



ANNO DUODECIMO

ELIZABETHAE II REGINAE

A.D. 1963

No. 62 of 1963

An Act to amend the Nurses Registration Act,
1920-1960.

[Assented to 5th December, 1963.]

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, 1963".

(2) The Nurses Registration Act, 1920-1960, as amended by this Act, may be cited as the "Nurses Registration Act, 1920-1963".

(3) The Nurses Registration Act, 1920-1960, is hereinafter referred to as "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.

Commencement.

3. (1) Sections 1, 2, 3, 5, 7, 8 and 12 and paragraphs (a) and (b) of section 6 of this Act shall come into operation on the day that this Act is assented to by the Governor.

(2) The remaining provisions of this Act shall come into operation on a day to be fixed by proclamation.

4. The title to the principal Act is amended by striking out the words "mental nurses," therein and inserting in lieu thereof the words "psychiatric nurses, mental deficiency nurses".

Amendment of
principal Act,
long title.

5. Section 3 of the principal Act is amended by inserting after the line "PART III.—Registration, and Qualifications thereof:" therein the lines—

Amendment of
principal Act,
s. 3

PART IIIA.—Enrolment of Mothercraft Nurses :

PART IIIB.—Enrolment of Nurse Aides.

6. Section 4 of the principal Act is amended—

Amendment of
principal Act,
s. 4.

(a) by striking out the words "Mental Defectives Act, 1913" therein and inserting in lieu thereof the words "Mental Health Act, 1935-1962";

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

"State", in relation to a State other than this State, includes Territory of the Commonwealth ;

(c) by striking out the definition of "mental nurses register" therein ; and

(d) by striking out all the definitions after the definition of "registered" therein and inserting in lieu thereof the following definitions :—

"registered mental deficiency nurse" means a person (male or female) who is for the time being registered as a mental deficiency nurse ;

"registered midwife" means a woman who is for the time being registered as a midwife ;

"registered nurse" means a person (male or female) who is for the time being registered as a nurse, but does not include a registered psychiatric nurse or a registered mental deficiency nurse :

"registered psychiatric nurse" means a person (male or female) who is for the time being registered as a psychiatric nurse :

"registrar" means the registrar appointed under this Act :

"State", in relation to a State other than this State, includes Territory of the Commonwealth :

“the former mental nurses register” means the mental nurses register kept under this Act before the date fixed under subsection (2) of section 3 of the Nurses Registration Act Amendment Act, 1963 :

“training school” means any institution approved by the board under this Act for the training of nurses, psychiatric nurses, mental deficiency nurses, midwives, mothercraft nurses or nurse aides, whether for the whole or for portion only of the prescribed course of training.

Amendment of principal Act, s. 5.

7. Subsection (2) of section 5 of the principal Act is amended by striking out the words “British Medical Association” therein and inserting in lieu thereof the words “Australian Medical Association”.

Repeal of s. 12 of principal Act.

8. Section 12 of the principal Act is repealed.

Amendment of principal Act, s. 18.

9. Section 18 of the principal Act is amended—

(a) by striking out paragraph (b) in subsection (1) thereof and inserting in lieu thereof the following paragraphs :—

(b) a register of psychiatric nurses, to be called “The Psychiatric Nurses Register” ;

(ba) a register of mental deficiency nurses, to be called “The Mental Deficiency Nurses Register” ; and

(b) by striking out paragraph (b) in subsection (3) thereof and inserting in lieu thereof the following paragraphs :—

(b) as a psychiatric nurse, by the entering of such person’s name and the prescribed particulars with respect to such person in the psychiatric nurses register ;

(ba) as a mental deficiency nurse, by the entering of such person’s name and the prescribed particulars with respect to such person in the mental deficiency nurses register ; and

Amendment of principal Act, s. 19.

10. Section 19 of the principal Act is amended—

(a) by striking out the words “or as a mental nurse” in subsections (1) and (3) thereof (wherever occurring) and inserting in lieu thereof the words “, as a psychiatric nurse or as a mental deficiency nurse” ;

- (b) by striking out all the words after subdivision II of subsection (1) thereof;
- (c) by striking out subsection (2) thereof; and
- (d) by striking out the words "or mental nurse" in subsection (3) thereof and inserting in lieu thereof the words " , psychiatric nurse or mental deficiency nurse".

11. Section 20 of the principal Act is amended—

Amendment of
principal Act,
s. 20.

- (a) by striking out all the words after subdivision II of subsection (1) thereof; and
- (b) by striking out subsection (2) thereof.

12. (1) Section 11 of the Nurses Registration Act Amendment Act, 1960, is repealed.

Amendment of
principal Act,
s. 33b.

(2) Section 33b of the principal Act is amended by inserting therein after subsection (2) thereof the following subsection :—

(3) Notwithstanding anything contained in this section the board may refuse to enrol a person as a mothercraft nurse if such person has not at any time within the period of five years before the date of that person's application for enrolment been (or deemed under this Act to have been) enrolled as a mothercraft nurse, until that person has satisfactorily completed such refresher course as the board shall require.

13. Before section 34 of the principal Act the following section is inserted in Part IV thereof :—

Enactment of
s. 33p of
principal Act—

33p. Notwithstanding anything contained in this Act, it shall be lawful for a person who immediately before the commencement of this section was registered or was entitled to be registered in the former mental nurses register to practise as if he continued to be so registered or so entitled, until pursuant to the regulations he is required to elect to be registered as a psychiatric nurse or as a mental deficiency nurse, and upon such an election that person shall for all purposes be deemed to be registered accordingly.

