

New Zealand.



ANALYSIS

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1944, No. 10

AN ACT to provide for the Training and Registration of Psychiatric Nurses, and to amend the Nurses and Midwives Registration Act, 1925.

[29th September, 1944

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

1. (1) This Act may be cited as the Nurses and Midwives Registration Amendment Act, 1944, and shall be read together with and deemed part of the Nurses and Midwives Registration Act, 1925 (hereinafter referred to as the principal Act).

Title.

Short Title.

See Reprint of Statutes, Vol. V, p. 688

Commencement. (2) Except as hereinafter provided, this Act shall come into force on the first day of January, nineteen hundred and forty-five.

Registration and Training of Psychiatric Nurses

Register of
Psychiatric
Nurses.

2. The Registrar shall keep in his office a Register of Psychiatric Nurses, in which shall be entered the names and addresses of all persons registered as psychiatric nurses in accordance with the provisions of this Act, together with such other particulars in relation thereto as may from time to time be prescribed.

Qualifications
of applicants
for registration
as psychiatric
nurses.

3. (1) Every person shall, on payment of the prescribed fee, be entitled to be registered under this Act as a psychiatric nurse who satisfies the Board,—

(a) In the case of an applicant qualified by examination and trained in New Zealand, that she has undergone the prescribed course of training in an approved training school for psychiatric nurses and has passed the examination for psychiatric nurses 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, recognized in accordance with regulations made for the purposes of this Act, which satisfies the Board that she has undergone a course of training and has passed an examination equivalent to the training and examination required in the case of psychiatric nurses trained in New Zealand:

(c) In the case of any other applicant, that she has before the commencement of this Act passed the examination prescribed and conducted by the Mental Hospitals Department and known as the Senior Examination for Mental Nurses.

(2) No person shall be registered as a psychiatric nurse under paragraph (c) of the last preceding subsection unless application for registration is made within two years after the termination of the present war.

(3) The Board may approve as a training school for psychiatric nurses any public institution within the meaning of the Mental Defectives Act, 1911.

See Reprint
of Statutes,
Vol. V, p. 743

4. Sections eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-five of the principal Act, sections three and four of the Nurses and Midwives Registration Amendment Act, 1933, sections nine, ten, and eleven of the Nurses and Midwives Registration Amendment Act, 1939, and section five of the Nurses and Midwives Registration Amendment Act, 1943, shall apply to or in respect of registered psychiatric nurses and persons applying for registration as psychiatric nurses in the same manner as they apply to or in respect of nurses and other persons who are registered or apply for registration under the principal Act as nurses.

Application to
psychiatric
nurses of
certain general
provisions of
principal Act.
1933, No. 9
1939, No. 20
1943, No. 11

5. Except with the approval of the Minister, given on a recommendation made by the Nurses and Midwives Registration Board on special grounds to be specified in the recommendation, a Hospital Board shall not appoint any person to the staff of any institution under the control of the Hospital Board to carry out the duties of a psychiatric nurse unless she is registered under this Act as a psychiatric nurse.

Hospital Boards
to appoint
psychiatric
nurses.

6. Where any person who is registered as a psychiatric nurse in accordance with this Act applies for registration as a nurse under Part II of the principal Act she shall be deemed to have satisfied the requirements of subparagraph (i) of paragraph (a) of subsection one of section ten of the principal Act if she satisfies the Board that, since her registration as a psychiatric nurse, she has had an approved course of training as a nurse extending over such period less than three years as may be prescribed by regulations under the principal Act.

Applicant for
registration as
a nurse to
receive credit
for training as
a psychiatric
nurse.

7. The authority to make regulations conferred on the Governor-General by section twenty-nine of the principal Act is hereby extended to authorize the making of all such regulations as may be considered

Regulations.

necessary or expedient for the purposes of the foregoing provisions of this Act, and, in particular, to authorize the making of regulations with respect to the training, examination, and registration of psychiatric nurses.

Offences by unregistered persons.

8. Every person commits an offence and is liable on summary conviction to a fine not exceeding ten pounds who, not being registered as a psychiatric nurse, describes herself as a registered psychiatric nurse or uses any other designation or description that might cause any person reasonably to believe that she is registered as a psychiatric nurse.

