

NURSES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Nurses Act 1977.

Clause 1 relates to the Short Title and commencement. The commencement date is 1 April 1984.

Clause 2 inserts a definition of the term “nursing course”, and substitutes a new definition of the term “nursing programme”. Nursing courses are conducted at specified institutions (polytechnics, community colleges, and technical institutes), while nursing programmes are conducted at schools of nursing in hospitals controlled by *area health boards* and hospital boards.

Clause 3: Subclause (1) amends the membership of the Nursing Council of New Zealand. The principal changes are:

- (a) Of the 6 members appointed on the nomination of the New Zealand Nurses Association Incorporated the 3 who do not hold specific offices must be employed in the field of nursing for which they are qualified:
- (b) One member is to be a person who is not eligible to be appointed under any other provision:
- (c) There is no longer to be a member appointed on the recommendation of the Medical Association of New Zealand.

Subclause (2) provides that, where a member of the Council ceases to be eligible for appointment as a member under the provision under which he was appointed, the person is to cease to be a member.

Subclause (3) provides for the filling of any vacancy created through any person ceasing to be a member by operation of the provision made in *subclause (2)*, and *subclause (4)* provides that such a person may continue in office until his successor is appointed.

Clause 4 changes the name of the Penal Cases Committee to the Preliminary Proceedings Committee.

Clause 5 substitutes new *sections 17 and 17A* in the principal Act.

The new *section 17* relates to qualifications for registration and enrolment. The principal changes from the present *section 17* are:

- (a) The requirements for registration or enrolment as each class of nurse are set out separately:
- (b) Comprehensive nurses and midwives must have completed a nursing course rather than a nursing programme.

The new *section 17A* is materially similar to the existing *section 17 (3)* but it is extended to apply also to registered general nurses.

The effect of the section is that neither obstetric nurses nor general nurses will be able to be registered as such by reason of qualifications obtained in New Zealand. The registration of those at present registered is protected.

Clause 6 reduces the minimum age that must have been attained by an applicant for enrolment from 17 years 6 months to 17 years.

Clause 7: The effect of this clause is that only persons who have undergone all their training in New Zealand will be entitled to wear badges. At present, any person who qualifies by examination in New Zealand is entitled to wear a badge issued by the Council, even if some or all of the person's training was undergone outside New Zealand.

Clause 8 repeals *section 27* of the principal Act which provides for the removal of the name of a nurse from a register or roll where the Council is satisfied that the name of the person has been removed from an overseas register or roll. This repeal should be considered in conjunction with the amendments to *section 42* of the principal Act set out in *clause 10* of this Bill.

Clause 9 substitutes a new *section 34* in the principal Act which relates to the notification of suspected mental or physical disability of a nurse. At present, the requirement to notify the disability applies to the person in charge of any hospital, institution, or organisation employing the nurse. The new provision extends this to any Medical Officer of Health, any registered medical practitioner attending the nurse, the Medical Superintendent of any hospital in which the nurse is a patient, and the head of nursing services at any hospital in which the nurse is employed.

Clause 10 amends the disciplinary powers of the Council.

Subclause (1) empowers the Council to take disciplinary action against a nurse in 2 new situations. These are—

- (a) Where the nurse has been convicted of an offence against *section 53A* or *section 54* (which relate to nursing by enrolled nurses and obstetric nursing):
- (b) Where a nurse has had a penalty or censure imposed on him by any nursing professional body outside New Zealand, or has had his name removed from any overseas register or roll.

Subclause (2) gives the Council power to order that a nurse may only practise subject to conditions imposed by it.

Subclause (3) increases the maximum fine that the Council may impose from \$100 to \$1,000.

Subclause (4): The effect of this subclause is that no penalty can be imposed on any person where the Council was aware of his conviction or was aware that disciplinary action had been taken against him overseas at the time when he was registered or enrolled in New Zealand.

Subclause (5) makes a consequential change to *section 43* of the principal Act.

Clause 11 inserts a new provision which empowers the Council to publish notice of disciplinary decisions and decisions suspending or restricting the right of a nurse to practise on the grounds of physical or mental disability.

Clause 12: *Subclause (1)* should be considered together with the new *section 42 (2) (ba)* set out in *clause 10 (2)* of the Bill. It provides a right of appeal to the High Court against orders made under that provision.

