The Minister shall cause such lists to be published in the Gazette.

A copy of such Gazette, or a copy of the register signed by the chairman 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 registered.

(2)

Nurses' Registration.

(2) In the case of a person whose name does not appear in any such copy, a certificate under the hand of the registrar of the entry of her name in the register shall be prima facie evidence that she is so registered as a general, mental, infants', or midwifery nurse.

(3) A certificate purporting to be signed by the registrar that the name of a person whose name appears in the register has been removed from the register, and of the date of such removal, shall be prima facie evidence that such person is not registered, and of the date as from which she ceased to be so registered.

Offences.

12. After the expiration of a period of twelve months from the commencement of this Act a person shall not take or use the name or title of—

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

- (a) a registered nurse, or use any initials, or description, or any name, title, addition, or designation implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a general nurse, unless she is registered as a general nurse; or
- (c) a mental nurse, unless she is registered as a mental nurse; or
- (d) an infants' nurse, unless she is registered as an infants' nurse; or
- (e) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as a midwifery nurse.

Any person who, after the expiration of the said period, not being so registered, takes or uses any such name, initials, title, addition, designation, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

13. (1) After the expiration of a period of twelve months from the commencement of this Act—

Unauthorised nursing.

- (a) no registered mental, infants', or midwifery nurse shall act in a capacity in which she is not registered;
- (b) no person who is not registered as a midwifery nurse shall for gain attend any lying-in woman.

Any

Nurses' Registration.

Any person contravening the provisions of this section shall be liable upon summary conviction to a fine not exceeding twenty pounds.

(2) The provisions of this section shall not apply to —

- (a) any legally qualified medical practitioner;
- (b) any person attending a lying-in woman who does not reside within five miles of a legally qualified medical practitioner or midwifery nurse, or in whose case no such practitioner or nurse is known after due inquiry to be able or willing to attend; or
- (c) any person rendering assistance in a case of emergency.

Registered
nurses not to
employ unregis-
tered persons
as substitutes.

14. A registered nurse shall not employ an unregistered person as her substitute.

Any nurse offending against this section shall be liable to a penalty not exceeding twenty pounds.

Badges.

15. A registered nurse shall be entitled to wear a badge of prescribed design issued by the board, and any person not a registered nurse who wears such or a similar badge shall be liable, on summary conviction, to a penalty not exceeding ten pounds.

Penalties.

16. Save as otherwise expressly provided, any registered nurse who fails, neglects, or refuses to comply with any lawful order or direction of the board, made pursuant to this Act, shall be liable to a penalty not exceeding ten pounds.

Miscellaneous.

Fees and
expenses.

17. (1) There shall be payable by every person who comes up for examination or is registered the fees mentioned in the Schedule to this Act. Every registered midwifery nurse shall also pay the annual fee mentioned in the said Schedule in respect of the retention of her name on the register. Such fees shall be paid to the board. The board shall apply such fees to the payment of expenses connected with examinations and registration under this Act, and to the payment of salaries of the officers of the board, to the compensation of midwifery
nurses

Nurses' Registration.

nurses suspended under paragraph (c) of subsection one of section six of this Act, and to the general expenses of the board.

(2) 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 the receipts and expenditure of the board during the year, and its liabilities at the close of the year, which statement shall be certified as correct by a public accountant.

Publication
of financial
statements.

18. Any person who wilfully makes, or causes to be made, any false statement as to any particular required to be entered in the register shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding twenty-five pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

Penalty for
wilful falsifi-
cation of the
registers.

19. The board may make regulations—

Regulations.

- (a) governing its proceedings, and defining the duties of its officers;
- (b) regulating the issue and surrender of badges and of certificates of registration to nurses;
- (c) prescribing the period of attendance at hospitals prior to registration, the conditions under which a hospital shall be recognised as a training school for nurses, regulating and supervising courses of training, and prescribing the form of certificates as to such attendance, and the persons by whom they may be granted;
- (d) regulating the character, subjects, and conduct of examinations for registration;
- (e) prescribing, in so far as it may be necessary to prevent the spread of infection, the duties of nurses;
- (f) providing for the removal from the register of the names of nurses who have died;
- (g) providing for the removal from the register of the names of nurses who have left the State or who have become insane persons or patients within the meaning of the Lunacy Act, 1898, and for the circumstances under which such names shall be restored to the register;

(h)

Nurses' Registration.

23. The Private Hospitals Act, 1908, is amended as follows:—

Amendment
of Act No. 14
of 1908.
Sec. 2.

- (a) (i) By omitting from section two the definitions of "hospital nurse" and "midwifery nurse"; and
- (ii) by inserting at the end of the same section the following definition: "'Registered' as applied to a nurse means registered under the provisions of the Nurses' Registration Act, 1924";
- (b) by omitting sections three, four, and five; Secs. 3, 4, 5.
- (c) (i) by omitting from subsection one of section ten the words "hospital nurse" wherever occurring and by inserting in lieu thereof the words "registered general nurse"; and Sec. 10 (1).
- (ii) by inserting in paragraph (b) of the same subsection before the word "midwifery" the word "registered"; *Ibid.*
- (iii) by omitting from paragraph (c) of the same subsection the word "and" and by inserting in lieu thereof the words "who is also registered as a"; *Ibid.*
- (iv) by inserting in paragraph (c) of the same subsection before the word "midwifery" where it secondly occurs the word "registered"; *Ibid.*
- (d) by omitting from subsection two of section ten the words "under paragraphs (b) and (c) aforesaid." Sec. 10 (2).

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	0	10	6
Fee payable for the retention on the register of the name of any midwifery nurse in any year	0	5	0

In the name and on behalf of His Majesty I assent to this Act.

D. R. S. DE CHAIR,

Government House,

Governor.

Sydney, 17th December, 1924.

NURSES' REGISTRATION BILL

SCHEDULE showing the Legislative Assembly's disagreement from and amendment upon the Legislative Council's amendments, referred to in Message of 4 December, 1924.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Page 3, clause 3, line 20. *After "mental nurses" insert "In the case of the
"nomination to the first board, the regulations shall be made by the
"Governor and notified in the Gazette"*

Page 13, Schedule, line 30. *Omit "Fee payable for badge, on issue ... 0 10 6"*

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NURSES' REGISTRATION BILL.

SCHEDULE of Amendments referred to in Message of 27th November, 1924.

- Page 2, clause 3, line 39. *After "the" insert "New South Wales"*
Page 3, clause 3. *Omit paragraph (e) and insert new paragraph (e).*
Page 3, clause 4, line 41. *After "the" thirdly occurring insert "New South Wales"*
Page 5, clause 6, line 17. *Omit "shall" insert "may"*
Page 7, clause 9, line 3. *Omit "a children's" insert "an infants'"*
Page 7, clause 9, line 11. *Omit "prescribed" insert "prescribes"*
Page 8, clause 10, line 4. *Omit "children's" insert "infants'"*
Page 8, clause 11, line 26. *Omit "children's" insert "infants'"*
Page 8, clause 11, line 30. *Omit "children's" insert "infants'"*
Page 9, clause 11, line 3. *Omit "children's" insert "infants'"*
Page 9, clause 12, line 23. *Omit "a children's" insert "an infants'"*
Page 9, clause 12, line 24. *Omit "a children's" insert "an infants'"*
Page 9, clause 13, line 34. *Omit "children's" insert "infants'"*
Page 13, Schedule. *After line 29 insert "Fee payable for badge, on issue ... 0 10 6"*
-

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 November, 1924.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 27th November, 1924.*

New South Wales.



ANNO QUINTO DECIMO

GEORGII V REGIS.

Act No. , 1924.

An Act to provide for the registration and regulation of nurses ; to amend the Private Hospitals Act, 1908 ; and for purposes consequent thereon or incidental thereto.

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. (1) This Act may be cited as the "Nurses' Registration Act, 1924."

49843

210—A

(2)

Short title
and com-
mencement.

