

Serial Number 1944/105



**THE SOCIAL SECURITY (DISTRICT NURSING SERVICES)
REGULATIONS 1944**

C. L. N. NEWALL, Governor-General

By his Deputy,

MICHAEL MYERS

ORDER IN COUNCIL

At the Government House at Wellington, this 5th day
of July, 1944

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Social Security Act, 1938, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Social Security (District Nursing Services) Regulations 1944.

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

“The said Act” means the Social Security Act, 1938 :

“Appointed date”, in relation to any district nursing services, means the date appointed by the Minister in respect of such services, pursuant to Regulation 4 or Regulation 6 hereof :

“District Nursing Services” mean nursing services, as hereinafter defined, that are provided by any Department of State, Hospital Board, or subsidized association elsewhere than in a hospital or other institution :

“Hospital Board” means a Hospital Board established under the Hospitals and Charitable Institutions Act, 1926 :

“Minister” means the Minister of Health :

“Nursing Services” includes, in addition to any personal services rendered by a qualified person, the provision of drugs, dressings, and other materials used in the treatment of patients :

“Registered”, in relation to any nurse, nursing aid, midwife, or maternity nurse, means registered under the Nurses and Midwives Registration Act, 1925 :

“Subsidized association” means a medical or nursing association, benevolent institution, or private philanthropic institution for the time being approved by the Minister under and for the purposes of paragraph (h) of section 85 of the Hospitals and Charitable Institutions Act, 1926.

APPLICATION OF THESE REGULATIONS

3. Subject to the fixing by the Minister of an appointed date in respect thereof, pursuant to Regulation 4 or Regulation 6 hereof, these regulations apply with respect to district nursing services rendered in the course of her employment by any registered nurse, registered nursing aid, registered midwife, or registered maternity nurse who is employed by—

- (a) Any Department of State ; or
- (b) Any Hospital Board ; or
- (c) Any subsidized association.

DISTRICT NURSING SERVICES RENDERED BY PERSONS EMPLOYED BY ANY DEPARTMENT OF STATE

4. (1) This regulation applies with respect to the district nursing services referred to in paragraph (a) of the last preceding regulation.

(2) With respect to all district nursing services to which this regulation applies or with respect to any such service as he may specify in that behalf, the Minister may specify a date to be the appointed date in respect of such service or services.

(3) No charge shall be made for any district nursing services to which this regulation applies that are rendered on or after the appropriate appointed date to or on account of any person who, when the services were rendered, was entitled to receive benefits under Part III of the said Act.

5. (1) In respect of district nursing services to which the last preceding regulation applies there shall from time to time be paid into the appropriate fund or account, out of moneys appropriated by Parliament for the purpose from the Social Security Fund, such amounts as the Minister from time to time determines.

(2) All moneys paid into any fund or account pursuant to this regulation shall be received as a credit-in-aid of the appropriate vote of the Department concerned.

DISTRICT NURSING SERVICES RENDERED BY PERSONS EMPLOYED BY ANY HOSPITAL BOARD OR SUBSIDIZED ASSOCIATION

6. (1) This regulation applies with respect to the district nursing services referred to in paragraph (b) or paragraph (c) of Regulation 3 hereof.

(2) With respect to all district nursing services to which this regulation applies or with respect to any such service as he may specify in that behalf, the Minister may appoint a date to be the appointed date in respect of such service or services.

(3) No charge shall be made by any Hospital Board or subsidized association for any district nursing services to which this regulation applies that are rendered on or after the appropriate appointed date to or on account of any person who, when the services were rendered, was entitled to receive benefits under Part III of the said Act.

7. (1) In respect of district nursing services to which the last preceding regulation applies there shall be paid to the Hospital Board concerned, out of moneys to be appropriated by Parliament for the purpose from the Social Security Fund, such amounts as the Minister from time to time determines in accordance with the following provisions of this regulation.

(2) In respect of district nursing services provided by any subsidized association, the amount paid to the Hospital Board in respect of any period shall not exceed the amount of the subsidy paid by the Hospital Board to the association for the provision of such services during the same period.

(3) In respect of district nursing services provided by a Hospital Board, the amount paid to the Hospital Board for any period shall not exceed an amount which in the opinion of the Minister is sufficient to meet the costs incurred or likely to be incurred by the Board in providing the said services during that period.

(4) In computing for the purposes of the last preceding subclause the cost incurred or likely to be incurred by a Hospital Board in respect of any services there shall be taken into account—

- (a) The salaries and allowances or other remuneration of the persons engaged in rendering the services ;
- (b) All locomotion and travelling expenses or travelling-allowances incurred or allowed in connection with the said services ;
- (c) The cost incurred by the Board in respect of drugs, dressings, and other materials used in the treatment of patients ; and
- (d) Any other items of expenditure directly incurred by the Board in connection with the services.

APPLICATIONS BY HOSPITAL BOARDS FOR APPROVAL OF DISTRICT NURSING SERVICES

8. (1) The Minister shall not appoint a date, pursuant to Regulation 6 hereof, in respect of any district nursing services provided by a Hospital Board or by any subsidized association except on application for the approval of such services made to the Minister by the Hospital Board by which the nursing services or the subsidies in respect thereof, as the case may be, are provided.

(2) For the purposes of any such application the Hospital Board and, where the nursing services are provided by a subsidized association, that association shall furnish all such information in relation to those services as the Minister may from time to time require.

(3) In considering any application made by a Hospital Board under this regulation for approval of any nursing services the Minister shall take into consideration :—

- (a) The qualifications of the nurse or nurses or other persons engaged in rendering the services ;
- (b) The conditions of the employment or engagement of all such persons ;
- (c) The area within which the services are carried on ;
- (d) The expenditure involved in carrying on the services ;
- (e) Any other matters which in the opinion of the Minister are relevant.

(4) The approval of any nursing services to which this regulation applies shall be in the discretion of the Minister.

(5) The Minister may at any time, by giving to the Hospital Board concerned not less than three months' notice of intention, withdraw his approval of any nursing services in respect of which an appointed date has been fixed in accordance with Regulation 6 hereof, and no payments out of the Social Security Fund shall be made in respect of any such services for any period after the date on which the withdrawal of the Minister's approval becomes effective.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 13th day of July, 1944.

These regulations are administered in the Department of Health.