

**1975/245**

## THE DIETITIANS REGULATIONS 1975

DENIS BLUNDELL, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 20th day of October 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 32 of the Dietitians Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

#### PART I—PRELIMINARY

**1. Short Title and commencement**—(1) These regulations may be cited as the Dietitians Regulations 1975.

(2) These regulations shall come into force on the 1st day of January 1976.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“The Act” means the Dietitians Act 1950:

“Hospital” means a hospital or other institution controlled or maintained by a Hospital Board or by a Department of State:

“Principal dietitian” means the person in charge of the training of student dietitians at a principal training school:

“Principal training school” means a hospital for the time being approved by the Board as a training school for dietitians in which the principal part of the course of training and instruction is given:

“Secretary” means the Secretary to the Dietitians Board:

“Student dietitian” means a person who has been accepted for training to qualify as a dietitian:

“Subsidiary training school” means a hospital for the time being approved by the Board as a training school for dietitians in which such limited period of training and instruction as may be determined by the Board may be given:

“Training school” means a hospital where persons may undergo training for the purposes of these regulations.

Expressions defined in the Act have the meanings so defined.

**3. Prerequisite qualifications for student dietitians—**(1) Subject to section 21 of the Act, no person may be accepted as a student dietitian unless he is the holder of a degree or diploma in Home Science conferred by a university in New Zealand or of such other degree or diploma, whether granted in New Zealand or elsewhere, as is, in the opinion of the Board, substantially equivalent thereto.

(2) Notwithstanding subclause (1) of this regulation, any person who has failed to pass in one subject only, not being nutrition, in the examination for that degree or diploma may, on the recommendation of the Dean of the School of Home Science of the university in which he was examined, and with the approval of the Board, be accepted as a student dietitian, but shall not present himself for the State Examination for Dietitians until he has successfully completed the examination for that degree or diploma.

#### PART II—TRAINING, EXAMINATION, AND REGISTRATION OF DIETITIANS

**4. Duration of period of training for dietitians—**(1) Subject to the provisions of section 21 of the Act, the period of training as a student dietitian required to be undertaken by every person seeking to be registered as a dietitian under Part II of the Act shall be 12 months.

(2) Except as hereinafter provided, a student dietitian shall undergo the complete course of the prescribed training in one principal training school and such one or more subsidiary training schools as the Board from time to time decides.

(3) A student dietitian unable to complete a period of training in one training school may, with the approval of the Board and subject to such conditions, if any, as it sees fit to impose, be allowed to complete that period of training in another training school.

(4) If at any time the Board considers that modifications with regard to dietetic training should be tried in any training school, it may authorise the governing body of the training school to conduct the course of training as so modified, and the period during which a student is so employed shall count as part of his period of training.

**5. Course of training of dietitians—**(1) For the purposes of section 10 (1) (a) of the Act the course of training and instruction shall be the course of training and instruction specified in the First Schedule hereto.

(2) For the purpose of making more effective the said course of training and instruction, the Board may from time to time issue supplementary instructions in such form as it thinks fit for use in training schools, and any such instructions shall be deemed to be part of the said course.

(3) The governing body of every training school shall cause to be conducted such part of the said course of training and instruction as the Board may determine and shall furnish such material for the purposes of the course as the Board may direct.

(4) All lectures and other instruction shall be delivered by registered medical practitioners or registered dietitians or by such other competent lecturers or instructors as are approved by the Board in that behalf.

(5) This regulation shall be read subject to section 21 of the Act.

**6. Notifications from training schools to Board**—The governing body of every training school shall furnish to the Board such reports on the staff, numbers of patients, types of cases, training facilities, and student dietitians as the Board may from time to time require.

**7. State examination for dietitians**—(1) Subject to regulation 10 (4) hereof, the examination referred to in section 10 (1) (a) of the Act, which shall be known as the State Examination for Dietitians, shall consist of one written paper on Administrative Dietetics, one written paper on Quantity Food Service, and one written paper on Normal Nutrition and Diet Therapy.

(2) Subject to section 21 of the Act and to regulation 9 hereof, no student dietitian shall present himself for examination unless he has regularly undergone the course of training and instruction prescribed by regulation 5 hereof from the commencement of the period of training prescribed by regulation 4 hereof until the date of the examination or has completed such course and period of training.

(3) If any candidate is credited with passing the State Examination for Dietitians after having presented himself therefor otherwise than in conformity with the provisions of this regulation, the fact that he is so credited shall not be deemed to satisfy the Board that he has passed that examination pursuant to the provisions of the Act.

(4) Every candidate for the State Examination for Dietitians shall make application on a form to be provided by the Board. Every such application shall be so forwarded as to be received by the Secretary at least 6 weeks before the date of commencement of the examination.

