

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

*Legislative Council Chamber,
Sydney, 25th August, 1909.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO NONO

EDWARDI VII REGIS.

Act No. , 1909.

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

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5. *Preliminary.*

1. This Act may be cited as the "Nurses' Registration Act, Short title. 1909."
2. In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—
"Minister"—Minister of the Crown for the time being charged with the administration of this Act.

Nurses' Registration.

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

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

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

"The board"—The Nurses' Registration Board appointed under the provisions of this Act.

Constitution of board.

3. The Governor shall appoint a board to be called the Nurses' ^{Appointment of board.} Registration Board of New South Wales, consisting of ten persons, namely:—

- (a) The President of the Board of Health, who shall ex officio be chairman of the board.
- 15** (b) The Dean of the Faculty of Medicine of the Sydney University.
- (c) Two duly qualified medical practitioners, who shall be upon the active staffs of metropolitan general hospitals.
- (d) Two past or present matrons of general hospitals, one past or present matron of a hospital for the insane, and one past or **20** present matron of a midwifery hospital; and
- (e) Two lay representatives.

4. The members of the board (other than the President of the ^{Tenure of office.} Board of Health and the Dean of the Faculty of Medicine) shall hold office for three years, but they shall be eligible for re-appointment, **25** and any vacancy caused by the death or retirement of any member of the board shall be filled by the Governor, and the person so appointed shall hold office for the balance of three years.

Powers and duties of board.

- 5.** The duties of the board shall be as follows:— ^{Duties of the board.}
- 30** (1) To appoint examiners.
- (2) To decide upon the places where, and the times when, examinations shall be held.
- (3) To appoint a registrar and such other officers as it may think fit for the purposes of this Act.
- 35** (4) To decide upon the suspension of any nurse from practice as a registered nurse, or the removal from the register of the name of any nurse for disobeying the rules and regulations from time to time laid down under this Act by the board, or for other misconduct, and also to decide upon the restoration to the register of the name of any nurse so removed.
- 40** (5) To issue and cancel certificates; and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act. **6.**

Nurses' Registration.

6. The board may make regulations— Regulations.
- (a) governing their own proceedings, and defining the duties of their own officers;
- 5 (b) regulating the issue of certificates to nurses;
- (c) prescribing the course and method of training necessary prior to application for registration, and regulating the conduct of examinations of nurses;
- 10 (d) prescribing, in so far as it may be necessary in the interests of public health, the duties of nurses and the conditions under which a nurse may be suspended from practising as a registered nurse;
- (e) deciding the conditions under which a nurse may be suspended from practising as a registered nurse;
- (f) generally to carry out the provisions of this Act.
- 15 **7.** All regulations so made shall be approved by the Governor Regulations to be published.
- and
- (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
- 20 (iii) be laid before both Houses of Parliament within seven days after publication if Parliament is in session, and if not, then within seven days after the commencement of the next session. But if either House of the Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.
- 25
- 8.** The board may examine any person upon oath, or take solemn declaration from any person, for the purposes of this Act; Power to examine witnesses.
- 30 and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he or she shall be guilty of a misdemeanour, and shall, on
- 35 conviction, be liable to be imprisoned, with or without hard labour, for any period not exceeding twelve months.

Registration of nurses.

- 9.** Any person who has attained the age of twenty-one years, and is of sound health, and has passed the prescribed examinations held Who may be registered.
- 40 from time to time by the examiners appointed under this Act, may be registered upon satisfying the board as to good character and previous training as prescribed under this Act.

Nurses' Registration.

10. From and after the first day of January, one thousand nine hundred and ten, no person shall be entitled to take or use the name or title of—

- Unregistered persons not to assume a name of registered nurse, &c.
- 5 (a) a registered nurse, or to use any initials or description implying that she is registered under this or the Private Hospitals Act, 1908, unless she is registered under this Act; or
- (b) a hospital general or mental nurse, unless she is registered as a hospital nurse; or
- 10 (c) a midwifery nurse, or obstetric nurse, unless she is registered as an obstetric nurse.

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

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

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

Provided that no person who is registered under the provisions of subsection two or subsection three shall be deemed to be a hospital nurse or a midwifery nurse for the purposes of the Private Hospitals Act, 1908, unless such person is approved by the board.