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

Nurses' Registration.

(2) This Act shall come into operation on a day to be appointed by the Governor and notified in the Gazette.

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

5 "Mental hospital" includes a hospital for the insane.

"Minister" means the Minister for Public Health or other Minister to whom the administration of this Act is for the time being committed by the Governor.

10 "Prescribed" means prescribed by this Act, or by any regulation made thereunder.

"Register" means the register of nurses to be kept under this Act.

15 "Registered" means registered under the provisions of this Act.

"Registrar" means registrar appointed under the provisions of this Act.

20 "Regulations" means regulations made under this Act.

"The board" means the Nurses' Registration Board of New South Wales appointed under the provisions of this Act.

25 Words importing the female gender shall include the male excepting in respect of midwifery nurses.

Constitution of board.

3. (1) The Governor shall appoint a board, to be called the Nurses' Registration Board of New South Appointment
of board.
30 Wales, consisting of seven persons, namely:—

(a) The Director-General of Public Health, who shall ex officio be chairman of the board;

(b) the Inspector-General of Mental Hospitals, who shall ex officio be a member of the board;

35 (c) the principal teacher of obstetrics in the University of Sydney, who shall ex officio be a member of the board;

(d) one legally qualified medical practitioner, who shall be nominated by the **New South Wales** Council of the Australasian Trained Nurses Association;

(e)

Nurses' Registration.

- (e) three nurses two of whom shall be nominated by the Council of the Australasian Trained Nurses Association, as follows : one a past or present matron of a general hospital and one a past or present matron of a midwifery hospital), and the other to be a mental nurse to be nominated by the executive of the Hospital Employees Association of New South Wales : Provided that only registered nurses shall be appointed under this paragraph as members of the second or any subsequent board.
- (e) three nurses, two of whom shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association. One of such nurses shall be a past or present nurse of a general hospital, one a past or present nurse of a midwifery hospital. The third nurse shall be a past or present nurse of a mental hospital who shall be nominated in manner prescribed by regulation by certificated mental nurses : Provided that registered nurses of the respective classes mentioned shall be appointed as members of the second or any subsequent board under this paragraph.
- (2) The secretary to the Board of Health shall The registrar.
ex officio be the registrar of the board.
- 4.** (1) The members of the board (other than the Tenure of office, vacancies, &c.
Director-General of Public Health, the Inspector-General of Mental Hospitals, and the principal teacher of obstetrics in the University of Sydney) shall hold office for three years, but they shall be eligible for reappointment.
- (2) If any member of the board is absent without the permission of the board from four consecutive meetings of the board, or becomes bankrupt, or is convicted of any indictable offence, or becomes insane, or resigns his seat, or dies, his seat shall thereby become vacant; and every such vacancy shall be deemed to be an extraordinary vacancy.
- (3) On the occurrence of any extraordinary vacancy in the board, or in case of the failure of the **New South Wales Council of the Australasian Trained Nurses Association** within one month to nominate a member, the Governor may appoint another person to fill the vacancy. Any person appointed to fill an extraordinary vacancy

Nurses' Registration.

vacancy shall hold office only for the remainder of the term for which his predecessor was appointed, but shall be eligible for reappointment.

(4) During any vacancy in the board the remaining members, subject to there being a quorum, may act as if no vacancy existed.

(5) A quorum of the board shall consist of not less than four members.

(6) At any meeting of the board the chairman, or in his absence any member elected by the members present to act as chairman at such meeting, shall preside, and shall have a casting as well as a deliberative vote.

Powers and duties of board.

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

- (a) To appoint examiners.
- (b) To determine the character, subjects, and conduct of examinations.
- (c) To appoint the places where, and the times when, examinations shall be held.
- (d) To cause the names of qualified nurses to be entered in the prescribed manner in the register.
- (e) To appoint, subject to the approval of the Minister, such officers as may be necessary for the purposes of this Act.
- (f) To issue and cancel certificates of registration; and
- (g) generally to do any act or perform any duty which may be necessary for the due and proper carrying out of the provisions of this Act.

6. (1) The board may—

- (a) for misconduct suspend any nurse from practice as a registered nurse for such time as it deems just, or remove from the register the name of any nurse, and shall notify the nurse accordingly : Power of board to remove and suspend.

Provided that the board shall not under this paragraph suspend any nurse from practice or remove any nurse's name from the register without sending to such nurse by registered letter a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person ;

- (b) restore to the register the name of any nurse so removed ; and
- (c)

Nurses' Registration.

(c) suspend any registered nurse temporarily from such practice if such suspension appears to it necessary to prevent the spread of infection :

5 Provided that the Director-General of Public Health or a medical practitioner authorised by him shall have power to suspend a midwifery nurse under this paragraph pending consideration by the board.

10 (2) Any person whose name is ordered under the provisions of the preceding subsection to be removed from the register shall within fourteen days from the notification to her of the order surrender her certificate of registration and badge to the board. Surrender of certificate.

15 If she fails to do so she shall be liable to a penalty not exceeding two pounds for every day during which the offence is continued.

20 (3) The board shall may pay such compensation to any midwifery nurse suspended under the provisions of paragraph (c) of subsection one of this section as it thinks fit.

25 7. (1) Any nurse who is aggrieved by any decision of the board under paragraph (a) of subsection one of the last preceding section may, within three months after she has been notified of such decision, appeal therefrom to a District Court judge. Appeal from decision of the board.

30 (2) Such judge shall inquire into and decide upon the appeal, and for that purpose may do all such matters and things relating thereto in the same manner and to the same extent as he is empowered to do in the exercise of his ordinary jurisdiction as a District Court judge, and his decision shall be final and without appeal.

35 8. The board may examine any person upon oath, or take a solemn declaration from any person, for the purposes of this Act. 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

Nurses' Registration.

Registration of nurses.

9. (1) Any person who has attained the age of twenty-one years, is of sound health, and who satisfies the board as to good character, may be registered—

- 5 (a) as a general nurse if—
- 10 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more medical and surgical hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a mental nurse, has attended the practice of such hospitals for not less than two years; and
- 15 (ii) she has passed such examinations as the board prescribes; or
- (b) as a mental nurse if—
- 20 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more mental hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than two years; and
- 25 (ii) she has passed such examinations as the board prescribes; or
- 30 (c) as a midwifery nurse if—
- 35 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more maternity hospitals approved by the board for the period prescribed, being not less than one year, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than the period of six months; and
- 40 (ii)

Nurses' Registration.

(ii) she has passed such examinations as the board prescribes; or

(d) as a ~~children's~~ **an infants'** nurse if—

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

10 (ii) she has passed such examinations as the board ~~prescribed~~ **prescribes**.

(2) Any person who has attained the age of twenty-one years, is of sound health, who satisfies the board as to good character, and who produces evidence
15 satisfactory to the board of having been trained as a nurse and registered in any other part of His Majesty's dominions in which an Act providing for the registration of nurses is in force, and which admits to its register nurses registered under this Act on reciprocal terms, may, upon
20 payment of the fee payable on the registration of other persons, be registered under this Act, provided that the board is satisfied that the standard of training and examination in such other part of His Majesty's dominions is equivalent to the standard prescribed in
25 pursuance of this Act.

(3) Any person, not otherwise provided for under subsection two of this section, who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who produces evidence
30 satisfactory to the board of having been trained as a nurse, and of having obtained a certificate approved by the board from any institution or person or body of persons in any part of His Majesty's dominions outside New South Wales, may, upon payment of the fee
35 payable on the registration of other persons, be registered under this Act, provided that she has passed such examinations as the board prescribes, and the board is satisfied that her qualifications are adequate.