(5) There shall, with each application, be tendered the following:

(a) Evidence of prerequisite qualifications as prescribed by regulation 3 hereof (if required by the Board);

(b) A certificate of training in a form to be provided by the Board verified by the principal dietitian and the medical superintendent of the training school responsible for the candidate's training; and

(c) The appropriate fee as provided by regulation 18 hereof.

(6) If a student dietitian fails to present himself for the examination, or any paper in the examination, because of sickness or other reason appearing to the Board to be sufficient, he may be allowed by the Board to sit the examination or paper, as the case may require, on another occasion.

(7) If a student dietitian passes in 1 paper or 2 papers in the examination and fails in the other or others he may be allowed by the Board to sit the paper or papers, as the case may require, in which he has failed, on another occasion, after a further period of training to be determined by the Board and subject to payment of the appropriate fee as prescribed in regulation 18 hereof.

(8) If a student dietitian does not pass any paper in the examination he shall again have undergone or be undergoing the course of training and instruction prescribed by regulation 5 hereof when he presents himself for examination on the next occasion.

(9) Nothing in this regulation shall entitle any person to be registered as a dietitian before he has completed the period of training prescribed by regulation 4 hereof and undergone the whole of the course of training and instruction prescribed by regulation 5 hereof.

**8. Performance at training school**—Notwithstanding regulation 7 of these regulations, the Board may, for the purpose of calculating the marks credited to a candidate for the State Examination for Dietitians in respect of any particular paper, take into account any information supplied to it by the governing body of the principal training school in which the candidate was trained concerning his performance in respect of the subject or subjects to which the paper relates in examinations, projects, assignments, and other tests, during training.

**9. Sitting examination where training interrupted**—(1) Notwithstanding anything to the contrary in these regulations, any student dietitian whose training has commenced late, or has been interrupted by sickness or leave of absence or other cause appearing to the Board to be sufficient, may, on the recommendation of the principal dietitian responsible for his training, be permitted by the Board to sit the State Examination for Dietitians, subject to such conditions (if any) as the Board thinks fit to impose.

(2) No person whose training has commenced late or has been interrupted but who has been allowed to sit the State Examination shall be entitled to be registered as a dietitian until he has completed such further period and course of training after passing the State Examination as the Board may require him to undergo, or fulfilled any other conditions which the Board may think fit to impose.

**10. Registration**—(1) Every application for registration as a dietitian shall be in a form to be provided by the Board. There shall be endorsed on the said form the terms of sections 10, 11, 15, 17, 18, and 28 of the Act.

(2) Every applicant for registration under the Act shall furnish evidence sufficient to satisfy the Board that he is of good character and reputation. The Board may, in its discretion, in any case withhold registration until it is furnished with adequate evidence under this subclause, and may decline to register any applicant who fails to satisfy it regarding his character and reputation.

(3) There shall be submitted with every application for registration made by a person trained elsewhere than in New Zealand the following original certificates:

- (a) Of training;
- (b) Of examination (if any); and
- (c) Of registration (if any).

(4) Every person trained elsewhere than in New Zealand and applying for registration under the Act as a dietitian by virtue of the possession of any of the certificates mentioned in subclause (3) of this regulation shall supply the Board with satisfactory proof of his identity and shall furnish such evidence as the Board may require of the nature of the training undergone, of the practical experience acquired, and of the examination (if any) passed outside New Zealand. In any such case, the examination (if any) to be passed by the applicant before registration shall be as determined by the Board.

(5) Notwithstanding anything to the contrary in these regulations, the Board may accept instead of a certificate of training such other authenticated evidence of training as it deems satisfactory.

(6) A certificate of registration under the Act shall be in the form in the Second Schedule hereto, or to the like effect.

**11. Form of register to be maintained**—(1) There shall be entered in the register the following details of every person registered under the Act, namely—

(a) Registration number:

(b) Date registration approved:

(c) Name in full:

(d) Where trained:

(e) Qualifications:

(f) Such other particulars as the Board may require.

(2) The register shall be kept in such form and in such manner as the Board determines from time to time.

(3) A failure to comply with the requirements of the Board as to the form and manner of keeping the register shall not affect the validity of the register.

**12. Entry in register of additional qualifications**—Every application under section 14 of the Act for the insertion in the register of any approved certificate, diploma, or licence other than that by virtue of which the applicant is registered shall be in a form to be provided by the Board, and shall be accompanied by such evidence as may be required by the Board that the applicant is the holder of the qualification to which the application relates.

### PART III—MISCELLANEOUS

**13. Secretary to Board**—(1) The Board may, from time to time, procure the appointment of some employee of the Public Service to be the Secretary to the Board.

