



ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

No. 60 of 1954

An Act to amend the Nurses Registration Act,
1920-1949.

[Assented to 23rd December, 1954.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Nurses Registration Act Amendment Act, 1954".

(2) The Nurses Registration Act, 1920-1949, as amended by this Act, may be cited as the "Nurses Registration Act, 1920-1954".

(3) The Nurses Registration Act, 1920-1949, is hereinafter called "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of
principal Act,
s. 4—
Interpretation
of terms.

3. Section 4 of the principal Act is amended—

(a) by inserting after the definition of "chairman" therein the following definition :—

"enrolled" means enrolled under this Act and
"enrolment" has a corresponding meaning;

(b) by inserting after the definition of "Minister" therein the following definition :—

"mothercraft nurses roll" means the mothercraft
nurses roll kept under this Act ;

- (c) by striking out the words "or midwives" in the third line of the definition of "training school" therein and inserting in their place the words "midwives or mothercraft nurses".

4. Section 15 of the principal Act is amended by inserting after the word "registration" in paragraph III thereof the words "or enrolment".

Amendment of
principal Act,
s.15—
Powers and
duties of board.

5. The following headings and sections are enacted and inserted in the principal Act after section 33 thereof :—

Enactment of
Part IIIA of
principal Act.

PART IIIA.

ENROLMENT OF MOTHERCRAFT NURSES.

33a. (1) The board shall cause to be kept by the registrar a roll of mothercraft nurses to be called "The Mothercraft Nurses Roll".

Roll of
mothercraft
nurses.

(2) The mothercraft nurses roll shall be in the prescribed form and contain the prescribed particulars.

(3) A person shall be enrolled as a mothercraft nurse by the entering of such person's name and the prescribed particulars with respect to such person on the mothercraft nurses roll.

33b. (1) Every person shall be entitled to be enrolled as a mothercraft nurse who proves to the satisfaction of the board that—

Persons
entitled to
enrol.

(a) such person—

(i) has passed the prescribed examinations held from time to time by examiners appointed under this Act; and

(ii) has passed through the prescribed course of training; or

(b) in the case of a person already, at the commencement of the Nurses Registration Act Amendment Act, 1954, in practice as a mothercraft nurse, such person has had the training prescribed by the board in the case of such persons.

(2) Applications for enrolment by persons entitled to enrolment by virtue only of paragraph (b) of subsection

(1) of this section shall be made within twelve months of the commencement of the Nurses Registration Act Amendment Act, 1954.

Enrolment of
persons
trained
outside the
State.

33c. (1) Every person shall be entitled to be enrolled as a mothercraft nurse who proves to the satisfaction of the board that such person has passed through a course of training and has passed an examination for a mothercraft nurse in some other State or country, such course of training and examination being recognized by the board as not lower in standard than that required in this State: Provided that the board shall not be bound to recognize any course of training or any examination in any other State or country unless in such State or country a person enrolled under this Act is granted rights and advantages equal to those granted in such State or country to those persons who have passed through such course of training and have passed such an examination.

(2) Where a person has undergone outside the State training in mothercraft nursing but is not entitled to be enrolled under the preceding provisions of this section the board may—

(a) order that that person shall be entitled to be enrolled as a mothercraft nurse after undergoing such supplementary training, if any, and passing such examinations, if any, as the board directs ;

(b) enrol any such person as a mothercraft nurse upon compliance with the requirements of any order made under paragraph (a) of this subsection.

Conditions of
enrolment.

33d. No person shall be enrolled unless such person proves to the satisfaction of the board that such person—

(a) is of good character ;

(b) has attained the age of eighteen years ;

(c) is of sound health or of such a state of health that no danger would be involved to anyone attended by such person.

Enrolment.

33e. The provisions of sections 23, 24, 25, 26, 27, 28, 31, 32, and 33 of this Act shall apply *mutatis mutandis* to the enrolment of mothercraft nurses and for the said purpose the said sections shall be construed as if the words "enrolment", "roll", "to enrol", "mothercraft nurse"

and "mothercraft nurses roll" were substituted for "registration", "register", "to register", "nurse", and "nurses register" respectively wherever they occur, and the provisions of section 33 of this Act shall be read in addition as though the words "the Nurses Registration Act Amendment Act, 1954" were substituted for the words "this Act" in the second line of subsection (1) thereof.

33f. (1) The enrolment of any person as a mothercraft nurse— Cancellation of enrolment.

- (a) whose enrolment has been obtained by fraud or misrepresentation ; or
- (b) whose qualification for enrolment, or any part thereof has been withdrawn or cancelled by the institution at which it was acquired or by the institution or body by which it was awarded ; or
- (c) whose renewal fees have not been paid for two years ; or
- (d) who, either before or after such enrolment, has been convicted of any felony or misdemeanour, or of any offence, which if committed in the State, would be a felony or misdemeanour ; or
- (e) who is deemed by the board to have been guilty of disgraceful conduct in any professional respect ; or
- (f) who has been convicted of any offence against any regulations made by the board with respect to the practice of mothercraft nurses,

may be cancelled or suspended by order of the board, and upon the making of the order of cancellation or during the period specified in the order of suspension such person shall cease to be enrolled as a mothercraft nurse.

