

Act No. 130

NURSES REGISTRATION (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to provide for increased representation of nurses on the Nurses Registration Board and for the President of the Board to be a registered nurse;
- (b) to provide for the appointment of a Deputy President of the Board;
- (c) to provide for the enrolment rather than registration of mothercraft nurses;
- (d) to replace the term “nursing aides” with the term “enrolled nurses”; and
- (e) to make other related amendments.

The Bill also contains certain savings and transitional provisions related to the proposed amendments.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the amendments relating to the Board will commence on a day appointed by the Governor-in-Council and the amendments relating to the registration and enrolment of nurses will commence on the commencement of certain provisions of the Nurses Registration (Amendment) Act 1985.

Clause 3 states that the Nurses Registration Act 1953 is, in the proposed Act, referred to as the Principal Act.

Clause 4 gives effect to the Schedules of amendments.

Nurses Registration (Amendment) 1987

Clause 5 gives effect to the Schedule of savings and transitional provisions.

SCHEDULE 1—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE BOARD

Schedule 1 (1) amends section 3 (Interpretation) of the Principal Act to omit the definition of “Chairman” and substitute for it a definition of “President” and to insert a definition of “Deputy President”.

Schedule 1 (2) substitutes section 5 (Members of the Board) of the Principal Act. Proposed section 5—

- (a) constitutes the Board so that it will consist of 18 members, 13 of whom will be registered or enrolled nurses and 5 of whom will be nominated by the Minister (one of whom will be a barrister or solicitor);
- (b) provides for a member who is a registered nurse to be appointed as President of the Board and for the appointment of a Deputy President of the Board; and
- (c) increases the maximum period for which a member may hold office from 3 to 4 years.

Schedule 1 (9) inserts proposed section 18AA (Notice of incapacity) into the Principal Act to require notification to the Board of nurses who become patients under State mental health legislation or protected persons under the Protected Estates Act 1983.

The other provisions of Schedule 1 contain consequential amendments and minor amendments by way of statute law revision.

SCHEDULE 2—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE ENROLMENT AND REGISTRATION OF NURSES

Schedule 2 (1) amends section 3 (Interpretation) of the Principal Act to substitute the definition of “Roll”.

Schedule 2 (6) repeals section 22 of the Principal Act and replaces it with proposed sections 22–22B:

Proposed section 22 changes the name of the Roll at present kept under the Principal Act from the “Roll of Nursing Aides” to “Roll of Nurses”. Provision is made for the enrolment of nurses of two categories—

- (a) enrolled nurses, comprised of the group presently known as nursing aides who are already entitled to be enrolled; and
- (b) enrolled nurses (mothercraft), comprised of mothercraft nurses who are at present entitled to be registered as nurses.

Proposed section 22A sets out the qualifications for enrolment as an enrolled nurse or enrolled nurse (mothercraft).

Proposed section 22B applies certain provisions of the Principal Act regarding registered nurses to enrolled nurses and enrolled nurses (mothercraft).

The other provisions of Schedule 2 contain consequential amendments and minor amendments by way of statute law revision.

Nurses Registration (Amendment) 1987

SCHEDULE 3—SAVINGS AND TRANSITIONAL PROVISIONS

Clause 1 (Interpretation) contains definitions of terms used in the Schedule.

Clause 2 (Members of old Board) provides that all members of the old Board (other than certain elected members) shall cease to hold office from the commencement of Schedule 1 to the proposed Act.

Clause 3 (Elections etc. before appointed day) enables appointments of members of the new Board to be made and other related things done before the commencement of Schedule 1 to the proposed Act.

Clause 4 (Saving relating to new Board) enables the new Board to be constituted without a member who is an enrolled nurse or enrolled nurse (mothercraft).

Clause 5 (First meeting of new Board) provides that the Minister shall call the first meeting of the new Board.

Clause 6 (References to Chairman of old Board and to old Board) requires references to the Chairman of the old Board and to the old Board to be read as references to the President of the new Board and the new Board, respectively, from the commencement of Schedule 1 to the proposed Act.

Clause 7 (Roll of nurses) provides for the present Roll of Nursing Aides to automatically constitute List "A" of the new Roll of Nurses to be kept under the Principal Act, as amended by the proposed Act.

Clause 8 (Enrolment of mothercraft nurses and nursing aides) preserves the entitlement of nurses aides enrolled, and provides for the enrolment (without action on their part) of mothercraft nurses registered, under the Principal Act before the commencement of the proposed amendments.

Clause 9 (References to nursing aides and mothercraft nurses) requires references to nursing aides and mothercraft nurses in other Acts or instruments to be read as references to enrolled nurses and enrolled nurses (mothercraft), respectively, from the commencement of Schedule 2 to the proposed Act.

Clause 10 (Saving of certain regulations etc.) saves certain regulations and approvals in force before the commencement of the provisions of Schedule 2 of the proposed Act.

Clause 11 (Regulations) permits regulations to be made under the Principal Act containing further savings and transitional provisions relating to the effect of the proposed Act.