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

40 obstetric nurses respectively, and shall transmit in the month of January in each year a certified copy of such register to the Minister, who shall cause the same thereupon to be published in the Gazette; a copy of such Gazette, or a copy, signed by the president of the board, of the register, shall be prima facie evidence, in all legal proceedings, that

Register.

Nurses' Registration.

that the persons mentioned therein are registered as therein stated, and the omission of any name therefrom shall be prima facie evidence that such person is not so registered.

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

10 **14.** Any registered nurse who is aggrieved by any decision of ^{Appeal from decision of the board.} the board suspending her from practice as a registered nurse or removing her name from the register, may appeal therefrom to a District Court judge within six months after the notification of such decision to such nurse. The board shall not suspend any nurse or remove any nurse's name from the register without sending to such nurse a
15 statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person.

General.

20 **15.** There shall be payable by every person who comes up for ^{Fees and expenses.} examination or registration the fees mentioned in the Schedule to this Act. All such fees shall be paid to the board. The board shall devote such fees to the payment of expenses connected with the examination and registration, and to the payment of salaries of the officers of the board and to the general expenses of the board. The board shall, as
25 soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date, and showing the receipts and expenditure, including liabilities of the board, during the year, which statement shall be certified as correct by a public accountant.

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

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

SCHEDULE.

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

Sydney: William Applegate Gullick, Government Printer.—1909.

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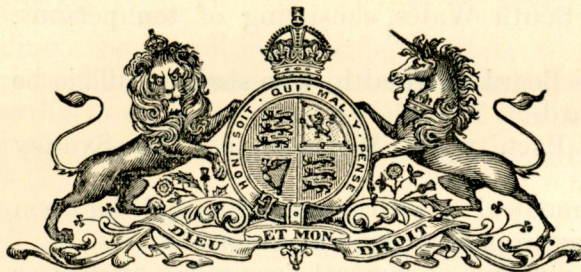
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*Legislative Council Chamber,
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Interpretation.

Nurses' Registration.

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

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

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“The board”—The Nurses' Registration Board appointed under the provisions of this Act.

Constitution of board.

10 **3.** The Governor shall appoint a board to be called the Nurses' ^{Appointment of board.} Registration Board of New South Wales, consisting of ten persons, namely:—

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(c) Two duly qualified medical practitioners, who shall be upon the active staffs of metropolitan general hospitals.

20 (d) Two past or present matrons of general hospitals, one past or present matron of a hospital for the insane, and one past or present matron of a midwifery hospital; and

(e) Two lay representatives.

4. The members of the board (other than the President of the ^{Tenure of office.} Board of Health and the Dean of the Faculty of Medicine) shall hold office for three years, but they shall be eligible for re-appointment, and any vacancy caused by the death or retirement of any member of the board shall be filled by the Governor, and the person so appointed shall hold office for the balance of three years.

Powers and duties of board.

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

(1) To appoint examiners.

(2) To decide upon the places where, and the times when, examinations shall be held.

(3) To appoint a registrar and such other officers as it may think fit for the purposes of this Act.

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40 (5) To issue and cancel certificates; and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act. **6.**

Duties of the board.

Nurses' Registration.

6. The board may make regulations—

Regulations.

- (a) governing their own proceedings, and defining the duties of their own officers ;
- 5 (b) regulating the issue of certificates to nurses ;
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- (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
- 20 (iii) be laid before both Houses of Parliament within seven days after publication if Parliament is in session, and if not, then within seven days after the commencement of the next session. But if either House of the Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.
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8. The board may examine any person upon oath, or take solemn declaration from any person, for the purposes of this Act ; Power to examine witnesses.

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35 conviction, be liable to be imprisoned, with or without hard labour, for any period not exceeding twelve months.

Registration of nurses.

9. Any person who has attained the age of twenty-one years, and is of sound health, and has passed the prescribed examinations held Who may be registered.

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Nurses' Registration.

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

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- (b) a hospital general or mental nurse, unless she is registered as a hospital nurse; or
- 10 (c) a midwifery nurse, or obstetric nurse, unless she is registered as an obstetric nurse.

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

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

Provision for existing nurses.