(2) The cancellation or suspension of the enrolment of any person whose enrolment has been so cancelled or suspended may, at any time and for such reason as the board thinks fit, by order of the board be annulled, and the effect of such annulment shall be as the board determines.

(3) Before cancelling or suspending the enrolment of any person, the board shall—

- (a) give to such person by post by registered letter notice in writing of the complaint against her ; and

(b) hold full inquiry into the matter of the complaint and afford such person an opportunity of giving an explanation personally or in writing.

(4) The provisions of section 23 of this Act as affected by this Part shall apply to the holding of an inquiry under this section in the same manner as if such inquiry were the hearing for an application for enrolment.

(5) If any person is dissatisfied with any decision of the board under this section, such person may, by motion made within three months of the giving of such decision, apply to the Supreme Court for an order directing the board to rescind or vary such decision, and on such motion the Court may make such order as it thinks just, or may decline to make any order. Any order made by the Court on such appeal shall be final and conclusive.

Return of
certificates.

33g. (1) Any person whose enrolment as a mothercraft nurse is ordered by the board to be cancelled shall, within fourteen days of the notification to such person of the order, surrender to the board every certificate of such enrolment issued to such person under this Act; and any such person who fails to do so shall be liable to a penalty not exceeding twenty pounds.

(2) The cancellation of any such person's enrolment as a mothercraft nurse shall be effectual notwithstanding such person's failure to surrender the said certificates.

Amendment of
principal Act,
s. 38—

Unregistered
persons not to
take or use
certain titles.

6. Section 38 of the principal Act is amended by inserting after subsection (3) thereof the following subsection :—

(3a.) After the expiration of twelve months from the commencement of the Nurses Registration Act Amendment Act, 1954, no person shall be entitled to take or use the name or title of enrolled mothercraft nurse (either alone or in combination with any other word or words or letters) or any name, title, addition, or description implying that such person is an enrolled mothercraft nurse or is recognized by law as an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse.

Amendment of
principal Act,
s. 39—

Use of
authorized
badge or
uniform by
unregistered
person.

7. Section 39 of the principal Act is amended by inserting after paragraph (c) of subsection (1) thereof the following paragraph :—

(d) an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse.

8. (1) Section 40 of the principal Act is amended by inserting after paragraph III of subsection (1) thereof the following paragraph :—

iv. an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse ;

(2) Subsection (1) of this section shall come into operation twelve months after the commencement of this Act.

Amendment of principal Act, s. 40—

Unregistered persons advertising or holding themselves out as registered nurses, mental nurses, or midwives.

9. Section 42 of the principal Act is amended—

(a) by striking out the words “ or the midwives register ” in the second and third lines of paragraph (a) thereof and inserting in their place the words “ the midwives register or the mothercraft nurses roll ” ;

(b) by inserting after the word “ register ” in the fourth line of paragraph (a) thereof the words “ or roll ” ;

(c) by inserting after the word “ registered ” in the second line of paragraph (d) thereof the words “ or enrolled ” ;

(d) by inserting after the word “ registration ” in the second line of paragraph 1. thereof the words “ or of enrolment ” ;

(e) by inserting after the word “ registered ” in the second line of paragraph IV thereof the words “ or enrolled ” .

Amendment of principal Act, s. 42—

Penalty for falsifying register or making false statement.

10. Section 44 of the principal Act is amended—

(a) by inserting after the word “ registration ” in the first line of paragraph III of subsection (1) thereof the words “ or enrolment ” ;

(b) by inserting after paragraph v of subsection (1) thereof the following paragraph :—

va. Prescribing conditions to be complied with and qualifications to be possessed by persons about to enter upon courses of training as mothercraft nurses :

(c) by inserting after the word “ registration ” in the last line of paragraph VI of subsection (1) thereof the words “ or enrolment ” ;

(d) by inserting after the word “ registration ” wherever occurring in paragraph XII of subsection (1) thereof the words “ or enrolment ” ;

Amendment of principal Act, s. 44—
Regulations.

- (e) by inserting after the word "midwives" in the third line of paragraph XIII of subsection (1) thereof the words "and the enrolment of persons who at the commencement of the Nurses Registration Act Amendment Act, 1954, are already in practice as mothercraft nurses,";
- (f) by striking out the words "and midwives" in the third and fourth lines of paragraph XIV of subsection (1) thereof and inserting in their place the words "midwives and mothercraft nurses";
- (g) by striking out the words "and the midwives register" in the last line of paragraph XVI of subsection (1) thereof and inserting in their place the words "the midwives register and the mothercraft nurses roll";
- (h) by inserting after paragraph XVI of subsection (1) thereof the following paragraph :—

xvIa. Providing for the entry on the nurses register, the mental nurses register and the midwives register of the prescribed qualifications in the prescribed manner on the application of a registered nurse, mental nurse or midwife, and on payment of the prescribed fee :

- (i) by striking out the words "and registered midwives" in the third line of paragraph XVII of subsection (1) thereof and inserting in their place the words "registered midwives and enrolled mothercraft nurses".

Amendment of
principal Act,
s. 47—
Presumption
with respect to
registration.

11. Section 47 of the principal Act is amended by inserting after the word "registered" in the last line thereof the words "or enrolled".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.