10 **10.** Any person who has attained the age of twenty- Provision for
one years, is of sound health, and satisfies the board as existing
to good character, and who, within one year from the nurses,
commencement

Nurses' Registration.

commencement of this Act or within such further time as the board may in any particular case allow, applies to be registered may be registered according to her qualifications as a general, mental, ~~children's~~, infants', or midwifery nurse if such person—

- (1) holds an appropriate certificate as required by section nine and satisfies the board that she has shown proficiency in the particular branch in which she applies to be registered; or
- 10 (2) produces to the board certificates of competency from two legally qualified medical practitioners, and other sufficient evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she applies to be
- 15 registered, and that, at the commencement of this Act, she had been for at least three years bona fide engaged in the practice of nursing in New South Wales; or
- 20 (3) is a member of any nursing association approved by the board.

11. (1) The registrar shall enter in a register, in the ^{Register.} prescribed manner and on being paid the prescribed fee, the full name and address, date of registration, and description of qualifications for which registration is

25 granted, and all other prescribed particulars of every general, mental, ~~children's~~, infants', or midwifery nurse, whom the board declares qualified to be so registered. The registrar shall transmit to the Minister in the month of January in each year separate lists of the general,

30 mental, ~~children's~~, infants', and midwifery nurses whose names and addresses are then on the register. The Minister shall cause such lists to be published in the Gazette.

A copy of such Gazette, or a copy of the register

35 signed by the chairman 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 registered.

- 40 (2) In the case of a person whose name does not appear in any such copy, a certificate under the hand of

Nurses' Registration.

of the registrar of the entry of her name in the register shall be prima facie evidence that she is so registered as a general, mental, ~~children's~~, infants', or midwifery nurse.

(3) A certificate purporting to be signed by the
5 registrar that the name of a person whose name appears in the register has been removed from the register, and of the date of such removal, shall be prima facie evidence that such person is not registered, and of the date as from which she ceased to be so registered.

Offences.

10 **12.** After the expiration of a period of twelve months from the commencement of this Act a person shall not take or use the name or title of—

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

- 15 (a) a registered nurse, or use any initials, or description, or any name, title, addition, or designation implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- 20 (b) a general nurse, unless she is registered as a general nurse; or
- (c) a mental nurse, unless she is registered as a mental nurse; or
- (d) a ~~children's~~ an infants' nurse, unless she is registered as a ~~children's~~ an infants' nurse; or
- 25 (e) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as a midwifery nurse.

Any person who, after the expiration of the said period, not being so registered, takes or uses any such name, initials, title, addition, designation, or description as
30 aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

13. (1) After the expiration of a period of twelve months from the commencement of this Act—

Unauthorised nursing.

- 35 (a) no registered mental, ~~children's~~, infants', or midwifery nurse shall act in a capacity in which she is not registered;
- (b) no person who is not registered as a midwifery nurse shall for gain attend any lying-in woman.

Any person contravening the provisions of this section
40 shall be liable upon summary conviction to a fine not exceeding twenty pounds:

Nurses' Registration.

(2) The provisions of this section shall not apply to—

- (a) any legally qualified medical practitioner ;
- (b) any person attending a lying-in woman who does not reside within five miles of a legally qualified medical practitioner or midwifery nurse, or in whose case no such practitioner or nurse is known after due inquiry to be able or willing to attend ; or
- (c) any person rendering assistance in a case of emergency.

14. A registered nurse shall not employ an unregistered person as her substitute. Registered nurses not to employ unregistered persons as substitutes.

Any nurse offending against this section shall be liable to a penalty not exceeding twenty pounds.

15. A registered nurse shall be entitled to wear a badge of prescribed design issued by the board, and any person not a registered nurse who wears such or a similar badge shall be liable, on summary conviction, to a penalty not exceeding ten pounds.

16. Save as otherwise expressly provided, any registered nurse who fails, neglects, or refuses to comply with any lawful order or direction of the board, made pursuant to this Act, shall be liable to a penalty not exceeding ten pounds. Penalties.

Miscellaneous.

17. (1) There shall be payable by every person who comes up for examination or is registered the fees mentioned in the Schedule to this Act. Every registered midwifery nurse shall also pay the annual fee mentioned in the said Schedule in respect of the retention of her name on the register. Such fees shall be paid to the board. The board shall apply such fees to the payment of expenses connected with examinations and registration under this Act, and to the payment of salaries of the officers of the board, to the compensation of midwifery nurses suspended under paragraph (c) of subsection one of section six of this Act, and to the general expenses of the board. Fees and expenses.

(2)

Nurses' Registration.

(2) 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 the receipts and expenditure of the board during the year, and its liabilities at the close of the year, which statement shall be certified as correct by a public accountant.

18. Any person who wilfully makes, or causes to be made, any false statement as to any particular required to be entered in the register shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding twenty-five pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

19. The board may make regulations—

- (a) governing its proceedings, and defining the duties of its officers;
- (b) regulating the issue and surrender of badges and of certificates of registration to nurses;
- (c) prescribing the period of attendance at hospitals prior to registration, the conditions under which a hospital shall be recognised as a training school for nurses, regulating and supervising courses of training, and prescribing the form of certificates as to such attendance, and the persons by whom they may be granted;
- (d) regulating the character, subjects, and conduct of examinations for registration;
- (e) prescribing, in so far as it may be necessary to prevent the spread of infection, the duties of nurses;
- (f) providing for the removal from the register of the names of nurses who have died;
- (g) providing for the removal from the register of the names of nurses who have left the State or who have become insane persons or patients within the meaning of the Lunacy Act, 1898, and for the circumstances under which such names shall be restored to the register;
- (h) regulating and supervising the practice of midwifery nurses and providing for the notification of diseases either in the mother or the newborn child by such nurses;

(i)

Nurses' Registration.

(i) generally for carrying out the provisions of this Act; and

(j) imposing a penalty of not more than twenty pounds for any breach of such regulations.

2 **20.** All regulations so made, if approved by the Governor, shall— Regulations to be published.

(i) be published in the Gazette;

10 (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and

15 (iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

20 **21.** All informations for offences against this Act or the regulations 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. Offences and penalties.

All such penalties may be recovered in a summary manner before any stipendiary or police magistrate or two justices of the peace.

30 **22.** No matter or thing done or suffered by the board, or by any member, or the registrar, or any officer of the board, bona fide in the execution, or intended execution, of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or duties, shall Officers, &c., not to be personally liable.

35 subject the board or any member, or the registrar, or the officer, or any other person, or the Crown, to any liability in respect thereof.

23. The Private Hospitals Act, 1908, is amended as follows:— Amendment of Act No. 14 of 1908. Sec. 2.

40 (a) (i) By omitting from section two the definitions of "hospital nurse" and "midwifery nurse"; and (ii)

Nurses' Registration.

- (ii) by inserting at the end of the same section the following definition: "'Registered' as applied to a nurse means registered under the provisions of the Nurses' Registration Act, 1924";
- 5 b) by omitting sections three, four, and five; Secs. 3, 4, 5.
- (c) (i) by omitting from subsection one of section Sec. 10 (1).
ten the words "hospital nurse" wherever
occurring and by inserting in lieu thereof
the words "registered general nurse"; and
- 10 (ii) by inserting in paragraph (b) of the same *Ibid.*
subsection before the word "midwifery"
the word "registered";
- (iii) by omitting from paragraph (c) of the *Ibid.*
same subsection the word "and" and by
15 inserting in lieu thereof the words "who is
also registered as a";
- (iv) by inserting in paragraph (c) of the same *Ibid.*
subsection before the word "midwifery"
20 where it secondly occurs the word "regis-
tered";
- (d) by omitting from subsection two of section Sec. 10 (2).
ten the words "under paragraphs (b) and (c)
aforesaid."

25

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	0	10	6
30 Fee payable for badge, on issue	0	10	6
Fee payable for the retention on the register of the name of any midwifery nurse in any year	0	5	0

Sydney: Alfred James Kent, Government Printer—1924.

[1s. 1d.]