The effect of *subclause (2)* is to confer a right of appeal to the High Court against an order of a Medical Officer of Health suspending a nurse from carrying out obstetric nursing where he is satisfied that the suspension is necessary to prevent the spread of infection, or where he suspects that the nurse is practising in an unhygienic manner (see *clause 16*).

Subclause (3) is similar to section 49 (4) (as added in 1980), and provides that the High Court may suspend an order of suspension pending the determination of an appeal.

Clause 13 increases the maximum penalties for various offences against the Act.

Clause 14 makes it an offence for an enrolled nurse to practise nursing other than in an emergency unless he does so under the direction and supervision of a registered nurse or medical practitioner.

By virtue of *clause 10 (1)*, a conviction under this section will be grounds for the Council to exercise its disciplinary powers under section 42.

Clause 15 substitutes a new *section 54* in the principal Act. The provision deals with offences relating to obstetric nursing. The principal changes are in *subclauses (2) and (3)*.

Subclause (2) provides that a general nurse, an obstetric nurse, or an enrolled nurse may only carry out obstetric nursing under the direction and supervision of a midwife, general and obstetric nurse, or comprehensive nurse. At present, obstetric nurses may carry out obstetric nursing without that direction and supervision.

Subclause (3) provides that only registered midwives who are also registered general and obstetric nurses or registered comprehensive nurses will be able to attend women in childbirth in a nursing capacity in any place that is not controlled by a hospital board or is not a licensed private hospital. This provision is new.

The other provisions bring together existing provisions including those previously found in regulations or elsewhere in the Act.

By virtue of *clause 10 (1)*, a conviction under this section will be grounds for the Council to exercise its disciplinary powers under section 42.

Clause 16 substitutes a new *section 58* in the principal Act. The principal changes from the existing provision are—

- (a) The Medical Officer of Health is given power to suspend any nurse carrying out obstetric nursing where he suspects that the nurse is practising in an unhygienic manner. This is in addition to his present power to suspend a nurse in order to prevent the spread of infection;
- (b) At present the power to suspend applies only in respect of midwives and obstetric nurses, and comprehensive and general and obstetric nurses to the extent that they carry out obstetric nursing. This power is extended to cover any nurse carrying out obstetric nursing.
- (c) At present, the power to suspend is stated to be a power to “temporarily suspend”. This is replaced with a power to suspend for up to 1 month.

The power to suspend cannot be exercised in respect of the carrying out of obstetric nursing in the course of employment by an *area health board* or hospital board.

This provision should be considered together with *clause 12 (2)*, which confers a right of appeal against an order of suspension made under the new *section 58*.

Clause 17: Subclause (1) repeals 2 provisions empowering the making of regulations.

The repeal of section 60 (1) (r) is related to the new *section 17* (see *clause 5*) which does not carry forward the present provision allowing the registration or enrolment of persons with prescribed qualifications other than those related to the nursing programme. No such qualifications have been prescribed.

The repeal of section 60 (1) (w) is related to the new *section 54 (3) (b)* (see *clause 15*). That provision is of similar effect to regulation 26 of the Nurses Regulations 1979, which was made under the authority of section 60 (1) (w). Regulation 26 of the Nurses Regulations 1979 is revoked by *clause 15 (3)* of this Bill.

Hon. Mr Malcolm

NURSES AMENDMENT

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A BILL INTITULED

An Act to amend the Nurses Act 1977

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 and commencement**—(1) This Act may be cited as the Nurses Amendment Act 1983, and shall be read together with and deemed part of the Nurses Act 1977* (hereinafter referred to as the principal Act).
- 10 (2) This Act shall come into force on the **1st day of April 1984.**

*1977, No. 53

Amendment 1980, No. 127

2. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by inserting, after the definition of the term “nurse”, the following definition:

“ ‘Nursing course’ means a course in comprehensive nursing or, as the case may require, a course in midwifery conducted at an institution specified in regulations made under this Act as an institution at which such a course may be conducted:”.

(2) Section 2 (1) of the principal Act is hereby amended by repealing the definition of the term “nursing programme”, and substituting the following definition:

“ ‘Nursing programme’ means a programme of training conducted at a school of nursing in any hospital controlled by an **area health board** or a hospital board and leading to registration or enrolment as a nurse under this Act:”.