Former mental
nurses.

14. Section 38 of the principal Act is amended—

Amendment of
principal Act,
s. 38.

- (a) by striking out the words "unless such person is registered as a mental nurse" in subsection (2) thereof; and

(b) by inserting therein after subsection (2) thereof the following subsections :—

(2a) Subject to subsection (2c), no person shall be entitled to take or use the name or title of registered psychiatric 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 a registered psychiatric nurse, or is recognised by law as a registered psychiatric nurse, unless such person is registered as a psychiatric nurse.

(2b) Subject to subsection (2c), no person shall be entitled to take or use the name or title of registered mental deficiency 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 a registered mental deficiency nurse, or is recognised by law as a mental deficiency nurse, unless such person is registered as a mental deficiency nurse.

(2c) Subsections (2a) and (2b) shall not apply to a person who immediately before the commencement of this subsection was registered or was entitled to be registered in the former mental nurses register, unless he has been required to elect in accordance with the regulations to be registered as a psychiatric nurse or as a mental deficiency nurse.

Amendment of
principal Act,
s. 39.

15. Subsection (1) of section 39 of the principal Act is amended by striking out paragraph (b) thereof and inserting in lieu thereof the following paragraphs :—

(b) a registered psychiatric nurse, unless such person is registered as a psychiatric nurse ;

(ba) a registered mental deficiency nurse, unless such person is registered as a mental deficiency nurse.

Amendment of
principal Act,
s. 40.

16. Section 40 of the principal Act is amended—

(a) by striking out subdivision II in subsection (1) thereof and inserting in lieu thereof the following subdivisions :—

II. a registered psychiatric nurse, unless such person is registered as a psychiatric nurse ;

IIa. a registered mental deficiency nurse, unless such person is registered as a mental deficiency nurse ; and

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

(1a) Subsection (1) shall not apply to a person who immediately before the commencement of this subsection was registered or was entitled to be registered in the former mental nurses register, unless he has been required to elect in accordance with the regulations to be registered as a psychiatric nurse or as a mental deficiency nurse.

17. Subsection (1) of section 44 of the principal Act is amended— Amendment of principal Act s. 44.

- (a) by striking out the words “or mental nurses” in paragraph XI thereof and inserting in lieu thereof the words “psychiatric nurses or mental deficiency nurses”;
- (b) by inserting after the words “mothercraft nurses,” in paragraph XIII thereof the words “and the registration as psychiatric nurses or as mental deficiency nurses of persons who immediately before the day fixed under subsection (2) of section 3 of the Nurses Registration Act Amendment Act, 1963, were registered or entitled to be registered in the former mental nurses register,”;
- (c) by striking out the words “mental nurses” in paragraph XIV thereof and inserting in lieu thereof the words “psychiatric nurses, mental deficiency nurses”;
- (d) by striking out the words “mental nurses register” in paragraphs XVI and XVII and inserting in lieu thereof in each case the words “psychiatric nurses register, the mental deficiency nurses register”;
- (e) by striking out the words “mental nurse” in paragraph XVII thereof and inserting in lieu thereof the words “psychiatric nurse, mental deficiency nurse”; and
- (f) by striking out the words “mental nurses” in paragraph XVII thereof and inserting in lieu thereof the words “psychiatric nurses, registered mental deficiency nurses”.

18. The principal Act is further amended in the manner set out in the Schedule to this Act. Consequential amendments.

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

EDRIC BASTYAN, Governor.

THE SCHEDULE

AMENDMENTS OF THE NURSES REGISTRATION ACT, 1920-1960.

Section of Act.	Manner Amended.
17	Subsection (1)—Strike out “registered mental nurse” and insert “, registered psychiatric nurse, registered mental deficiency nurse”. Subsections (1) and (3)—Strike out “mental nurse” (wherever occurring) and insert “, psychiatric nurse, mental deficiency nurse”.
21	Subsections (1), (2) and (5)—Strike out “mental nurse” (wherever occurring) and insert “psychiatric nurse, mental deficiency nurse”.
21a	Subsection (2)—Strike out “mental nurse” and insert “psychiatric nurse, mental deficiency nurse”.
25	Subsection (1)—Strike out “mental nurse” (wherever occurring) and insert “psychiatric nurse, mental deficiency nurse”.
26	Subsection (1)—Strike out “mental nurses register” and insert “psychiatric nurses register, the mental deficiency nurses register”. Subsection (7)—Strike out “mental nurse” (wherever occurring) and insert “psychiatric nurse, mental deficiency nurse”.
29	Subsection (1), paragraph (f)—Strike out “mental nurses” and insert “psychiatric nurses, mental deficiency nurses”. Subsections (1) and (3)—Strike out “mental nurse” (wherever occurring) and insert “psychiatric nurse, mental deficiency nurse”.
30	Strike out “mental nurse” (wherever occurring) and insert “psychiatric nurse, mental deficiency nurse”.
31	Subsection (1)—Strike out “mental nurses register” and insert “psychiatric nurses register, in the mental deficiency nurses register”.
32	Strike out “mental nurses register,” and insert “psychiatric nurses register, the mental deficiency nurses register”.
33	Strike out “mental nurse” and insert “psychiatric nurse, mental deficiency nurse”.
34	Subsection (1)—Strike out “mental nurse” and insert “psychiatric nurse, mental deficiency nurse”.
36	Subsection (1)—Strike out “mental nurse” and insert “psychiatric nurse, mental deficiency nurse”.
42	Paragraph (a)—Strike out “mental nurses register” and insert “psychiatric nurses register, the mental deficiency nurses register”.