NURSES' REGISTRATION BILL

SCHEDULE showing the Legislative Assembly's disagreement from and amendment upon the Legislative Council's amendments, referred to in Message of 4 December, 1924.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Page 3, clause 3, line 20. *After "mental nurses" insert "In the case of the "nomination to the first board, the regulations shall be made by the "Governor and notified in the Gazette"*

Page 13, Schedule, line 30. *Omit "Fee payable for badge, on issue ... 0 10 6"*

NURSES' REGISTRATION BILL.

Further amendment to be moved on recommittal of the Bill :

Page 3, clause 3, par.1, subs. (e), line 9: After the words "three nurses" insert the words "two of whom".

Lines 14 to 18, same clause, page 3: Omit all the words after the word "hospital" in line 14, down to the word "board" in line 18, inclusive, with a view to inserting the following words, viz:³

" The third nurse shall be a past or present nurse of a mental hospital who shall be nominated in manner prescribed by regulation by certificated mental nurses. Provided that registered nurses of the respective classes mentioned shall be appointed as members of the second or any subsequent board under this paragraph."

HOUSE REPORT NO. 1000

Twenty amendments to be moved on reconsideration of the bill:

Page 1, clause 3, line 1, after the words "United States" insert the words "and of whom".

Line 13 to 15, same clause, page 1: Omit all the words after the word "possess" in line 13, down to the word "possess" in line 15, inclusive, with a view to inserting the following words, viz:-

"The United States shall be a land of present and future of a moral character and shall be maintained in a manner and order by legislation, certified, and the respective classes provided that registered nurses of the respective classes mentioned shall be appointed as members of the board of any enterprise board under this act."

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,

Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 November, 1924.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, November, 1924.*

New South Wales.



ANNO QUINTO DECIMO

GEORGII V REGIS.

Act No. , 1924.

An Act to provide for the registration and regulation of nurses ; to amend the Private Hospitals Act, 1908 ; and for purposes consequent thereon or incidental thereto.

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. (1) This Act may be cited as the "Nurses' Registration Act, 1924."

Short title
and com-
mencement.

49842

210—A

(2)

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

Nurses' Registration.

(2) This Act shall come into operation on a day to be appointed by the Governor and notified in the Gazette.

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

Interpretation.

5 "Mental hospital" includes a hospital for the insane.

"Minister" means the Minister for Public Health or other Minister to whom the administration of this Act is for the time being committed by the Governor.

10

"Prescribed" means prescribed by this Act, or by any regulation made thereunder.

"Register" means the register of nurses to be kept under this Act.

15

"Registered" means registered under the provisions of this Act.

"Registrar" means registrar appointed under the provisions of this Act.

20 "Regulations" means regulations made under this Act.

20

"The board" means the Nurses' Registration Board of New South Wales appointed under the provisions of this Act.

25

Words importing the female gender shall include the male excepting in respect of midwifery nurses.

Constitution of board.

3. (1) The Governor shall appoint a board, to be called the Nurses' Registration Board of New South Wales, consisting of seven persons, namely:—

Appointment of board.

30

(a) The Director-General of Public Health, who shall ex officio be chairman of the board;

(b) the Inspector-General of Mental Hospitals, who shall ex officio be a member of the board;

35

(c) the principal teacher of obstetrics in the University of Sydney, who shall ex officio be a member of the board;

(d) one legally qualified medical practitioner, who shall be nominated by the New South Wales Council of the Australasian Trained Nurses Association;

40

(e)

Nurses' Registration.

- (c) ~~three nurses (two of whom shall be nominated~~
by the Council of the Australasian Trained
Nurses Association, as follows: one a past or
present matron of a general hospital and one a
past or present matron of a midwifery hospital),
and the other to be a mental nurse to be
nominated by the executive of the Hospital
Employees Association of New South Wales:
three nurses who shall be nominated by the
New South Wales Council of the Australasian
Trained Nurses Association. One of such
nurses shall be a past or present nurse of a
general hospital, one a past or present nurse
of a midwifery hospital, and one a past or
present nurse of a mental hospital: Provided
that only registered nurses shall be appointed
under this paragraph as members of the second
or any subsequent board.
- (2) The secretary to the Board of Health shall The registrar.
ex officio be the registrar of the board.
4. (1) The members of the board (other than the Tenure of office, vacancies, &c.
Director-General of Public Health, the Inspector-
General of Mental Hospitals, and the principal teacher
of obstetrics in the University of Sydney) shall hold
office for three years, but they shall be eligible for
reappointment.
- (2) If any member of the board is absent without
the permission of the board from four consecutive
meetings of the board, or becomes bankrupt, or is
convicted of any indictable offence, or becomes insane,
or resigns his seat, or dies, his seat shall thereby become
vacant; and every such vacancy shall be deemed to be
an extraordinary vacancy.
- (3) On the occurrence of any extraordinary vacancy
in the board, or in case of the failure of the New South
Wales Council of the Australasian Trained Nurses
Association within one month to nominate a member,
the Governor may appoint another person to fill the
vacancy. Any person appointed to fill an extraordinary
vacancy shall hold office only for the remainder of the
term for which his predecessor was appointed, but shall
be eligible for reappointment.
- (4) During any vacancy in the board the re-
maining members, subject to there being a quorum, may
act as if no vacancy existed. (5)

Nurses' Registration.

(5) A quorum of the board shall consist of not less than four members.

(6) At any meeting of the board the chairman, or in his absence any member elected by the members present to act as chairman at such meeting, shall preside, and shall have a casting as well as a deliberative vote.

Powers and duties of board.

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

- 10 (a) To appoint examiners.
- (b) To determine the character, subjects, and conduct of examinations.
- (c) To appoint the places where, and the times when, examinations shall be held.
- 15 (d) To cause the names of qualified nurses to be entered in the prescribed manner in the register.
- (e) To appoint, subject to the approval of the Minister, such officers as may be necessary for the purposes of this Act.
- 20 (f) To issue and cancel certificates of registration ; and
- (g) generally to do any act or perform any duty which may be necessary for the due and proper carrying out of the provisions of this Act.

25 6. (1) The board may—

- (a) for misconduct suspend any nurse from practice as a registered nurse for such time as it deems just, or remove from the register the name of any nurse, and shall notify the nurse accordingly : Power of board to remove a d suspend.

30 Provided that the board shall not under this paragraph suspend any nurse from practice or remove any nurse's name from the register without sending to such nurse by registered letter a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person ;

- 35 (b) restore to the register the name of any nurse so removed ; and
- 40 (c)

Nurses' Registration.

(c) suspend any registered nurse temporarily from such practice if such suspension appears to it necessary to prevent the spread of infection :

5 Provided that the Director-General of Public Health or a medical practitioner authorised by him shall have power to suspend a midwifery nurse under this paragraph pending consideration by the board.

10 (2) Any person whose name is ordered under the provisions of the preceding subsection to be removed from the register shall within fourteen days from the notification to her of the order surrender her certificate of registration and badge to the board. Surrender of certificate.

15 If she fails to do so she shall be liable to a penalty not exceeding two pounds for every day during which the offence is continued.

20 (3) The board ~~shall~~ **may** pay such compensation to any midwifery nurse suspended under the provisions of paragraph (c) of subsection one of this section as it thinks fit.

25 **7.** (1) Any nurse who is aggrieved by any decision of the board under paragraph (a) of subsection one of the last preceding section may, within three months after she has been notified of such decision, appeal therefrom to a District Court judge. Appeal from decision of the board.

30 (2) Such judge shall inquire into and decide upon the appeal, and for that purpose may do all such matters and things relating thereto in the same manner and to the same extent as he is empowered to do in the exercise of his ordinary jurisdiction as a District Court judge, and his decision shall be final and without appeal.

35 **8.** The board **may** examine any person upon oath, or take a solemn declaration from any person, for the purposes of this Act. 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

Nurses' Registration.

Registration of nurses.

9. (1) Any person who has attained the age of twenty-one years, is of sound health, and who satisfies the board as to good character, may be registered—

Who may be registered.