3. Membership of Council—(1) Section 4 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) The Council shall consist of the following members:

“(a) The Director of the Division of Nursing in the Department of Health:

“(b) A medical practitioner to be appointed on the nomination of the Medical Superintendents’ Association of New Zealand:

“(c) A person to be appointed on the nomination of the Hospital Boards’ Association of New Zealand Incorporated:

“(d) A person employed in tertiary education to be appointed after consultation with the Minister of Education:

“(e) Six nurses to be appointed on the nomination of the New Zealand Nurses Association Incorporated, of whom—

“(i) One shall be a person who is a nurse employed by an **area health board** or a hospital board as the head of its nursing services:

“(ii) One shall be a person who is employed to teach in a school of nursing of an **area health board** or a hospital board or in a Department of Nursing of a tertiary institution:

“(iii) One shall be a person who is employed in the Department of Health as a nursing officer in a health district within the meaning of the Health Act 1956:

- 5 “(iv) One shall be a person who is both a registered comprehensive nurse and a registered midwife, or is both a registered general and obstetric nurse and a registered midwife, and, in either case, is employed in the field of midwifery:
- “(v) One shall be a person who is—
- “ (a) A registered comprehensive nurse; or
- “ (b) A registered general nurse; or
- 10 “ (c) A registered general and obstetric nurse; or
- “ (d) An enrolled nurse—
- and, in any case, is employed in the field of general nursing:
- “ (vi) One shall be a person who is—
- “ (a) A registered comprehensive nurse; or
- 15 “ (b) A registered psychiatric nurse; or
- “ (c) A registered psychopaedic nurse—
- and, in any case, is employed in the field of psychiatric or psychopaedic nursing:
- 20 “ (f) One other appointed member who shall be a registered nurse employed in teaching nursing students:
- “ (g) One other appointed member who shall be a person who is not eligible for nomination for appointment under any of the preceding paragraphs of this subsection.”
- 25 (2) Section 4 of the principal Act is hereby further amended by inserting, after subsection (4), the following subsection:
- “ (4A) Every member of the Council who becomes ineligible for appointment to the Council under the provision of **subsection (1)** of this section under which he was appointed shall cease
- 30 to be a member of the Council.”
- (3) Section 4 (6) of the principal Act is hereby amended by inserting, after the word “Council”, the words “ceases to be a member in accordance with **subsection (4A)** of this section, or”.
- 35 (4) Section 4 (7) of the principal Act is hereby amended by inserting, after the expression “subsection (2)”, the expression “or **subsection (4A)**”.

- 4. Preliminary Proceedings Committee**—(1) Section 12 of the principal Act is hereby amended by omitting the expression
- 40 “Penal Cases Committee” wherever it occurs, and substituting in each case the expression “Preliminary Proceedings Committee”.

(2) Section 2 (1) of the principal Act is hereby amended by omitting the definition of the term “convener of the Penal Cases Committee”, and substituting the following definition:

“ ‘Convener of the Preliminary Proceedings Committee’ or ‘convener’ means the person who is for the time being the convener of the Preliminary Proceedings Committee in accordance with subsection (3) or subsection (4) of section 12 of this Act:”.

(3) Section 2 (1) of the principal Act is hereby further amended by omitting the definition of the term “Penal Cases Committee”, and substituting the following definition:

“ ‘Preliminary Proceedings Committee’ means the committee of that name appointed under section 12 of this Act:”.

(4) The principal Act is hereby further amended by omitting the expression “Penal Cases Committee” wherever it occurs in sections 14 (3) (c), 40 to 43, and 45 to 47, and substituting in each case the expression “Preliminary Proceedings Committee”.

5. New sections substituted—The principal Act is hereby amended by repealing section 17, and substituting the following sections:

“17. Qualifications for registration and enrolment—

(1) Subject to section 19 of this Act, every person shall be entitled to be registered as a comprehensive nurse who satisfies the Council—

“(a) That he has completed a nursing course and—

“(i) Has passed the examination prescribed in respect of persons seeking to become registered comprehensive nurses; or

“(ii) Has been assessed by the institute where he has completed his nursing course as having completed that course satisfactorily; or

“(b) That he is already registered or is entitled to be registered as a general and obstetric nurse and as a psychiatric nurse or psychopaedic nurse.

“(2) Every person shall be entitled to be registered as a general and obstetric nurse who satisfies the Council—

“(a) That he has completed the nursing programme and passed the examination prescribed in respect of persons seeking to become registered general and obstetric nurses; or

“(b) That he is a registered general nurse and has completed the nursing programme and passed the examination prescribed in respect of registered general nurses seeking to become registered general and obstetric nurses.