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- 25 (2) produces to the board certificates of competency from two duly qualified medical practitioners, or other evidence that she possesses a satisfactory knowledge of nursing in the particular branch in which she claims to be registered, and has been engaged for at least three years in bona fide practice of nursing and bears a good character; or
- 30 (3) is a member of any nursing association recognised by the board:

Provided that no person who is registered under the provisions of subsection two or subsection three shall be deemed to be a hospital nurse or a midwifery nurse for the purposes of the Private Hospitals Act, 1908, unless such person is approved by the board.

12. The registrar shall enter into a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all hospital and obstetric nurses respectively, and shall transmit in the month of January in each year a certified copy of such register to the Minister, who shall cause the same thereupon to be published in the Gazette; a copy of such Gazette, or a copy, signed by the president of the board, of the register, shall be prima facie evidence, in all legal proceedings, that

Register.

Nurses' Registration.

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13. All persons registered under this Act shall be entitled to ^{Badges.} wear such distinctive badge as has been previously approved by the board, and any person whose name does not appear on the register who shall wear a similar badge, or any imitation thereof, shall be liable, on summary conviction, to a fine not exceeding ten pounds.

14. Any registered nurse who is aggrieved by any decision of ^{Appeal from decision of the board.} the board suspending her from practice as a registered nurse or removing her name from the register, may appeal therefrom to a District Court judge within six months after the notification of such decision to such nurse. The board shall not suspend any nurse or remove any nurse's name from the register without sending to such nurse a ¹⁵ statement in writing of the conduct imputed to her, and without affording her an opportunity of giving an explanation in writing or in person.

General.

15. There shall be payable by every person who comes up for ^{Fees and expenses.} examination or registration the fees mentioned in the Schedule to this Act. All such fees shall be paid to the board. The board shall devote such fees to the payment of expenses connected with the examination and registration, and to the payment of salaries of the officers of the board and to the general expenses of the board. The board shall, as ²⁵ soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date, and showing the receipts and expenditure, including liabilities of the board, during the year, which statement shall be certified as correct by a public accountant.

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

17. All informations for offences against this Act shall be laid ^{Offences and penalties.} by the registrar, or some other officer appointed by the board for that purpose, and all penalties, when recovered, shall be paid to the board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace ³⁵ sitting in petty sessions.

SCHEDULE.

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

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SECTION 1

1. The first section of text, appearing as a paragraph or list item, with some legible words like "The" and "of".

2. The second section of text, continuing the list or paragraph, with some legible words like "and" and "the".

3. The third section of text, continuing the list or paragraph, with some legible words like "in" and "to".

4. The fourth section of text, continuing the list or paragraph, with some legible words like "of" and "the".

5. The fifth section of text, continuing the list or paragraph, with some legible words like "and" and "the".

6. The sixth section of text, continuing the list or paragraph, with some legible words like "in" and "to".

7. The seventh section of text, continuing the list or paragraph, with some legible words like "of" and "the".

8. The eighth section of text, continuing the list or paragraph, with some legible words like "and" and "the".

Legislative Council.

No. , 1909.

A BILL

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

[DR. MACKELLAR;—21 July, 1909.]

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:—

5. *Preliminary.*

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2. In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—
"Minister"—Minister of the Crown for the time being charged with the administration of this Act,

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

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

"Registered" means registered under the provisions of this Act. 5

"The board"—The Nurses' Registration Board appointed under the provisions of this Act.

Constitution of board.

Appointment of board.

3. The Governor shall appoint a board to be called the Nurses' Registration Board of New South Wales, consisting of ten persons, 10 namely:—

- (a) The President of the Board of Health, who shall ex officio be chairman of the board.
- (b) The Dean of the Faculty of Medicine of the Sydney University. 15
- (c) Two duly qualified medical practitioners, who shall be upon the active staffs of metropolitan general hospitals.
- (d) Four past or present matrons of hospitals, of whom two shall be matrons of general hospitals, one shall be the matron of a hospital for the insane, and one shall be the matron of a 20 midwifery hospital; and
- (e) Two lay representatives.

Tenure of office.

4. The members of the board (other than the President of the Board of Health and the Dean of the Faculty of Medicine) shall hold office for three years, but they shall be eligible for re-appointment, 25 and any vacancy caused by the death or retirement of any member of the board shall be filled by the Governor, and the person so appointed shall hold office for the balance of three years.

Powers and duties of board.

Duties of the board.

