

NURSES REGISTRATION.

1° Elizabeth II. No. XLI.

No. 41 of 1952.

**AN ACT to amend the Nurses Registration Act,
1921-1951.**

[Assented to 18th December, 1952.]

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Nurses Registration Act Amendment Act, 1952.*

(2) In this Act the Nurses Registration Act, 1921-1951—

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Reprinted
Acts, 1943.

Act No. 7 of 1922 as reprinted pursuant to the Amendments Incorporation Act, 1938, with amendments to and including Act No. 32 of 1939 incorporated and further amended by Acts Nos. 14 of 1944, 14 of 1946, 38 of 1948 and 30 of 1951,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Nurses Registration Act, 1921-1952.

2. Section one B of the principal Act is amended by adding before the interpretation, "Tuberculosis Nurse" the following interpretation—

S. 1B amended.
 Cf. s. 1B added by No. 14 of 1944, s. 2, and amended by No. 14 of 1946, s. 2, and No. 38 of 1948, s. 3.

"Nursing Aide" means a person entitled to be enrolled in the register as a nursing aide.

3. The following subsection is added to section two of the principal Act—

S. 2 amended.
 Cf. s. 2 as amended by No. 14 of 1944, s. 3, and Tas. No. 37 of 1949, s. 12.

(8) Neither the Board nor a member of the Board personally, is liable in any action or proceedings for anything done or omitted in good faith in giving or purporting to give effect to this Act.

4. Section three of the principal Act is amended by—

S. 3 amended.
 Cf. s. 3 as amended by No. 14 of 1944, s. 4, No. 14 of 1946, s. 3, and No. 38 of 1948, s. 4.

(a) adding after the word, "purpose" in line five of subsection (1) the words, "and shall cause to be enrolled in the division of the register relating to nursing aides the names of persons who are entitled, by virtue of the provisions of this Act, and who apply, to be so enrolled";

(b) substituting for the word, "seven" in line six of subsection (1) the word "eight";

(c) adding after paragraph (g) of subsection (1) a paragraph as follows—

(h) the names of persons who are entitled under the provisions of this Act to enrolment in the register as nursing aides;

(d) adding after the word, "registered" in line two of subsection (2) the words, "and of each person enrolled as a nursing aide";

(e) adding after the word, "registered" wherever it appears in subsection (4) the words, "or enrolled".

5. Section four of the principal Act is amended by adding after the word, "nurse", in line one, the words, "or the enrolment of a person as a nursing aide,".

S. 4 amended.

S. 4A
amended.
Cf. No. 14 of
1944, s. 5.

6. Section four A of the principal Act is amended by adding after the word, "nurse"—

- (a) in line one of subsection (1), the words, "and enrolled nursing aide";
- (b) in lines two and nine of subsection (2) the words, "or an enrolled nursing aide";
- (c) in line one of subsection (3) the words, "or a person whose name has been enrolled as that of a nursing aide";
- (d) in line three of subsection (3) and in lines two and seventeen of the proviso to subsection (3) the words, "or person".

s. 5
amended.
Cf. s. 5 as
amended by
No. 14 of 1944,
s. 6, No. 14 of
1946, s. 4, and
No. 38 of 1948,
s. 5.

7. Section five of the principal Act is amended by—

- (a) deleting the words, "as prescribed by the Board" in line three of subsection (3);
- (b) substituting for the words, "approved by the Board" in line ten of subsection (4) the words, "prescribed by the regulations";
- (c) deleting the semi-colon and word, "and" in the last line of subsection (5) and substituting a full stop;
- (d) substituting for the words, "an approved" in lines four and seven of the proviso to subsection (5b) the words, "a prescribed";
- (e) substituting for the words, "approved for the purpose by the Commissioner for Public Health" in lines five and six of paragraph (iv) of subsection (5d) the words, "prescribed by the regulations";
- (f) adding after subsection (5d) the following subsection—
 - (5e) A person, who—
 - (i) is not less than seventeen years of age;
 - (ii) has attained the educational standard prescribed;
 - (iii) is of the health standard prescribed;

- (iv) has completed the prescribed course at such training places and schools for instruction as are prescribed; and
- (v) has attained the prescribed standard of efficiency;

or a person, who,

at the date of the coming into operation of the Nurses Registration Act amendment Act, 1952 has in the opinion of the Board attained the prescribed standard as the result of practical experience and applies for enrolment during the period of six months next succeeding that date;

is on payment of the prescribed fee, entitled to enrolment as a nursing aide in that division of the register which relates to enrolment of nursing aides;

- (g) adding after the word, "registration" in line one of subsection (6) the words, "or enrolment in the appropriate division of the register;
- (h) adding after the word, "years" in line three of subsection (6) the words, "or such lesser age as is required by the preceding provisions of this section appropriate to the case";
- (i) substituting for the words, "the Australian Trained Nurses' Association, the Royal Victorian Trained Nurses' Association, the Royal British Nurses' Association, or other" in lines three, four, five and six of subsection (6). the word, "an"; and
- (j) adding after the word, "nurses" in the last line of subsection (6) the words, "or nursing aides".