5 “(3) Every person shall be entitled to be registered as a midwife who satisfies the Council that he has completed the nursing course and—

10 “(a) Has passed the examination prescribed in respect of persons seeking to become registered midwives; or

“(b) Has been assessed by the institute where he has completed his nursing course as having completed that course satisfactorily.

15 “(4) Every person shall be entitled to be registered as a psychiatric nurse who satisfies the Council that he has completed the nursing programme and passed the examinations prescribed in respect of persons seeking to become registered psychiatric nurses.

20 “(5) Every person shall be entitled to be registered as a psychopaedic nurse who satisfies the Council that he has completed the nursing programme and passed the examination prescribed in respect of persons seeking to become registered psychopaedic nurses.

25 “(6) Every person shall be entitled to be enrolled as an enrolled nurse who satisfies the Council that he has completed the nursing programme and passed the examination prescribed in respect of persons seeking to become enrolled nurses.

30 “(7) For the purposes of this section, in respect of nursing programmes, a person shall be deemed to have passed a prescribed examination if he has been accredited with passing the examination in accordance with regulations for the time being in force under this Act.

“17A. **New Zealand qualifications not to lead to registration as general nurse or obstetric nurse**—No person shall, on or after the 1st day of April 1984, be registered in those parts of the register relating to registered general nurses or registered obstetric nurses by reason of qualifications obtained in New Zealand, but nothing in this section shall affect the provisions of this Act relating to—

40 “(a) The restoration of the name of any person to that part of the register; or

“(b) The amendment of that part of the register.”

6. Limitations as to age and character of applicants—Section 19 (b) of the principal Act is hereby amended by omitting the expression “and 6 months”.

7. Certificates and badges—Section 23 (1) of the principal Act is hereby amended by omitting the words “qualified by examination in New Zealand under this Act”, and substituting the words “entitled under section 17 of this Act to be registered or enrolled”.

8. Repeal—Section 27 of the principal Act is hereby repealed.

9. Notification of disability or suspected disability—The principal Act is hereby amended by repealing section 34, and substituting the following section:

“34. (1) In this section—

“ ‘Hospital’ means—

“(a) Any institution within the meaning of the **Area Health Boards Act 1983** or the **Hospitals Act 1957**;

“(b) Any licensed hospital within the meaning of Part V of the **Hospitals Act 1957**;

“(c) Any hospital within the meaning of the **Mental Health Act 1969**;

“(d) Any institution within the meaning of the **Alcoholism and Drug Addiction Act 1966**;

“ ‘Medical Superintendent’, in relation to any hospital, means—

“(a) In the case of any institution within the meaning of the **Area Health Boards Act 1983** or the **Hospitals Act 1957**, the medical practitioner (if any) who is in charge of that hospital;

“(b) In the case of any licensed hospital within the meaning of Part V of the **Hospitals Act 1957**, the manager of that hospital if he is a medical practitioner;

“(c) In the case of any hospital within the meaning of the **Mental Health Act 1969**, the Medical Superintendent of that institution;

“(d) In the case of any institution within the meaning of the **Alcoholism and Drug Addiction Act 1966**, the manager of that institution if he is a medical practitioner.

“(2) In any case where a registered nurse or an enrolled nurse is a patient of a hospital of which there is a Medical Superintendent, if the Medical Superintendent considers that the nurse is unable, because of mental or physical disability, 5 to perform his professional duties satisfactorily, and that, because he may attempt to perform those duties, it is necessary in the public interest to prevent him from doing so, the Medical Superintendent shall forthwith give written notice to the Council of all the circumstances of the case.

10 “(3) In any case where a registered medical practitioner is in attendance on a registered nurse or an enrolled nurse and considers that the nurse is unable, because of mental or physical disability, to perform his professional duties satisfactorily, and that, because he may attempt to perform those duties, it is 15 necessary in the public interest to prevent him from doing so, the medical practitioner in attendance on that nurse shall forthwith give written notice to the Council of all the circumstances of the case.

20 “(4) In any case where the Medical Officer of Health considers that any registered nurse or any enrolled nurse is unable, because of mental or physical disability, to perform his professional duties satisfactorily, and that, because he may attempt to perform those duties, it is necessary in the public interest to prevent him from doing so, the Medical Officer of 25 Health shall forthwith give written notice to the Council of all the circumstances of the case.