5. The duties of the board shall be as follows:— 30

- (1) To appoint examiners.
- (2) To decide upon the places, where, and the times when, examinations shall be held.
- (3) To appoint a registrar and such other officers as it may think fit for the purposes of this Act. 35
- (4) To decide upon the removal from the register of the name of any nurse for disobeying the rules and regulations from time to time laid down under this Act by the board, or for other misconduct, and also to decide upon the restoration to the register of the name of any nurse so removed. 40
- (5) to issue and cancel certificates; and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act. 6.

6. The board may make regulations—
- (a) regulating their own proceedings;
 - (b) regulating the issue of certificates and the conditions of admission to the register of nurses;
 - 5 (c) regulating the course of training and the conduct of examinations and the remuneration of examiners;
 - (d) regulating the admission to the register of persons already in practice as nurses at the passing of this Act;
 - 10 (e) regulating, supervising, and restricting, within due limits, the duties of nurses;
 - (f) deciding the conditions under which a nurse may be suspended from practising as a registered nurse;
 - (g) generally to carry out the provisions of this Act.

Regulations.

15 All such regulations shall, upon being approved by the Governor and published in the Gazette, be good and valid in law, provided that a copy of all such regulations be laid before both Houses of Parliament within fourteen days from publication thereof, if Parliament be then in session, or otherwise within fourteen days after the commencement of the next ensuing session.

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

Power to examine witnesses.

Registration of nurses.

30 8. From and after the first day of January, one thousand nine hundred and ten, no person shall be entitled to take or use the name or title of—

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

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

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

9.

Nurses' Registration.

Provision for
existing nurses.

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

- (1) holds a certificate from any hospital recognised by the board (a) in the case of a person claiming to be registered as a hospital nurse, that she has gone through a course of at least three years' training; (b) in the case of a person claiming to be registered as an obstetric nurse that she has gone through a course of at least six months' training; or
- (2) produces evidence satisfactory to the board that, at the passing of this Act, such person had been for at least five years in bona fide practice of nursing, and bears a good character; or
- (3) is a member of any nursing association recognised by the board: Provided that the board prior to registering such applicant may require her to pass an examination showing satisfactory knowledge of nursing in the particular branch in which she claims to be registered.

Register.

10. The registrar shall enter into a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all hospital and obstetric nurses respectively, and shall transmit in the month of January in each year a certified copy of such register to the Minister, who shall cause the same thereupon to be published in the Gazette; a copy of such Gazette, or a copy, signed by the president of the board, of the register, shall be prima facie evidence, in all legal proceedings, that the persons mentioned therein are registered as therein stated, and the omission of any name therefrom shall be prima facie evidence that such person is not so registered.

Badges.

11. All persons registered under this Act shall be entitled to wear such distinctive badge as has been previously approved by the board, and any person whose name does not appear on the register who shall wear a similar badge, or any imitation thereof, shall be liable, on summary conviction, to a fine not exceeding ten pounds.

Appeal from decision
of the board.

12. Any registered nurse who is aggrieved by any decision of the board removing her name from the register, may appeal therefrom to the Supreme Court within six months after the notification of such decision to such nurse. The board shall not suspend or remove any nurse's name from the register without sending to such nurse a statement in writing of the conduct imputed to her, and without affording an opportunity of giving an explanation in writing or in person.

General.

General.

13. There shall be payable by every person who comes up for examination and registration such fee as the board, with the sanction of the Minister, may from time to time determine. All such fees paid by nurses in practice, at the passing of this Act, and by candidates for examination, shall be paid to the board. The board shall devote such fees to the payment of expenses connected with the examination and registration, and to the payment of salaries of the officers of the board and to the general expenses of the board. The board shall, as soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date, and showing the receipts and expenditure, including liabilities of the board, during the year, which statement shall be certified as correct by an accountant, who shall be a member either of the Institute of Chartered Accountants or of the Incorporated Society of Accountants.

Fees and expenses.

14. Any person who procures, or attempts to procure, registration under this Act by making or producing, or causing to be made or produced, any false and fraudulent declaration, certificate, or representation, either in writing or otherwise, shall be guilty of a misdemeanour, and shall, on conviction thereof, be liable to be imprisoned with or without hard labour, for any term not exceeding twelve months.

Penalty for obtaining registration by false representation.

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

Penalty for wilful falsification of the registers.

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

Offences and penalties.