5 (a) as a general nurse if—

10 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more medical and surgical hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a mental nurse, has attended the practice of such hospitals for not less than two years; and

15 (ii) she has passed such examinations as the board prescribes; or

(b) as a mental nurse if—

20 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more mental hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than two years; and

25 (ii) she has passed such examinations as the board prescribes; or

30 (c) as a midwifery nurse if—

35 (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more maternity hospitals approved by the board for the period prescribed, being not less than one year, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than the period of six months; and

40

(ii)

Nurses' Registration.

- (ii) she has passed such examinations as the board prescribes; or
(d) as a-children's an infants' nurse if—

5

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

10

- (ii) she has passed such examinations as the board prescribed prescribes.

(2) Any person who has attained the age of twenty-one years, is of sound health, who satisfies the board as to good character, and who produces evidence
15 satisfactory to the board of having been trained as a nurse and registered in any other part of His Majesty's dominions in which an Act providing for the registration of nurses is in force, and which admits to its register nurses registered under this Act on reciprocal terms, may, upon
20 payment of the fee payable on the registration of other persons, be registered under this Act, provided that the board is satisfied that the standard of training and examination in such other part of His Majesty's dominions is equivalent to the standard prescribed in
25 pursuance of this Act.

(3) Any person, not otherwise provided for under subsection two of this section, who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who produces evidence
30 satisfactory to the board of having been trained as a nurse, and of having obtained a certificate approved by the board from any institution or person or body of persons in any part of His Majesty's dominions outside New South Wales, may, upon payment of the fee
35 payable on the registration of other persons, be registered under this Act, provided that she has passed such examinations as the board prescribes, and the board is satisfied that her qualifications are adequate.

10. Any person who has attained the age of twenty- Provision for
40 one years, is of sound health, and satisfies the board as existing
to good character, and who, within one year from the nurses.
commencement

Nurses' Registration.

commencement of this Act or within such further time as the board may in any particular case allow, applies to be registered may be registered according to her qualifications as a general, mental, ~~children's~~, **infants'**,
5 or midwifery nurse if such person—

- (1) holds an appropriate certificate as required by section nine and satisfies the board that she has shown proficiency in the particular branch in which she applies to be registered; or
- 10 (2) produces to the board certificates of competency from two legally qualified medical practitioners, and other sufficient evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she applies to be
- 15 registered, and that, at the commencement of this Act, she had been for at least three years bona fide engaged in the practice of nursing in New South Wales; or
- 20 (3) is a member of any nursing association approved by the board.

11. (1) The registrar shall enter in a register, in the Register prescribed manner and on being paid the prescribed fee, the full name and address, date of registration, and description of qualifications for which registration is
25 granted, and all other prescribed particulars of every general, mental, ~~children's~~, **infants'**, or midwifery nurse, whom the board declares qualified to be so registered. The registrar shall transmit to the Minister in the month of January in each year separate lists of the general,
30 mental, ~~children's~~, **infants'**, and midwifery nurses whose names and addresses are then on the register. The Minister shall cause such lists to be published in the Gazette.

A copy of such Gazette, or a copy of the register
35 signed by the chairman 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 registered.

- 40 (2) In the case of a person whose name does not appear in any such copy, a certificate under the hand of

Nurses' Registration.

of the registrar of the entry of her name in the register shall be prima facie evidence that she is so registered as a general, mental, ~~children's~~, infants', or midwifery nurse.

(3) A certificate purporting to be signed by the registrar that the name of a person whose name appears in the register has been removed from the register, and of the date of such removal, shall be prima facie evidence that such person is not registered, and of the date as from which she ceased to be so registered.

Offences.

12. After the expiration of a period of twelve months from the commencement of this Act a person shall not take or use the name or title of—

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

- (a) a registered nurse, or use any initials, or description, or any name, title, addition, or designation implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a general nurse, unless she is registered as a general nurse; or
- (c) a mental nurse, unless she is registered as a mental nurse; or
- (d) ~~a children's~~ an infants' nurse, unless she is registered as a ~~children's~~ an infants' nurse; or
- (e) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as a midwifery nurse.

Any person who, after the expiration of the said period, not being so registered, takes or uses any such name, initials, title, addition, designation, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

13. (1) After the expiration of a period of twelve months from the commencement of this Act—

Unauthorised nursing.

- (a) no registered mental, ~~children's~~, infants', or midwifery nurse shall act in a capacity in which she is not registered;
- (b) no person who is not registered as a midwifery nurse shall for gain attend any lying-in woman.

Any person contravening the provisions of this section shall be liable upon summary conviction to a fine not exceeding twenty pounds:

Nurses' Registration.

(2) The provisions of this section shall not apply to—

- (a) any legally qualified medical practitioner ;
- 5 (b) any person attending a lying-in woman who does not reside within five miles of a legally qualified medical practitioner or midwifery nurse, or in whose case no such practitioner or nurse is known after due inquiry to be able or willing to attend ; or
- 10 (c) any person rendering assistance in a case of emergency.

14. A registered nurse shall not employ an unregistered person as her substitute. Registered nurses not to employ unregistered persons as substitutes.

Any nurse offending against this section shall be liable to a penalty not exceeding twenty pounds.

15. A registered nurse shall be entitled to wear a Badges. badge of prescribed design issued by the board, and any person not a registered nurse who wears such or a similar badge shall be liable, on summary conviction, to a penalty not exceeding ten pounds.

16. Save as otherwise expressly provided, any Penalties registered nurse who fails, neglects, or refuses to comply with any lawful order or direction of the board, made pursuant to this Act, shall be liable to a penalty not exceeding ten pounds.

Miscellaneous.

17. (1) There shall be payable by every person who comes up for examination or is registered the fees mentioned in the Schedule to this Act. Fees and expenses. Every registered midwifery nurse shall also pay the annual fee mentioned in the said Schedule in respect of the retention of her name on the register. Such fees shall be paid to the board. The board shall apply such fees to the payment of expenses connected with examinations and registration under this Act, and to the payment of salaries of the officers of the board, to the compensation of midwifery nurses suspended under paragraph (c) of subsection one of section six of this Act, and to the general expenses of the board.

(2)

Nurses' Registration.

(2) 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 the receipts and expenditure of the board during the year, and its liabilities at the close of the year, which statement shall be certified as correct by a public accountant.

18. Any person who wilfully makes, or causes to be made, any false statement as to any particular required to be entered in the register shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding twenty-five pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

19. The board may make regulations—

- 15** (a) governing its proceedings, and defining the duties of its officers;
- (b) regulating the issue and surrender of badge badges and of certificates of registration to nurses;
- 20** (c) prescribing the period of attendance at hospitals prior to registration, the conditions under which a hospital shall be recognised as a training school for nurses, regulating and supervising courses of training, and prescribing the form of certificates as to such attendance, and the persons by whom they may be granted;
- 25** (d) regulating the character, subjects, and conduct of examinations for registration;
- (e) prescribing, in so far as it may be necessary to prevent the spread of infection, the duties of nurses;
- 30** (f) providing for the removal from the register of the names of nurses who have died;
- (g) providing for the removal from the register of the names of nurses who have left the State or who have become insane persons or patients within the meaning of the Lunacy Act, 1898, and for the circumstances under which such names shall be restored to the register;
- 35**
- 40** (h) regulating and supervising the practice of midwifery nurses and providing for the notification of diseases either in the mother or the newborn child by such nurses;

(i)

Regulations.

Publication
of financial
statements.

Penalty for
wilful falsifi-
cation of the
registers.

Nurses' Registration.

(i) generally for carrying out the provisions of this Act; and

(j) imposing a penalty of not more than twenty pounds for any breach of such regulations.

20. 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 fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

21. All informations for offences against this Act or the regulations 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.

Offences and
penalties.

All such penalties may be recovered in a summary manner before any stipendiary or police magistrate or two justices of the peace.