Miscellaneous

Director-General of Mental Hospitals to be member of Board.

See Reprint of Statutes, Vol. V, p. 743

9. (1) Section four of the principal Act is hereby amended by inserting in subsection two, after paragraph (a), the following paragraph:—

“(aa) The Director-General of Mental Hospitals under the Mental Defectives Act, 1911:”.

(2) In the absence from any meeting of the Board of the Director-General of Mental Hospitals, he may authorize any registered medical practitioner being an officer of the Mental Hospitals Department to attend the meeting in his stead. While any person is attending any meeting of the Board pursuant to this subsection he shall be deemed for all purposes to be a member of the Board. The fact that any person so attends shall be sufficient evidence of his authority so to do.

(3) This section shall come into force on the passing of this Act.

Constitution of Board further amended.

10. (1) Section four of the principal Act is hereby further amended by repealing paragraph (d) of subsection two, and substituting the following paragraph:—

“(d) Four other persons, of whom one shall be a registered nurse, one shall be a registered midwife, and one shall be a registered psychiatric nurse, each appointed on the recommendation of the New Zealand Registered Nurses' Association or other association or society approved by the Minister for the purpose.”

(2) The persons holding office on the commencement of this Act as members of the Board by appointments made pursuant to the paragraph hereby repealed shall continue to hold office as if the appointments had originated pursuant to the paragraph hereby enacted.

(3) Section five of the Nurses and Midwives Registration Amendment Act, 1930, is hereby amended by repealing paragraph (b) thereof.

Consequential
repeal.

11. Section seven of the principal Act is hereby amended by omitting the word "three" from subsection two, and substituting the word "five".

Quorum of
Board to be
five.

12. (1) The Board may, in its discretion, cause to be removed from the appropriate Register the name of any person registered therein as a nurse or midwife or maternity nurse or nursing aid or psychiatric nurse who—

Disciplinary
powers of
Board.

(a) Is convicted of any offence punishable by imprisonment the commission of which, in the opinion of the Board, has dishonoured her in the public estimation; or

(b) Has been guilty of such improper conduct as renders her, in the opinion of the Board, unfit to be registered under the principal Act.

(2) Section twenty-one of the principal Act is hereby amended by omitting all the words after the word "midwife".

(3) Before exercising its power under this section the Board, or a committee of the Board, shall cause to be served on the person concerned a notice stating that it has reason to believe that a ground exists entitling the Board to exercise its power under this section, specifying the ground with sufficient particularity to enable her to answer the same, and requiring her to appear before the Board to show cause why the Board should not remove her name from the appropriate Register.

(4) It shall be lawful for any notice under the foregoing provisions of this section, and any notice under section ten of the Nurses and Midwives Registration Amendment Act, 1939, to require the person to whom the notice is addressed to notify the Board in writing not later than some specified date prior to the

1939, No. 20

date proposed for the hearing of the matter as to whether or not she intends to appear before the Board at the hearing to show cause. If she fails to notify her intention as required by the notice or notifies the Board that she does not intend to appear, she shall not be entitled to appear and be heard except by the leave of the Board granted on such conditions as to the payment of expenses or otherwise as the Board thinks fit.

1939, No. 20

(5) Section ten of the Nurses and Midwives Registration Amendment Act, 1939, is hereby amended by inserting in subsection one, after the word " Board " where it first occurs, the words " or a committee of the Board ".

(6) With the prior written consent of a person on whom a notice has been served under this section or section ten of the Nurses and Midwives Registration Amendment Act, 1939, a committee of the Board may hear and determine the matter:

Provided that the determination of the committee shall be of no effect until it has been confirmed by the Board which shall have power to determine that no penalty be imposed or to reduce any penalty determined by the committee either by imposing a penalty under the said section ten instead of removing the name of the person from the Register or by reducing any period of suspension or the amount of any pecuniary penalty or by substituting a pecuniary penalty for a period of suspension.

(7) Any hearing of any matter under this section or under the said section ten may be adjourned by the Board or the committee of the Board, as the case may be, from time to time and from place to place.