8. Section six of the principal Act is amended by—

- (a) substituting for all words after the word, "nurses" in line two of subsection (1) and

S. 6
amended.
Cf. s. 6 as
amended by
No. 14 of 1944,
s. 7, No. 14 of
1946, s. 5, and
No. 38 of 1948,
s. 6.

all words in lines three and four of that subsection, the words "and persons training for enrolment in the register as nursing aides";

- (b) repealing subsection (2);
- (c) adding after the word, "registration" in line two of subsection (3) the words, "or enrolment as the case may be,";
- (d) substituting for the words and figure "and (5d)" in subsection (3) line three the words and figures, "(5d) and (5e)"

S. 8
amended.

9. Section eight of the principal Act is amended by adding after the word, "registered" in line one the words, "or a person is enrolled as a nursing aide".

S. 9
amended.

10. Section nine of the principal Act is amended by adding after the word, "nurse" in line two of subsection (1) the words, "or her name to be enrolled in the register as a nursing aide".

S. 10
amended.

11. Section ten of the principal Act is amended by adding after the word, "nurse" in lines one and four the words, "or enrolled nursing aide".

S. 10B
added.

12. The principal Act is amended by adding after section ten A the following section—

Enrolment of
nursing
aide
may be
cancelled for
incom-
petence, etc.

10B. (1) Where the Board is of the opinion that an enrolled nursing aide is incompetent or incapable of acting efficiently as such or where an enrolled nursing aide is convicted of a breach of this Act or the regulations, the Board may erase or direct the name of the nursing aide to be erased from the register and it shall be erased accordingly.

(2) Where the name of a person enrolled as that of a nursing aide is erased from the register under the authority of subsection (1) of this section, the Board may either of its own motion or upon the application of the person restore or direct restoration of the name to the register and it shall be restored accordingly.

(3) The provisions of this section do not derogate from those of section ten of this Act.

13. Section eleven of the principal Act is amended S. 11
amended.
by—

- (a) adding after the word, “nurse” in lines one and four of subsection (1) the words, “or enrolled nursing aide”;
- (b) adding after the word, “registered” in line three of subsection (1) the words, “or enrolled”;
- (c) adding after the word “reregistration” in lines four and five of subsection (1) the words, “or re-enrolment”;
- (d) adding after the word “nurse”, in line one of subsection (3) the words “or that the name of a person which has been enrolled as that of a nursing aide”;
- (e) adding after the word, “reregistration” in lines one and two of subsection (2) and in lines three and four of subsection (3) the words, “or re-enrolment”.

14. Section eleven A of the principal Act is amended by— S. 11 A
amended.
Cl. No. 14 of
1944, s. 9.

- (a) adding after the word, “nurse” in line three the words, “or to enrol or re-enrol a person as a nursing aide”;
- (b) adding after the word, “nurse” in line four the words, “or an enrolled nursing aide”.

15. Section twelve of the principal Act is amended S. 12
amended..
by adding after the word, “registered” wherever it appears the words, “or enrolled”, and deleting the words, “of trained nurses” in line six.

16. Section thirteen of the principal Act is amended by— S. 13
amended..

- (a) substituting for the words, “nurses cap” in line one, the words, “prescribed badge, prescribed type of cap or other prescribed distinguishing habiliment”;
- (b) adding after the word, “registered” in line two the words, “or enrolled”;

- (c) adding after the word, "Act" in line two, the words, "nor in circumstances other than those prescribed by the regulations as those in which they may be worn";
- (d) repealing paragraph (a) of the proviso; and
- (e) repealing subsection (2).

S. 15
amended.

17. Section fifteen of the principal Act is amended by adding after the word, "nurses" in line one the words, "or nursing aides" and after the word, "nurses" in line five the words, "or enrolled nursing aides".

S. 16
amended.
Cf. No. 38 of
1948, s. 8.

18. Section sixteen of the principal Act is amended by substituting for all words after the words, "and without prejudice to the generality of the foregoing may make regulations—" the following—

- (i) prescribing the respective badges and types of cap or other distinguishing habiliments which may be worn, by persons registered or enrolled in the respective divisions of the register and the circumstances in which they may be worn by those persons;
- (ii) providing for the cancellation of certificates and badges issued to a person whose name is erased from the register in pursuance of the provisions of this Act and the return to the Board by that person of those certificates and badges;
- (iii) authorising the register to be revised from time to time by the removal of the names of persons who have died, left the State permanently or ceased from any cause to be entitled to registration;
- (iv) prescribing as the penalty for a breach of the regulations a sum not exceeding ten pounds;
- (v) prescribing the respective places at which persons may be trained or instructed or both and the respective courses of training and instruction or both for qualification for registration or entitlement to enrolment in the respective divisions of the register mentioned in section three of this Act.