(2) The fact that any person describes himself in any document or signs any document as the Secretary to the Board, shall be sufficient evidence, until the contrary is proved, that he is the Secretary to the Board for the time being, and that he has been duly appointed to that office.

**14. Evidence of decisions of Board**—The determination of the Board on any matter within its jurisdiction under the Act or these regulations shall be sufficiently authenticated if set out in writing, signed by the Registrar or the Secretary.

**15. Service of notices**—Any notice to be given by the Board under these regulations shall, except where otherwise provided in these regulations, be sufficient if given in writing, signed by the Registrar or Secretary and sent by ordinary prepaid letter post to the addressee at his last known address, and shall when so given be deemed to have been given at the time when in the ordinary course of post it would be delivered at that address.

**16. Service of notices in respect of disciplinary powers of Board**—Every notice required to be served on any person in respect of the exercise or proposed exercise of the disciplinary powers of the Board

under section 25 of the Act shall be served by posting it by registered letter addressed to that person at his last known address in New Zealand. A notice so posted shall be deemed to have been served at the time when the registered letter would in the ordinary course of post be delivered; and in proving service it shall be sufficient to prove that the letter was properly addressed and posted.

**17. Appeals**—(1) Where the Board refuses to enter the name of any person in the Register of Dietitians, or refuses to grant any person a licence under section 23 of the Act, or removes the name of any person from the register, or suspends his registration, or imposes on him any penalty, the Registrar shall forthwith inform that person of the reason for the Board's decision.

(2) If the person decides to appeal from that decision, he shall give to the Registrar notice of appeal in the form in the Third Schedule hereto, or to the like effect.

(3) The assessors on the Board of Appeal shall be appointed by the Minister of Health. One such assessor shall be appointed on the recommendation of the appellant and the other on the recommendation of the Board.

(4) Within 31 days after receiving the notice of appeal the Registrar shall inform the appellant of the name of the person appointed to act as assessor on behalf of the Board at the hearing, and of the name of the Magistrate who will be a member and the Chairman of the Board of Appeal, and shall at the same time send to the Magistrate a copy of the Board's decision and of the notice of appeal.

(5) The Board of Appeal shall hear and determine the appeal at such convenient place and time as may be decided by the Magistrate.

(6) The Magistrate shall cause at least 7 days' previous notice of the place and time of hearing to be given to the assessors, the Board, and the appellant.

(7) At the hearing of the appeal the appellant may himself appear, or may be represented by some other person or by a solicitor or counsel on his behalf; and the Board may be represented by any member thereof appointed by the Board, or by a solicitor or counsel, or by some other person appointed by the Board.

(8) The order made in respect of the appeal shall be in writing signed by the Magistrate and at least one of the assessors. A copy of the order shall be given to the appellant and a copy to the Board; and the Board shall forthwith give effect to the order.

**18. Fees**—(1) There shall be payable by every applicant for admission to the State Examination for Dietitians the sum of \$10.

(2) The fee for re-examination shall be \$4 for each paper in which the applicant is re-examined.

(3) There shall be payable by every applicant for registration a fee of \$10:

Provided that no such fee shall be payable in respect of an application for registration pursuant to section 10 (b) of the Act:

Provided also that no such fee shall be payable in respect of an application for registration by a dietitian already registered by law in any overseas country who is temporarily employed in a hospital

in New Zealand on exchange for not more than twelve months with a dietitian who is registered in New Zealand and similarly employed in that overseas country.

- (4) The fee for the issue of a certificate of registration shall be \$1.  
 (5) The fee for the restoration of a name to the register pursuant to application under section 16 (4) of the Act shall be \$1.  
 (6) The fee for the issue of an annual practising certificate shall be \$2.  
 (7) All fees shall be paid in cash at the time of the application.

**19. Revocation**—The Dietitians Regulations 1953\*, the Dietitians Regulations 1953, Amendment No. 1, the Dietitians Regulations 1953, Amendment No. 2, and the Dietitians Regulations 1953, Amendment No. 3 are hereby revoked.

\*S.R. 1953/27  
 Amendment No. 1: S.R. 1966/1  
 Amendment No. 2: S.R. 1968/98  
 Amendment No. 3: S.R. 1969/208

## SCHEDULES

Reg. 5 (1)

### FIRST SCHEDULE

INSTRUCTIONAL COURSE FOR DIETITIANS AND SYLLABUS OF SUBJECTS FOR  
 EXAMINATION UNDER THE DIETITIANS ACT 1950

#### 1. *Administrative Dietetics*

(To be covered in a minimum of eighteen hours)

The administration and function of the Diet Department and the relation of the Diet Department to other hospital departments.

Policy; ethics; personnel management; teaching methods and training of staff; wages and awards; records.