22. No matter or thing done or suffered by the board, or by any member, or the registrar, or any officer of the board, bona fide in the execution, or intended execution, of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or duties, shall subject the board or any member, or the registrar, or the officer, or any other person, or the Crown, to any liability in respect thereof.

Officers, &c.,
not to be
personally
liable.

23. The Private Hospitals Act, 1908, is amended as follows:—

Amendment
of Act No. 14
of 1908.
Sec. 2.

(a) (i) By omitting from section two the definitions of "hospital nurse" and "midwifery nurse"; and

(ii)

Nurses' Registration.

- 5 (ii) by inserting at the end of the same section the following definition: " 'Registered' as applied to a nurse means registered under the provisions of the Nurses' Registration Act, 1924 ";
- (b) by omitting sections three, four, and five; Secs. 3, 4, 5.
- 10 (c) (i) by omitting from subsection one of section ten the words "hospital nurse" wherever occurring and by inserting in lieu thereof the words "registered general nurse"; and
- (ii) by inserting in paragraph (b) of the same *Ibid.* subsection before the word "midwifery" the word "registered";
- 15 (iii) by omitting from paragraph (c) of the *Ibid.* same subsection the word "and" and by inserting in lieu thereof the words "who is also registered as a";
- 20 (iv) by inserting in paragraph (c) of the same *Ibid.* subsection before the word "midwifery" where it secondly occurs the word "registered";
- (d) by omitting from subsection two of section Sec. 10 (2). ten the words "under paragraphs (b) and (c) aforesaid."

25

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	0	10	6
30 Fee payable for badge, on issue	0	10	6
Fee payable for the retention on the register of the name of any midwifery nurse in any year	0	5	0

1924.

Legislative Council.

NURSES' REGISTRATION BILL, 1924.

(Amendments to be proposed in Committee of the Whole.)

- Page 2, clause 3, line 39. *Before* the word "Council" *insert* the words "New South Wales"
- Page 3, clause 3, lines 1 to 8. *Omit* all words on these lines and *insert* the following words:—"Three nurses who shall be nominated by the New South Wales Council of the Australasian Trained Nurses' Association. One of such nurses shall be a past or present nurse of a general hospital, one a past or present nurse of a midwifery hospital, and one a past or present nurse of a mental hospital"
- Page 3, clause 4, line 28. *Before* the word "Council" *insert* the words "New South Wales"
- Page 5, clause 6, line 17. *Omit* the word "shall" *insert* the word "may"
- Page 7, clause 9, line 3. *Omit* the word "children's" *insert* the word "infants'"
- Page 7, clause 9, line 11. *Omit* the word "prescribed" *insert* the word "prescribes"
- Page 8, clause 10, line 4. *Omit* the word "children's" *insert* the word "infants'"
- Page 8, clause 11, line 26. *Omit* the word "children's" *insert* the word "infants'"
- Page 8, clause 11, line 30. *Omit* the word "children's" *insert* the word "infants'"
- Page 9, clause 11, line 3. *Omit* the word "children's" *insert* the word "infants'"
- Page 9, clause 12, line 23. *Omit* the word "children's" *insert* the word "infants'"
- Page 9, clause 12, line 24. *Omit* the word "children's" *insert* the word "infants'"
- Page 9, clause 13, line 34. *Omit* the word "children's" *insert* the words "general, infants'"
- Page 13, Schedule. *After* line 29 *insert* the words and figures "Fee payable for badge, on issue 0 10 6"

1924.

Legislative Council

Nurses' Registration Bill, 1924.

EXPLANATORY NOTE.

THE object of this Bill is to provide for the registration and regulation of nurses.

A nurses registration board is constituted to administer the Act, and its powers and duties are defined.

For the purposes of registration nurses are divided into four classes—general, mental, midwifery, and children's nurses; and the qualifications necessary for registration are set out in clauses 9 and 10.

Power is conferred on the board to suspend from practice or remove from the register any nurse who is guilty of misconduct, subject to a right of appeal to a district court judge by any nurse aggrieved by such a decision.

A further power is conferred on the board to suspend a nurse from practice if that course is deemed expedient to prevent the spread of infectious disease.

After the expiration of one year from the commencement of this Act it shall be an offence—

- (a) for any person to take or use the name or title of a general, mental, midwifery, or children's nurse unless she is registered as such;
- (b) for a mental, midwifery, or children's nurse to act in a capacity in which she is not registered;
- (c) for any person not registered as a midwifery nurse to attend a lying-in woman for gain.

Provision is made, however, to meet cases of emergency, *e.g.*, where a registered nurse is unavailable or unwilling to attend, or a lying-in woman is more than five miles distant from a medical practitioner or registered midwifery nurse.

The employment by a registered nurse of an unregistered person as her substitute is prohibited.

Registered nurses shall be entitled to wear distinctive badges, and a penalty is imposed on any person not being a registered nurse who wears such or a similar badge.

Certain amendments in the Private Hospital Act, 1898, which are necessary to bring that Act into conformity with this measure, are contained in clause 23.

100

PROOF OF THEOREM

Let $f(x)$ be a function defined on the interval $[a, b]$. We shall prove that $f(x)$ is continuous at $x = c$ if and only if $\lim_{x \rightarrow c} f(x) = f(c)$.

Suppose $f(x)$ is continuous at $x = c$. Then for any $\epsilon > 0$, there exists a $\delta > 0$ such that if $|x - c| < \delta$, then $|f(x) - f(c)| < \epsilon$. This implies that $\lim_{x \rightarrow c} f(x) = f(c)$.

Conversely, suppose $\lim_{x \rightarrow c} f(x) = f(c)$. Then for any $\epsilon > 0$, there exists a $\delta > 0$ such that if $|x - c| < \delta$, then $|f(x) - f(c)| < \epsilon$. This implies that $f(x)$ is continuous at $x = c$.

Therefore, $f(x)$ is continuous at $x = c$ if and only if $\lim_{x \rightarrow c} f(x) = f(c)$.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 November, 1924.*

New South Wales.



ANNO QUINTO DECIMO

GEORGI V REGIS.

Act No. , 1924.

An Act to provide for the registration and regulation of nurses ; to amend the Private Hospitals Act, 1908 ; and for purposes consequent thereon or incidental thereto.

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. (1) This Act may be cited as the "Nurses' Registration Act, 1924."

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Short title
and com-
mencement.

(2)

Nurses' Registration.

(2) This Act shall come into operation on a day to be appointed by the Governor and notified in the Gazette.

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

5 "Mental hospital" includes a hospital for the insane.

"Minister" means the Minister for Public Health or other Minister to whom the administration of this Act is for the time being committed by the Governor.

10 "Prescribed" means prescribed by this Act, or by any regulation made thereunder.

"Register" means the register of nurses to be kept under this Act.

15 "Registered" means registered under the provisions of this Act.

"Registrar" means registrar appointed under the provisions of this Act.

20 "Regulations" means regulations made under this Act.

"The board" means the Nurses' Registration Board of New South Wales appointed under the provisions of this Act.

25 Words importing the female gender shall include the male excepting in respect of midwifery nurses.

Constitution of board.