30 “(5) In any case where the Medical Superintendent or other medical practitioner in charge of any hospital in which a registered nurse or an enrolled nurse is employed, or the head of nursing services of any such hospital, has reason to believe that the nurse is unable, because of mental or physical disability, to perform his professional duties satisfactorily, the Medical Superintendent or other person in charge shall forthwith give written notice to the Council of all the 35 circumstances of the case.

“(6) In any case where any Medical Superintendent, registered medical practitioner, Medical Officer of Health, or head of nursing services contemplates giving any such written notice to the Council, he may seek whatever medical advice, 40 whether psychiatric or otherwise, he considers appropriate to assist him in forming his opinion.

“(7) Any written notice given under any of **subsections (2) to (5)** of this section shall mention any difference between any such advice and the views of the Medical Superintendent, or registered medical practitioner, Medical Officer of Health, or head of nursing services as set out in the notice. 5

“(8) Upon receipt of any such notice, the registrar shall forthwith take all steps necessary to have it considered by the Council.”

10. Disciplinary powers of Council—(1) Section 42 (1) of the principal Act is hereby amended by repealing paragraphs (a) and (b), and substituting the following paragraphs: 10

“(a) Is convicted in any Court in New Zealand of any offence for which the maximum punishment is not less than 2 years’ imprisonment, or any offence against **section 53A or section 54** of this Act; or 15

“(b) After due inquiry is found by the Council to have been guilty of professional misconduct; or

“(c) Has, whether before or after his registration or enrolment in New Zealand, had any penalty imposed on him by any nursing professional body outside New Zealand or has been censured or had his name removed from any register or roll by that body following disciplinary action being taken against him.” 20

(2) Section 42 (2) of the principal Act is hereby amended by inserting, after paragraph (b), the following paragraph: 25

“(ba) Order that the nurse may, for a period not exceeding 3 years, practise only subject to such conditions as to employment, supervision, or otherwise as the Council may specify in the order:”. 30

(3) Section 42 (2) (c) of the principal Act is hereby amended by omitting the expression “\$100”, and substituting the expression “\$1,000”.

(4) Section 42 of the principal Act is hereby further amended by repealing subsection (4), and substituting the following subsection: 35

“(4) No penalty shall be imposed under this section on any person—

“(a) By reason of any offence committed before the date of his registration or enrolment, as the case may be, if at that date the Council was aware of his conviction in respect of the offence; or 40

“(b) By reason of any action referred to in **subsection (1) (c)** of this section having been taken against the person before the date of his registration or enrolment, as the case may be, if at that date the Council was aware that that action had been taken.”

5 (5) Section 43 (3) of the principal Act is hereby amended by repealing paragraph (d) of the proviso, and substituting the following paragraphs:

10 “(d) To substitute an order under **section 42 (2) (ba)** of this Act for a period of suspension; or

“(da) To substitute a fine for a period of suspension or an order under **section 42 (2) (ba)** of this Act; or”.

11. Publication of orders—The principal Act is hereby amended by inserting, after section 48, the following section:

15 “48A. Where—

20 “(a) An order has been made under **section 42 or section 43** of this Act against any registered or enrolled nurse by the Council, or where the Council has, under section 32 or section 33 of this Act, suspended from practice any registered nurse or any enrolled nurse, and no appeal therefrom has been brought within the time limited in that behalf; or

25 “(b) An order has been made under this Act by the High Court in respect of any registered nurse or any enrolled nurse,—

the Council may cause a notice stating the effect of the order to be published in the *Gazette*, the *New Zealand Nursing Journal*, and such other publications as may be directed by the Council.”

30 **12. Appeals to High Court**—(1) Section 49 (1) of the principal Act is hereby amended by inserting, after paragraph (d), the following paragraph:

“(da) Any order of the Council under **section 42 (2) (ba)** of this Act imposing conditions of practice; or”.

35 (2) Section 49 (1) of the principal Act is hereby further amended by adding to paragraph (j) the expression “; or”, and adding the following paragraph:

“(k) Any order of a Medical Officer of Health under **section 58 (2)** of this Act suspending him from practice.”

