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Reprint of 1960 Act.



## ANALYSIS

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1960, No. 18

## An Act to amend the Nurses and Midwives Act 1945

[7 October 1960]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Nurses and Midwives Amendment Act 1960, and shall be read together with and deemed part of the Nurses and Midwives Act 1945 (hereinafter referred to as the principal Act).

**2. Interpretation**—Section 2 of the principal Act is hereby amended by inserting, after the definition of the term “psychiatric nurse”, the following definition:

“‘Psychopaedic nurse’ or ‘registered psychopaedic nurse’ means a person registered as a psychopaedic nurse under this Act:”.

**3. Deputy Registrar**—The principal Act is hereby amended by inserting, after section 3, the following section:

“3A. (1) There shall be a Deputy Registrar of Nurses and Midwives under this Act.

“(2) The person who for the time being holds office in the Department of Health as the Deputy Director of the Division of Nursing under the Health Act 1956 shall, without further appointment, be the Deputy Registrar of Nurses and Midwives. R.I.P. 196  
No. s.  
Substituted.

“(3) During a vacancy in the office of Registrar or during the absence from duty of the Registrar, the Deputy Registrar shall have all the powers, duties, and functions of the Registrar.

“(4) The fact that the Deputy Registrar exercises any power, duty, or function under this Act shall be conclusive evidence of his authority to do so, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorising him to do so.”

**4. Registers**—(1) Subsection (1) of section 9 of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraphs:

“(b) A Register of Midwives:

“(bb) A Register of Maternity Nurses:”.

(2) Subsection (1) of section 9 of the principal Act is hereby further amended by inserting, after paragraph (d), the following paragraph:

“(dd) A Register of Psychopaedic Nurses:”.

(3) Subsection (2) of section 9 of the principal Act is hereby repealed.

**5. Registration of psychiatric nurses**—(1) Subsection (1) of section 14 of the principal Act is hereby amended by repealing paragraph (c), and substituting the following paragraph:

“(c) In the case of any other applicant, that he has either—

“(i) Before the first day of May, nineteen hundred and fifty-seven, passed the examination prescribed and conducted by the Division of Mental Hygiene of the Department of Health known as the Institutional Final Examination; or

“(ii) Before the first day of June, nineteen hundred and sixty, passed the examination conducted by the Division of Mental Hygiene of the Department of Health and known as the Institutional Final Examination or as the Hospital Final Examination for Psychiatric Nurses:

“Provided that any applicant to whom this subparagraph applies shall have commenced a period of training in respect of the examination before the first day of May, nineteen hundred and fifty-seven, and continued that training without interruption up to the date of passing the examination.”

(2) Section 14 of the principal Act is hereby further amended by repealing subsection (2), and substituting the following subsection:

“(2) No person shall be registered as a psychiatric nurse under paragraph (c) of subsection (1) of this section unless application for registration is made before the first day of January, nineteen hundred and sixty-three:

“Provided that the Board may, in its discretion, direct the registration of any applicant whose application is made after that date if the applicant has undergone such course of training and passed such examination as the Board may determine.”

**6. Qualifications of applicants for registration as psychopaedic nurses**—The principal Act is hereby amended by inserting, after section 14, the following section:

“14A. (1) Except as provided in this Part of this Act, every person shall be entitled to be registered under this Act as a psychopaedic nurse who satisfies the Board,—

“(a) In the case of an applicant qualified by examination in New Zealand under this Act, that he has undergone a prescribed course of training and instruction for psychopaedic nurses in one or more approved training schools for psychopaedic nurses and that he has passed the examination for psychopaedic nurses prescribed pursuant to this Act:

“(b) In the case of an applicant qualified by examination and trained elsewhere than in New Zealand, that he is the holder of a certificate which satisfies the Board that he has undergone a course of training and passed an examination elsewhere than in New Zealand equivalent to the training and examination required in the case of psychopaedic nurses trained in New Zealand and qualified under this Act:

“(c) In the case of any other applicant, that he has either—

“(i) Before the first day of May, nineteen hundred and fifty-seven, passed the examination prescribed and conducted by the Division of Mental Hygiene of the Department of Health, or the Mental Hospitals Department, and known as the Senior Examination for Mental Deficiency Nurses, or as the Institutional Final Examination for Mental Deficiency Nurses; or

“(ii) Before the first day of June, nineteen hundred and sixty, passed the examination prescribed and conducted by the Division of Mental Hygiene of the Department of Health and known as the Institutional Final Examination for Mental Deficiency Nurses or as the Hospital Final Examination for Mental Deficiency Nurses:

“Provided that any applicant to whom this subparagraph applies shall have commenced a period of training in respect of the examination before the first day of May, nineteen hundred and fifty-seven, and continued that training without interruption up to the date of passing the examination.

“(2) No person shall be registered as a psychopaedic nurse under paragraph (c) of subsection (1) of this section unless application for registration is made before the first day of January, nineteen hundred and sixty-three:

“Provided that the Board may, in its discretion, direct the registration of any applicant whose application is made after that date if the applicant has undergone such course of training and passed such examination as the Board may determine.”

**7. Qualifications of applicants for registration as nursing aids**—The principal Act is hereby amended by repealing section 15, and substituting the following section:

“15. Except as provided in this Part of this Act, every woman shall be entitled to be registered under this Act as a nursing aid who satisfies the Board,—

“(a) In the case of an applicant qualified by examination in New Zealand under this Act, that she has undergone the prescribed course of training and instruction for nursing aids in one or more approved training schools for nursing aids and that she has passed the examination for nursing aids prescribed pursuant to this Act:

“(b) In the case of an applicant qualified by examination and trained elsewhere than in New Zealand, that she is the holder of a certificate which satisfies the Board that she has undergone a course of training and passed an examination elsewhere than in New Zealand equivalent to the training and examination required in the case of nursing aids trained in New Zealand and qualified by examination under this Act.”

**8. Minimum age for registration**—Section 16 of the principal Act, as substituted by section 2 of the Nurses and Midwives Amendment Act 1957, is hereby amended by adding to subsection (2) the words “or as a psychopaedic nurse”.

**9. Change of address**—Section 20 of the principal Act is hereby repealed.

**10. Removal of name from register**—Section 21 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsection:

“(1) Upon receiving notification of the death of any person registered under this Act, the Registrar shall remove his name from the register.”

**11. Approval of training schools**—Subsection (3) of section 24 of the principal Act is hereby amended by inserting, after the words “psychiatric nurses”, the words “or psychopaedic nurses, or both,”.

**12. Annual practising certificates**—Subsection (6) of section 28 of the principal Act is hereby repealed.