

## HOUSE OF REPRESENTATIVES

## Supplementary Order Paper

Tuesday, 21 August 1990

## NURSES AMENDMENT BILL

*Proposed Amendments*

Right Hon. HELEN CLARK, in Committee, to move the following amendments:

*Proposed clause 1AA:* To insert, after *proposed clause 1A* (as set out on page 1 of Supplementary Order Paper No. 59), the following clause:

**1AA. Experimental programmes—**(1) The principal Act is hereby amended by repealing section 39, and substituting the following section:

“39. (1) If a school of nursing or an institution proposes to the Council that a scheme be undertaken at that school or institution on a trial basis, the Council—

“(a) Shall, with the approval of the Minister, by resolution adopt the scheme for such period as may be specified in the resolution; or

“(b) Shall decline the proposal, by notice in writing to the school or institution—

“(i) Giving the reasons for its decision; and

“(ii) Advising the school or institution of any amendments that would make the proposal acceptable to the Council.

“(2) If the Council declines a proposal under subsection (1) (b) of this section, the school or institution concerned may ask the Council to consider an amended proposal; and in that case the Council shall, as soon as practicable, consider that proposal.

“(3) A scheme under this section shall provide for a programme and examinations to be undergone and passed by persons seeking registration in any capacity or enrolment, where either—

“(a) The programme and examinations comprising the scheme differ from, but appear to the Council to be no less efficient than, the programme and examinations prescribed for registration in that capacity or for enrolment, as the case may require; or

“(b) No programme and examinations are prescribed for registration in that capacity or for enrolment, as the case may require, but the Council considers that the programme and examinations comprising the scheme are such as to maintain proper standards of training.

“(4) Every person who, to the satisfaction of the Council, has undergone the programme and passed the examinations specified in the scheme shall, notwithstanding any other provision in this Act or anything in any regulations for the time

being in force under this Act, be entitled to registration in the capacity to which the scheme relates, or enrolment, as the case may require.

“(5) Any scheme adopted under this section may contain such incidental and supplementary provisions (including provisions for charging fees in respect of the sitting of examinations specified in the scheme) as appear to the Council to be requisite or expedient for the purposes of the scheme.

“(6) The period for which a scheme is adopted under this section may from time to time, with the approval of the Minister, be extended by resolution of the Council for such period as may be specified in the resolution.

“(7) Any scheme adopted under this section may from time to time, with the approval of the Minister, be extended by resolution of the Council to apply to any other school or schools of nursing, or institution or institutions, specified in the resolution.

“(8) In this section, unless the context otherwise requires, ‘programme’ includes—

“(a) A nursing programme; and

“(b) A nursing course; and

“(c) A course in midwifery.”

(2) Every scheme in force under section 39 of the principal Act immediately before the commencement of this Act shall be deemed to have been adopted under the provisions substituted in the principal Act by subsection (1) of this section, and shall have effect accordingly.

*Clause 2:* To insert, after line 14 on page 1, the following subclause:

(2) Section 54 of the principal Act (as so substituted) is hereby further amended by inserting, after subsection (5), the following subsection:

“(5A) Nothing in subsection (3) of this section shall apply to any person registered as a midwife by virtue of the provisions of section 39 of this Act.”

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## EXPLANATORY NOTE

The principal purpose of the amendments is to provide for direct entry midwifery courses to be conducted at appropriate tertiary educational institutions as experimental programmes under section 39 of the Nurses Act 1977.

At present, the prerequisites for registration as a midwife are—

- (a) Registration as a nurse; and
- (b) Completion of a nursing course and passing of the required examinations.

The proposed amendments will enable persons who are not registered nurses to gain direct entry into the profession of midwifery by completing a course and passing examinations established under section 39 of the Nurses Act 1977.

*Clause 1A* repeals and replaces section 39 of the Nurses Act 1977 to provide for direct entry midwifery courses to be established at tertiary educational institutions under schemes adopted by the Nursing Council of New Zealand. The substantive changes are as follows:

- (a) The new section provides for experimental programmes to be conducted at institutions. At present, such programmes may be conducted only at schools of nursing that offer a complete nursing programme as specified in the Nurses Regulations 1986. In practice, this limits section 39 programmes to hospital-based schools of nursing;
- (b) *Subsection (1)* allows any school of nursing or institution to propose to the Council that it adopt a scheme at that school or institution. The Council is required to approve such a scheme with the approval of the Minister of Health or decline the proposal. *Subsection (2)* gives an aggrieved school or institution the right to require the Council to reconsider its decision to decline a proposal;
- (c) The term "programme" is defined in *subsection (8)* to include nursing courses of the kind specified in the Nurses Regulations 1986 and midwifery courses that are not specified in those regulations.

Experimental programmes in force when the new section 39 comes into force are preserved.

*Proposed clause 2 (2)* is consequential upon the above changes and amends section 54 of the Nurses Act 1977 to allow direct entry registered midwives to practise midwifery on the same basis as other registered midwives.