3. (1) The Governor shall appoint a board, to be called the Nurses' Registration Board of New South Wales, consisting of seven persons, namely:—

30 (a) The Director-General of Public Health, who shall ex officio be chairman of the board;

(b) the Inspector-General of Mental Hospitals, who shall ex officio be a member of the board;

35 (c) the principal teacher of obstetrics in the University of Sydney, who shall ex officio be a member of the board;

(d) one legally qualified medical practitioner, who shall be nominated by the Council of the Australasian Trained Nurses Association;

(e)

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- (e) three nurses (two of whom shall be nominated by the Council of the Australasian Trained Nurses Association, as follows: one a past or present matron of a general hospital and one a past or present matron of a midwifery hospital), and the other to be a mental nurse to be nominated by the executive of the Hospital Employees Association of New South Wales: Provided that only registered nurses shall be appointed under this paragraph as members of the second or any subsequent board.
- (2) The secretary to the Board of Health shall The registrar. ex officio be the registrar of the board.
- 4.** (1) The members of the board (other than the Tenure of office, vacancies, &c. Director-General of Public Health, the Inspector-General of Mental Hospitals, and the principal teacher of obstetrics in the University of Sydney) shall hold office for three years, but they shall be eligible for reappointment.
- (2) If any member of the board is absent without the permission of the board from four consecutive meetings of the board, or becomes bankrupt, or is convicted of any indictable offence, or becomes insane, or resigns his seat, or dies, his seat shall thereby become vacant; and every such vacancy shall be deemed to be an extraordinary vacancy.
- (3) On the occurrence of any extraordinary vacancy in the board, or in case of the failure of the Council of the Australasian Trained Nurses Association within one month to nominate a member, the Governor may appoint another person to fill the vacancy. Any person appointed to fill an extraordinary vacancy shall hold office only for the remainder of the term for which his predecessor was appointed, but shall be eligible for reappointment.
- (4) During any vacancy in the board the remaining members, subject to there being a quorum, may act as if no vacancy existed.
- (5) A quorum of the board shall consist of not less than four members.

(6)

Nurses' Registration.

(6) At any meeting of the board the chairman, or in his absence any member elected by the members present to act as chairman at such meeting, shall preside, and shall have a casting as well as a deliberative vote.

5 *Powers and duties of board.*

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

- (a) To appoint examiners.
- 10 (b) To determine the character, subjects, and conduct of examinations.
- (c) To appoint the places where, and the times when, examinations shall be held.
- (d) To cause the names of qualified nurses to be entered in the prescribed manner in the register.
- 15 (e) To appoint, subject to the approval of the Minister, such officers as may be necessary for the purposes of this Act.
- (f) To issue and cancel certificates of registration ; and
- 20 (g) generally to do any act or perform any duty which may be necessary for the due and proper carrying out of the provisions of this Act.

6. (1) The board may—

- 25 (a) for misconduct suspend any nurse from practice as a registered nurse for such time as it deems just, or remove from the register the name of any nurse, and shall notify the nurse accordingly :

Power of board to remove and suspend.

30 Provided that the board shall not under this paragraph suspend any nurse from practice or remove any nurse's name from the register without sending to such nurse by registered letter a statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person ;

- 35 (b) restore to the register the name of any nurse so removed ; and

(c)

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(c) suspend any registered nurse temporarily from such practice if such suspension appears to it necessary to prevent the spread of infection :

5 Provided that the Director-General of Public Health or a medical practitioner authorised by him shall have power to suspend a midwifery nurse under this paragraph pending consideration by the board.

10 (2) Any person whose name is ordered under the provisions of the preceding subsection to be removed from the register shall within fourteen days from the notification to her of the order surrender her certificate of registration and badge to the board. Surrender of certificate.

15 If she fails to do so she shall be liable to a penalty not exceeding two pounds for every day during which the offence is continued.

20 (3) The board shall pay such compensation to any midwifery nurse suspended under the provisions of paragraph (c) of subsection one of this section as it thinks fit.

25 7. (1) Any nurse who is aggrieved by any decision of the board under paragraph (a) of subsection one of the last preceding section may, within three months after she has been notified of such decision, appeal therefrom Appeal from decision of the board.

30 (2) Such judge shall inquire into and decide upon the appeal, and for that purpose may do all such matters and things relating thereto in the same manner and to the same extent as he is empowered to do in the exercise of his ordinary jurisdiction as a District Court judge, and his decision shall be final and without appeal.

35 8. The board may examine any person upon oath, or take a solemn declaration from any person, for the purposes of this Act. 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 Power to examine witnesses.
40 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. *Registration*

Nurses' Registration.

Registration of nurses.

9. (1) Any person who has attained the age of twenty-one years, is of sound health, and who satisfies the board as to good character, may be registered—

Who may be registered.

- 5** (a) as a general nurse if—
- 10** (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more medical and surgical hospitals approved by the board for the period prescribed, being not less than three years, or that she, subsequently to being registered as a mental nurse, has attended the practice of such hospitals for not less than two
- 15** years; and
- (ii) she has passed such examinations as the board prescribes; or
- (b) as a mental nurse if—
- 20** (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more mental hospitals approved by the board for the period prescribed, being not less than three
- 25** years, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than two years; and
- (ii) she has passed such examinations as the board prescribes; or
- 30** (c) as a midwifery nurse if—
- (i) she holds a certificate as prescribed, stating that she has attended the practice of one or more maternity hospitals approved by the board for the
- 35** period prescribed, being not less than one year, or that she, subsequently to being registered as a general nurse, has attended the practice of such hospitals for not less than the period of six
- 40** months; and

(ii)

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- (ii) she has passed such examinations as the board prescribes; or
- (d) as a children's nurse if—

5

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

10

- (ii) she has passed such examinations as the board prescribed.

(2) Any person who has attained the age of twenty-one years, is of sound health, who satisfies the board as to good character, and who produces evidence
 15 satisfactory to the board of having been trained as a nurse and registered in any other part of His Majesty's dominions in which an Act providing for the registration of nurses is in force, and which admits to its register nurses registered under this Act on reciprocal terms, may, upon
 20 payment of the fee payable on the registration of other persons, be registered under this Act, provided that the board is satisfied that the standard of training and examination in such other part of His Majesty's dominions is equivalent to the standard prescribed in
 25 pursuance of this Act.

(3) Any person, not otherwise provided for under subsection two of this section, who has attained the age of twenty-one years, is of sound health, and satisfies the board as to good character, and who produces evidence
 30 satisfactory to the board of having been trained as a nurse, and of having obtained a certificate approved by the board from any institution or person or body of persons in any part of His Majesty's dominions outside New South Wales, may, upon payment of the fee
 35 payable on the registration of other persons, be registered under this Act, provided that she has passed such examinations as the board prescribes, and the board is satisfied that her qualifications are adequate.

10. Any person who has attained the age of twenty-
 40 one years, is of sound health, and satisfies the board as to good character, and who, within one year from the
 commencement

Provision for
 existing
 nurses.

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commencement of this Act or within such further time as the board may in any particular case allow, applies to be registered may be registered according to her qualifications as a general, mental, children's, or midwifery nurse if such person—

- (1) holds an appropriate certificate as required by section nine and satisfies the board that she has shown proficiency in the particular branch in which she applies to be registered ; or
- 10 (2) produces to the board certificates of competency from two legally qualified medical practitioners, and other sufficient evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she applies to be registered, and that, at the commencement of
- 15 this Act, she had been for at least three years bona fide engaged in the practice of nursing in New South Wales ; or
- (3) is a member of any nursing association
- 20 approved by the board.

11. (1) The registrar shall enter in a register, in the Register prescribed manner and on being paid the prescribed fee, the full name and address, date of registration, and description of qualifications for which registration is

25 granted, and all other prescribed particulars of every general, mental, children's, or midwifery nurse, whom the board declares qualified to be so registered. The registrar shall transmit to the Minister in the month of January in each year separate lists of the general,

30 mental, children's, and midwifery nurses whose names and addresses are then on the register. The Minister shall cause such lists to be published in the Gazette.

A copy of such Gazette, or a copy of the register signed by the chairman of the board, shall be prima

35 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 registered.

(2) In the case of a person whose name does

40 not appear in any such copy, a certificate under the hand of

Nurses' Registration.

of the registrar of the entry of her name in the register shall be prima facie evidence that she is so registered as a general, mental, children's, or midwifery nurse.

(3) A certificate purporting to be signed by the registrar that the name of a person whose name appears in the register has been removed from the register, and of the date of such removal, shall be prima facie evidence that such person is not registered, and of the date as from which she ceased to be so registered.

Offences.

