

Serial Number 1938/71.



**THE PRIVATE HOSPITALS (HOURS OF WORK)
REGULATIONS 1938.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 1st day of
June, 1938.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Hospitals and Charitable Institutions Act, 1926, and of all other powers enabling him in that behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations.

REGULATIONS.

I. PRELIMINARY.

(1) These regulations may be cited as the Private Hospitals (Hours of Work) Regulations 1938.

(2) In these regulations, unless the context otherwise requires,—

“ Member of the nursing staff ” means a person registered as a nurse, midwife, or maternity nurse employed in a licensed hospital or a person not so registered but employed therein on nursing duties and who may or may not perform in addition, domestic duties ; “ night nurse ” means a member of the nursing staff detailed for duty at night over any period of one week or more ; “ licensed hospital ” means a hospital licensed under the Hospitals and Charitable Institutions Act, 1926, but does not include any such hospital established and conducted by a religious order in so far as the members of the staff who are members of the religious order are concerned :

“ Week ” means any consecutive period of seven days.

(3) These regulations shall come into force on the 1st day of September, 1938.

2. HOURS OF WORK.

(1) The licensee of every licensed hospital in which the number of licensed beds is less than ten shall maintain in connection therewith a staff sufficient to ensure that the hours of work of every member of the nursing staff, inclusive of time spent in taking meals while on duty, shall not exceed an average of forty-eight hours a week in any period of eight weeks.

(2) No licensee of any such hospital as aforesaid shall permit a member of the nursing staff to be employed so that her hours of work, inclusive of time spent in taking meals while on duty, exceed an average of forty-eight hours a week in any period of eight weeks.

(3) The licensee of every licensed hospital where the number of beds is ten or more shall maintain in connection therewith a staff sufficient to ensure that the hours of work of every member of the nursing staff, inclusive of time spent in taking meals while on duty, shall not exceed an average of forty-eight hours a week in any period of four weeks.

(4) No licensee of any such hospital as last aforesaid shall permit a member of the nursing staff to be employed so that her hours of work, inclusive of time spent in taking meals while on duty, exceed an average of forty-eight hours a week in any period of four weeks.

(5) The licensee of every licensed hospital shall maintain in connection therewith a staff sufficient to ensure—

(a) That every member of the nursing staff may enjoy at least one complete day off duty in every week, or, if so agreed with her employer, at least two consecutive days off duty in every fortnight :

(b) That no night nurse shall be on duty on more than six nights in any week unless, if having agreed with her employer to work for more than six consecutive nights, she is given in return for so doing not less than one night off duty for every consecutive six nights she is on duty :

Provided that no night nurse shall be required to work more than forty-eight consecutive nights.

(6) The licensee of every licensed hospital shall cause every member of the nursing staff to receive at least one complete day off duty in every week or, if so agreed with her employer, at least two consecutive days off duty in every fortnight.

(7) No licensee of any licensed hospital shall cause or permit any member of the nursing staff to be on duty on more than six nights in any week unless, having agreed with her employer to work for more than six consecutive nights, she is given in return for so doing not less than one night off duty for every consecutive six nights she is on duty :

Provided that no member of the nursing staff shall be required to work more than forty-eight consecutive nights.

3. REGISTER.

The licensee of every licensed hospital shall keep a register in which there shall be entered the daily hours of work performed by each nurse, showing in every case the hour of commencing and the hour of ceasing duty, as well as the total hours worked.

4. PENALTY.

The licensee of any licensed hospital who commits a breach of these regulations shall be liable to a fine not exceeding £5.

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 16th day of June, 1938.
These regulations are administered by the Department of Health.