



ANNO OCTAVO

## ELIZABETHAE II REGINAE

A.D. 1959

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### No. 23 of 1959

#### An Act to amend the Nurses Registration Act, 1920-1958.

[Assented to 26th November, 1959.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Nurses Registration Act Amendment Act, 1959". Short titles.
- (2) The Nurses Registration Act, 1920-1958, as amended by this Act, may be cited as the "Nurses Registration Act, 1920-1959".
- (3) The Nurses Registration Act, 1920-1958, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 4 of the principal Act is amended— Amendment of  
principal Act  
s. 4—  
Interpretation.
  - (a) by inserting after the definition of "mother-craft nurses roll" therein, the following definitions :—
    - "nurse aide" means a person who is for the time being enrolled as a nurse aide :
    - "nurse aides roll" means the nurse aides roll kept under this Act :
  - (b) by striking out the words "or mothercraft nurses" in the definition of "training school" therein, and inserting in their place the words "mothercraft nurses or nurse aides".

Enactment of  
Part IIIB of  
principal Act.

4. The following headings and sections are enacted and inserted in the principal Act after section 33g thereof:—

### PART IIIB.

#### ENROLMENT OF NURSE AIDES.

Roll of nurse  
aides.

33h. (1) The board shall cause to be kept by the registrar a roll of nurse aides to be called "The Nurse Aides Roll".

(2) The nurse aides roll shall be in the prescribed form and contain the prescribed particulars.

(3) A person shall be enrolled as a nurse aide by the entering of such person's name and the prescribed particulars with respect to such person on the nurse aides roll.

Persons  
entitled to  
enrol.

33i. (1) Every person shall be entitled to be enrolled as a nurse aide who proves to the satisfaction of the board that such person—

(a) (i) has passed the prescribed examinations held from time to time by examiners appointed under this Act; and

(ii) has passed through the prescribed course of training; or

(b) in the case of a person already, at the commencement of the Nurses Registration Act Amendment Act, 1959, in practice as a nurse aide or nurse attendant, is not less than thirty years of age and had been for at least five years in practice as a nurse aide or nurse attendant.

(2) Applications for enrolment by persons entitled to enrol by virtue only of paragraph (b) of subsection (1) of this section shall be made within twelve months of the commencement of the Nurses Registration Act Amendment Act, 1959.

Enrolment of  
persons  
trained  
outside the  
State.

33j. (1) Every person shall be entitled to be enrolled as a nurse aide who proves to the satisfaction of the board that such person has passed through a course of training and has passed an examination for a nurse aide in some other State or country, such course of training and examination being recognized by the board as not lower in standard than that required in this State: Provided that the board shall not be bound to recognize any course of training or any examination in any other State or

country unless in such State or country a person enrolled under this Act is granted rights and advantages equal to those granted in such State or country to those persons who have passed through such course of training and have passed such an examination.

(2) Where a person has undergone outside the State training as a nurse aide but is not entitled to be enrolled under the preceding provisions of this section the board may—

- (a) order that that person shall be entitled to be enrolled as a nurse aide after undergoing such supplementary training, if any, and passing such examinations, if any, as the board directs ;
- (b) enrol any such person as a nurse aide upon compliance with the requirements of any order made under paragraph (a) of this subsection.

33k. No person shall be enrolled unless such person proves to the satisfaction of the board that such person—

Conditions of enrolment.

- (a) is of good character ;
- (b) has attained the age of nineteen years ;
- (c) is of sound health or of such a state of health that no danger would be involved to anyone attended by such person.

33l. The provisions of sections 23, 24, 25, 26, 27, 28, 31, 32 and 33 of this Act shall apply *mutatis mutandis* to the enrolment of nurse aides and for the said purpose the said sections shall be construed as if the words “enrolment”, “roll”, “to enrol”, “nurse aide” and “nurse aides roll”, were substituted for “registration”, “register”, “to register”, “nurse” and “nurse register” respectively wherever they occur.

Enrolment.

33m. (1) The enrolment of any person as a nurse aide—

Cancellation of enrolment.