12. After the expiration of a period of twelve months from the commencement of this Act a person shall not take or use the name or title of—

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

- (a) a registered nurse, or use any initials, or description, or any name, title, addition, or designation implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a general nurse, unless she is registered as a general nurse; or
- (c) a mental nurse, unless she is registered as a mental nurse; or
- (d) a children's nurse, unless she is registered as a children's nurse; or
- (e) a midwife, midwifery nurse, or obstetric nurse, unless she is registered as a midwifery nurse.

Any person who, after the expiration of the said period, not being so registered, takes or uses any such name, initials, title, addition, designation, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

13. (1) After the expiration of a period of twelve months from the commencement of this Act—

Unauthorised nursing.

- (a) no registered mental, children's, or midwifery nurse shall act in a capacity in which she is not registered;
- (b) no person who is not registered as a midwifery nurse shall for gain attend any lying-in woman.

Any person contravening the provisions of this section shall be liable upon summary conviction to a fine not exceeding twenty pounds:

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(2) The provisions of this section shall not apply to—

- (a) any legally qualified medical practitioner ;
- 5 (b) any person attending a lying-in woman who does not reside within five miles of a legally qualified medical practitioner or midwifery nurse, or in whose case no such practitioner or nurse is known after due inquiry to be able or willing to attend ; or
- 10 (c) any person rendering assistance in a case of emergency.

14. A registered nurse shall not employ an unregistered person as her substitute. Registered nurses not to employ unregistered persons as substitutes.

Any nurse offending against this section shall be liable to a penalty not exceeding twenty pounds.

15. A registered nurse shall be entitled to wear a Badges. badge of prescribed design issued by the board, and any person not a registered nurse who wears such or a similar badge shall be liable, on summary conviction, to a penalty not exceeding ten pounds.

16. Save as otherwise expressly provided, any Penalties. registered nurse who fails, neglects, or refuses to comply with any lawful order or direction of the board, made pursuant to this Act, shall be liable to a penalty not exceeding ten pounds.

Miscellaneous.

17. (1) There shall be payable by every person who Fees and expenses comes up for examination or is registered the fees mentioned in the Schedule to this Act. Every registered midwifery nurse shall also pay the annual fee mentioned in the said Schedule in respect of the retention of her name on the register. Such fees shall be paid to the board. The board shall apply such fees to the payment of expenses connected with examinations and registration under this Act, and to the payment of salaries of the officers of the board, to the compensation of midwifery nurses suspended under paragraph (c) of subsection one of section six of this Act, and to the general expenses of the board.

(2)

Nurses' Registration.

(2) 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 the receipts and expenditure of the board during the year, and its liabilities at the close of the year, which statement shall be certified as correct by a public accountant.

18. Any person who wilfully makes, or causes to be made, any false statement as to any particular required to be entered in the register shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty not exceeding twenty-five pounds or to be imprisoned, with or without hard labour, for any time not exceeding twelve months.

19. The board may make regulations—

- (a) governing its proceedings, and defining the duties of its officers;
- (b) regulating the issue and surrender of badge and of certificates of registration to nurses;
- (c) prescribing the period of attendance at hospitals prior to registration, the conditions under which a hospital shall be recognised as a training school for nurses, regulating and supervising courses of training, and prescribing the form of certificates as to such attendance, and the persons by whom they may be granted;
- (d) regulating the character, subjects, and conduct of examinations for registration;
- (e) prescribing, in so far as it may be necessary to prevent the spread of infection, the duties of nurses;
- (f) providing for the removal from the register of the names of nurses who have died;
- (g) providing for the removal from the register of the names of nurses who have left the State or who have become insane persons or patients within the meaning of the Lunacy Act, 1898, and for the circumstances under which such names shall be restored to the register;
- (h) regulating and supervising the practice of midwifery nurses and providing for the notification of diseases either in the mother or the newborn child by such nurses;
- (i)

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(i) generally for carrying out the provisions of this Act; and

(j) imposing a penalty of not more than twenty pounds for any breach of such regulations.

5 **20.** All regulations so made, if approved by the Governor, shall— Regulations
to be
published.

(i) be published in the Gazette;

10 (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 fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

15 **21.** All informations for offences against this Act or the regulations 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. Offences and
penalties.

All such penalties may be recovered in a summary manner before any stipendiary or police magistrate or two justices of the peace.

30 **22.** No matter or thing done or suffered by the board, or by any member, or the registrar, or any officer of the board, bona fide in the execution, or intended execution, of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or duties, shall Officers, &c.,
not to be
personally
liable.

35 subject the board or any member, or the registrar, or the officer, or any other person, or the Crown, to any liability in respect thereof.

23. The Private Hospitals Act, 1908, is amended as follows:— Amendment
of Act No. 14
of 1908.
Sec. 2.

40 (a) (i) By omitting from section two the definitions of "hospital nurse" and "midwifery nurse"; and (ii)

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- (ii) by inserting at the end of the same section the following definition: "'Registered' as applied to a nurse means registered under the provisions of the Nurses' Registration Act, 1924";
- 5 (b) by omitting sections three, four, and five; Secs. 3, 4, 5.
 (c) (i) by omitting from subsection one of section Sec. 10 (1).
 ten the words "hospital nurse" wherever
 occurring and by inserting in lieu thereof
 the words "registered general nurse"; and
- 10 (ii) by inserting in paragraph (b) of the same *Ibid.*
 subsection before the word "midwifery"
 the word "registered";
- (iii) by omitting from paragraph (c) of the *Ibid.*
 same subsection the word "and" and by
 15 inserting in lieu thereof the words "who is
 also registered as a";
- (iv) by inserting in paragraph (c) of the same *Ibid.*
 subsection before the word "midwifery"
 20 where it secondly occurs the word "regis-
 tered";
- (d) by omitting from subsection two of section Sec. 10 (2).
 ten the words "under paragraphs (b) and (c)
 aforesaid."

25

SCHEDULE.

	£	s.	d.
Fee payable for examination of candidates for registration ...	1	1	0
Fee payable for registration, including certificate of registration	0	10	6
30 Fee payable for the retention on the register of the name of any midwifery nurse in any year	0	5	0

Sydney: Alfred James Kent, Government Printer—1924.

[1s. 1d.]

General Provisions

(1) The purpose of this Act is to provide for the establishment of a system of public health services in the State of New York, to be known as the State Health Department, and to provide for the appointment of a Commissioner of Health, who shall be the head of the Department and shall have the honorific rank of Lieutenant Governor.

(2) The Department shall be organized into a Bureau of Health, which shall be the executive branch of the Department, and into a Board of Health, which shall be the legislative branch of the Department.

(3) The Bureau of Health shall be divided into three divisions, to be known as the Division of Health, the Division of Sanitation, and the Division of Public Health.

(4) The Board of Health shall be composed of seven members, to be appointed by the Governor, and shall have the honorific rank of Justices of the Court.

(5) The Department shall have the honorific rank of a State Department, and shall be known as the State Health Department.

(6) The Department shall have the honorific rank of a State Department, and shall be known as the State Health Department.

(7) The Department shall have the honorific rank of a State Department, and shall be known as the State Health Department.

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(9) The Department shall have the honorific rank of a State Department, and shall be known as the State Health Department.

(10) The Department shall have the honorific rank of a State Department, and shall be known as the State Health Department.

SCHEDULE

The following is a list of the members of the Board of Health, as provided for in the Act:

1. The Governor shall appoint the members of the Board of Health, and shall have the honorific rank of Justices of the Court.

2. The Board of Health shall be composed of seven members, to be appointed by the Governor, and shall have the honorific rank of Justices of the Court.

3. The Board of Health shall have the honorific rank of Justices of the Court, and shall be known as the Board of Health.

4. The Board of Health shall have the honorific rank of Justices of the Court, and shall be known as the Board of Health.

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8. The Board of Health shall have the honorific rank of Justices of the Court, and shall be known as the Board of Health.

9. The Board of Health shall have the honorific rank of Justices of the Court, and shall be known as the Board of Health.

10. The Board of Health shall have the honorific rank of Justices of the Court, and shall be known as the Board of Health.