40 (3) Section 49 of the principal Act is hereby further amended by adding, after subsection (4) (as added by section 2 (2) of the Nurses Amendment Act 1980), the following subsection:

“(5) The Court may, on the application of any person who has lodged an appeal under **subsection (1) (k)** of this section, direct that the order of the Medical Officer of Health that is the subject of the appeal shall be suspended pending the determination of the appeal.” 5

13. Penalties increased—The principal Act is hereby amended:

- (a) By omitting from section 51 (3) the expression “\$50”, and substituting the expression “\$200”;
- (b) By omitting from section 52 (1) the expression “\$200”, 10 and substituting the expression “\$1,000”;
- (c) By omitting from section 52 (2) the expression “\$100”, and substituting the expression “\$1,000”;
- (d) By omitting from section 53 the expression “\$100”, and substituting the expression “\$200”. 15

14. Offence relating to enrolled nurses—The principal Act is hereby amended by inserting, after section 53, the following section:

“53A. Every enrolled nurse commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who, 20 other than in an emergency, practises nursing other than under the direction and supervision of a registered nurse or medical practitioner.”

15. Offences relating to obstetric nursing—(1) The principal Act is hereby amended by repealing section 54, and 25 substituting the following section:

“54. (1) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who carries out obstetric nursing in any case where a medical practitioner has not undertaken responsibility for the care of the patient. 30

“(2) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who carries out obstetric nursing in any case where a medical practitioner has undertaken responsibility for the care of the patient, unless the person carrying out the obstetric nursing— 35

“(a) Is a registered midwife, registered general and obstetric nurse, or registered comprehensive nurse; or

“(b) Is a registered general nurse, registered obstetric nurse, or an enrolled nurse acting under the direction and supervision of a nurse of the kind specified in 40 **paragraph (a)** of this subsection.

“(3) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 who attends a woman in childbirth in a nursing capacity in any place other than an institution under the control of an **area health board** or
5 a hospital board or any licensed hospital within the meaning of Part V of the Hospitals Act 1957, unless the person attending the woman is—

“(a) A registered general and obstetric nurse and registered midwife; or

10 “(b) A registered comprehensive nurse and registered midwife.

“(4) Nothing in this section shall apply to any person carrying out obstetric nursing in an emergency, or any medical practitioner carrying out obstetric nursing in any circumstances.

15 “(5) For the purposes of this section, the expression ‘carries out obstetric nursing’, in relation to any person, means that he—

“(a) Attends a pregnant woman in a nursing capacity for the purpose of providing an ante-natal service; or

20 “(b) Attends a woman in childbirth, or during the next succeeding 14 days, in a nursing capacity.

“(6) For the purposes of this section, any person who is suspended from practice under **section 58** of this Act shall be deemed not to be or not to have been a registered nurse or
25 an enrolled nurse during the period of suspension.”

(2) Regulation 34 of the Obstetric Regulations 1975* is hereby consequentially revoked.

(3) Regulation 26 of the Nurses Regulations 1979† is hereby consequentially revoked.

30 **16. Functions and powers of Medical Officer of Health in relation to obstetric nursing**—The principal Act is hereby amended by repealing section 58, and substituting the following section:

35 “58. (1) Every Medical Officer of Health shall be charged with the supervision of all registered and enrolled nurses engaged in carrying out obstetric nursing (whether on their own account or otherwise) within his district.

“(2) The Medical Officer of Health may make an order prohibiting any nurse from carrying out obstetric nursing for
40 such period, commencing with the date on which notice of the order is served on the person and not exceeding 1 month, as he considers advisable in any case where such suspension

*S.R. 1975/137

†S.R. 1979/277

appears to him to be necessary in order to prevent the spread of infection or where he suspects any such nurse to be practising in an unhygienic manner.

“(3) No suspension under this section shall apply to the carrying out of obstetric nursing by any nurse in the course of that person’s employment by an **area health board** or a hospital board. 5

“(4) For the purposes of this section, the expression ‘carrying out obstetric nursing’, in relation to any nurse, means that he— 10

“(a) Attends a pregnant woman in a nursing capacity for the purpose of providing an ante-natal service; or

“(b) Attends a woman in childbirth, or during the next succeeding 14 days, in a nursing capacity.”

17. Regulations—(1) Regulation 60 (1) of the principal Act 15 is hereby amended by repealing paragraphs (r) and (w).

(2) Section 60 (1) (t) of the principal Act is hereby amended by omitting the words “prescribed nursing programme or will be accepted for that purpose in any school of nursing”, and substituting the words “nursing course or nursing programme”. 20