- (a) whose enrolment has been obtained by fraud or misrepresentation ; or
- (b) whose qualification for enrolment, or any part thereof has been withdrawn or cancelled by the institution at which it was acquired or by the institution or body by which it was awarded; or

- (c) who has failed to pay a retention fee ; or
- (d) who, either before or after such enrolment, has been convicted of any felony or misdemeanour, or of any offence, which if committed in the State, would be a felony or misdemeanour ; or
- (e) who is deemed by the board to have been guilty of disgraceful conduct in any professional respect ; or
- (f) who has been convicted of any offence against any regulations made by the board with respect to the practice of nurse aides,

may be cancelled or suspended by order of the board, and upon the making of the order of cancellation or during the period specified in the order of suspension such person shall cease to be enrolled as a nurse aide.

(2) The cancellation or suspension of the enrolment of any person whose enrolment has been so cancelled or suspended may, at any time and for such reason as the board thinks fit, by order of the board be annulled, and the effect of such annulment shall be as the board determines.

(3) Before cancelling or suspending the enrolment of any person, the board shall—

- (a) give to such person by post by registered letter notice in writing of the complaint against such person ; and
- (b) hold full inquiry into the matter of the complaint and afford such person an opportunity of giving an explanation personally or in writing.

(4) The provisions of section 23 of this Act as affected by this Part shall apply to the holding of an inquiry under this section in the same manner as if such inquiry were the hearing for an application for enrolment.

(5) If any person is dissatisfied with any decision of the board under this section, such person may, by motion made within three months of the giving of such decision, apply to the Supreme Court for an order directing the board to rescind or vary such decision, and on such motion the Court may make such order as it thinks just, or may decline to make any order. Any order made by the Court on such appeal shall be final and conclusive.

33n. (1) Any person whose enrolment as a nurse aide is ordered by the board to be cancelled shall, within fourteen days of the notification to such person of the order, surrender to the board every certificate of such enrolment issued to such person under this Act; and any such person who fails to do so shall be liable to a penalty not exceeding twenty pounds.

Return of certificates.

(2) The cancellation of any such person's enrolment as a nurse aide shall be effectual notwithstanding such person's failure to surrender the said certificates.

5. Section 38 of the principal Act is amended by inserting after subsection (3a) thereof the following subsection :—

Amendment of principal Act, s. 38—

(3b) No person shall be entitled to take or use the name or title of enrolled nurse aide (either alone or in combination with any other word or words or letters) or any name, title, addition, or description implying that such person is an enrolled nurse aide or is recognized by law as an enrolled nurse aide unless such person is enrolled as a nurse aide.

Unregistered persons not to take or use certain titles.

6. Section 39 of the principal Act is amended by inserting after paragraph (d) of subsection (1) thereof the following paragraph :—

Amendment of principal Act, s. 39—

(e) an enrolled nurse aide unless such person is enrolled as a nurse aide.

Use of authorized badge or uniform by unregistered person.

7. Section 40 of the principal Act is amended by inserting after paragraph IV of subsection (1) thereof the following paragraph :—

Amendment of principal Act, s. 40—

v. an enrolled nurse aide unless such person is enrolled as a nurse aide.

Unregistered persons advertising or holding themselves out as registered nurses, etc.

8. Section 42 of the principal Act is amended by striking out the words "or the mothercraft nurses roll" and inserting in their place the words "the mothercraft nurses roll or the nurse aides roll".

Amendment of principal Act, s. 42—

Penalty for falsifying register or making false statement.

9. Section 44 of the principal Act is amended—

Amendment of principal Act s. 44—

(a) by inserting after paragraph va of subsection (1) thereof the following paragraph :—

Regulations.

vb. Prescribing conditions to be complied with and qualifications to be possessed by persons about to enter upon courses of training as nurse aides :

- (b) by striking out the words "and mothercraft nurses" in paragraph XIV of subsection (1) thereof and inserting in their place the words "mothercraft nurses and nurse aides";
- (c) by striking out the words "and the mothercraft nurses roll" in paragraph XVI of subsection (1) thereof and inserting in their place the words "the mothercraft nurses roll and the nurse aides roll";
- (d) by striking out the words "and enrolled mothercraft nurses" in paragraph XVII of subsection (1) thereof and inserting in their place the words "enrolled mothercraft nurses and enrolled nurse aides".

Commence-  
ment.

**10.** This Act shall come into operation on a day to be fixed by the Governor by proclamation.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Governor's Deputy.