Planning of all units of the Diet Department; system of food service to wards and to dining rooms.

Equipment (including its selection and care).

Sanitation.

#### 2. *Quantity Food Service*

(To be covered in a minimum of fourteen hours)

Purchase of foods; market systems, tenders, and contracts.

Storage of food; issuing, costing, and inventory systems.

Menu planning and ordering of food.

Methods of food preparation and service applied to quantity work; portion control; avoidance of waste.

#### 3. *Normal Nutrition and Diet Therapy*

(To be covered in a minimum of sixteen hours)

##### (a) *Normal Nutrition*

Normal nutrition for all ages; principles of infant feeding; principles of feeding of children and adolescents; principles of feeding in old age; nutrition in obstetrics; in normal pregnancy (ante-natal and in the puerperium), and in lactation.

FIRST SCHEDULE—*continued*(b) *Diet Therapy*

Introductory: Review of essentials of an adequate diet as the basis of all therapeutic diets; modifications of the normal diet in diet therapy.

Nutrition in surgery, fevers, skin conditions, allergic conditions, in diseases of the blood, blood and blood formation, complications of pregnancy, children's diseases, and deficiency diseases.

Nutrition in diseases of the respiratory system, gastro-intestinal system, endocrine system, circulatory system, genito-urinary system, nervous system, musculo-skeletal system and of metabolism and in metabolic balance studies.

*Practical Work* as shown below shall be included in the above syllabus. The following are to be the minimum periods of time in various sections of the principal training school and in the subsidiary training school:

- |  |       |       |          |
|--|-------|-------|----------|
| 1. Main kitchen in training school   | ..... | ..... | 12 weeks |
| 2. Diet kitchen (to include ward clinics and visiting patients in wards)   | ..... | ..... | 12 weeks |
| 3. Nurses' home food service unit, in training school  | ..... | ..... | 2 weeks  |
| 4. Babies' and children's medical ward   | ..... | ..... | 1 week   |
| 5. Adult wards (observation and assistance with feeding the helpless, etc.)  | ..... | ..... | 2 weeks  |
| 6. Administrative section (office)   | ..... | ..... | 2 weeks  |
| 7. Subsidiary training school  | ..... | ..... | 4 weeks  |
| 8. In addition each student shall—   |       |       |          |
| (i) Attend outpatients clinics for a minimum of 12 hours:  |       |       |          |
| (ii) Spend a minimum of 30 hours teaching nutrition and diet therapy, to include practical teaching in the Diet Department and also observation of teaching methods of formal lectures in nutrition: |       |       |          |
| (iii) Make at least six field visits, including visits to other hospitals:   |       |       |          |
| (iv) Complete two case histories.  |       |       |          |
| 9. In addition each student may be given opportunities to observe the following:   |       |       |          |
| (i) Tube feeding (nasal, oesophageal, gastro-stomy):   |       |       |          |
| (ii) Measurement and administration of insulin:  |       |       |          |
| (iii) Preparation of patient for barium meal:  |       |       |          |
| (iv) Preparation of patient for X-ray of gall-bladder:   |       |       |          |
| (v) Some of the routine analyses undertaken by the various sections of the laboratory:   |       |       |          |
| (vi) Administration in X-ray Department of barium meal.  |       |       |          |



Reg. 10 (6)

SECOND SCHEDULE  
THE DIETITIANS ACT 1950  
*Certificate of Registration*

THIS is to certify that ..... is registered as a dietitian in New Zealand, his (her) name having been duly entered in the Register of Dietitians on the ..... day of ..... 19.....

Qualifications: .....

Number in Register: .....

Signature of holder: .....

Dated this..... day of..... 19.....

.....  
Registrar, Dietitians Board.

Reg. 17 (2)

THIRD SCHEDULE  
NOTICE OF APPEAL

To the Registrar of Dietitians,  
Department of Health,  
Wellington.

TAKE notice that I, ....., of ....., hereby appeal under section 26 of the Dietitians Act 1950 against the decision of the Dietitians Board, conveyed to me by letter dated the ..... day of ..... 19.....

The following are the grounds on which I make my appeal .....

And I hereby recommend ....., of ....., as assessor on my behalf for the purposes of this appeal.

Dated at ....., this ..... day of ..... 19.....

Signature of appellant: .....

I hereby consent to act as an assessor for the purposes of this appeal:

Signature: .....

P. G. MILLEN,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations are, apart from the insertion of a new regulation, a consolidation of the Dietitians Regulations 1953 and their amendments, which they revoke and replace.

The new regulation (regulation 8) allows the Board to take into account a student's performance during training when calculating the marks obtained in a paper in the State Examination for Dietitians.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 October 1975.

These regulations are administered in the Department of Health.