



ANNO QUINTO

ELIZABETHAE II REGINAE

A.D. 1956.

No. 43 of 1956.

An Act to amend the Nurses Registration Act,
1920-1954.

[Assented to 22nd November, 1956.]

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

Short titles.

1. (1) This Act may be cited as the "Nurses Registration Act Amendment Act, 1956".

(2) The Nurses Registration Act, 1920-1954, as amended by this Act, may be cited as the "Nurses Registration Act, 1920-1956".

(3) The Nurses Registration Act, 1920-1954, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment
of principal
Act, s. 5—
Constitution
of nurses
board.

3. Section 5 of the principal Act is amended by striking out the words "Australasian Trained Nurses Association" occurring in the seventh and eighth lines and in the fifteenth line of subsection (2) thereof and inserting in their place in each case the words "Royal Australian Nursing Federation (S.A. Branch)".

Amendment
of principal
Act, s. 8—
Appointment
without
nomination
on failure
to nominate.

4. Section 8 of the principal Act is amended by striking out the words "Australasian Trained Nurses Association" in the ninth and tenth lines thereof and inserting in their place the words "Royal Australian Nursing Federation (S.A. Branch)".

5. Section 21 of the principal Act is amended—

Amendment of principal Act, s. 21—

- (a) by striking out the words “part of the British Empire or some other” in the fourth line of paragraph (a) of subsection (1) thereof and inserting in their place the words “State or” ;
- (b) by striking out the words “such part” in the last line of paragraph (b) of subsection (1) thereof and inserting in their place the words “that State” ;
- (c) by striking out the words “part of the British Empire or in any other country unless in such part” in the second, third and fourth lines of the proviso to subsection (1) thereof and inserting in their place the words “State or country unless in that State” ;
- (d) by striking out the words “such part” in the fifth line of the proviso to subsection (1) thereof and inserting in its place the words “that State”.

Provision for registration of persons trained outside the State.

6. Section 25 of the principal Act is amended by striking out the words “paid the registration fee and” in the first and second lines of subsection (1) thereof.

Amendment of principal Act, s. 25—

Certificate of registration.

7. Sections 26 and 27 of the principal Act are repealed and the following sections enacted and inserted in their place:—

Repeal and re-enactment of ss. 26 and 27 of principal Act—

Registration and fees.

26. (1) Subject to subsection (7), the board shall not register any person on the nurses register, the mental nurses register or the midwives register except after payment of the prescribed fee.

(2) The registration of any person whose name is on any such register at the commencement of the Nurses Registration Act Amendment Act, 1956, or who is subsequently so registered, shall be in force until—

(a) his registration is cancelled or suspended pursuant to this Act ; or

(b) his name is removed from the register pursuant to this Act.

(3) Subject to subsection (7), every person whose name is on any such register on the first day of December nineteen hundred and fifty-seven or on the same day in any succeeding year shall pay to the board before the end of that month a retention fee of five shillings or such other amount as may be prescribed.

Subject to the regulations, only one fee shall be payable by a person in any year notwithstanding that he is registered on more than one register.

(4) A retention fee shall be recoverable summarily by the board.

(5) The board may, if it thinks reasonable cause exists for so doing, remit any arrears of retention fees in whole or in part.

(6) The board may at any time accept a sum as payment in advance of retention fees for not more than four years.

For the purposes of this subsection a payment made in December in any year of a fee becoming payable in that month shall be deemed to be made in advance.

(7) No registration or retention fee shall be payable under this section with respect to registration as a nurse, mental nurse or midwife by a person who—

(a) is registered as a nurse, mental nurse or midwife respectively (or the equivalent thereof) under the law of any other State of the Commonwealth or any Territory of the Commonwealth; and

(b) is employed full-time by the Commonwealth in any one or more of the following capacities, namely, as a nurse, mental nurse or midwife.

Removal of name from a register.

27. The board may remove from any such register the name of any person who applies in writing to have his name removed therefrom.

Amendment of principal Act, s. 28—
Provisional certificate may be granted.

8. Section 28 of the principal Act is amended by inserting after the word "fee" in the fifth line of subsection (1) thereof the words "(if it would be payable on registration)."

Amendment of principal Act, s. 29—
Cancellation of registration for fraud or on other grounds.

9. Section 29 of the principal Act is amended by striking out paragraph (c) of subsection (1) thereof and inserting in its place the following paragraph:—

(c) who has failed to pay a retention fee; or

Amendment of principal Act, s. 33—
Registers to be gazetted.

10. Section 33 of the principal Act is amended—

(a) by striking out subsections (1) and (2) thereof;

(b) by striking out the figure "(3)" and all the words in the first five lines of subsection (3) thereof and inserting in their place the words "In all courts and before all persons".

Amendment of principal Act, s. 33e—
Enrolment.

11. Section 33e of the principal Act is amended by striking out all the words therein after the word "occur" in the eighth line thereof.

12. Section 33f of the principal Act is amended by striking out paragraph (c) of subsection (1) thereof and inserting in its place the following paragraph :—

Amendment of
principal Act,
s. 33f—
Cancellation of
enrolment.

(c) who has failed to pay a retention fee ; or

13. Section 44 of the principal Act is amended—

Amendment of
principal Act,
s 44—
Regulations.

(a) by striking out the words “Australasian Trained Nurses Association” at the end of paragraph II of subsection (1) thereof and inserting in their place the words “Royal Australian Nursing Federation (S.A. Branch)” ;

(b) by striking out the words “annual renewal” in paragraph III of subsection (1) thereof and inserting in their place the word “retention”.

14. (1) Notwithstanding the foregoing provisions of this Act, a person who would, but for the foregoing provisions of this Act, have been required to renew his registration or enrolment for nineteen hundred and fifty-seven if he desired to remain registered or enrolled, shall renew his registration or enrolment in the manner provided by section 26 of the principal Act as if this Act had not been passed.

Transitional
provisions.

(2) Notwithstanding that any such person does not renew his registration or enrolment for the year nineteen hundred and fifty-seven, his registration or enrolment shall be in force until cancelled or suspended or his name is duly removed from the register or the mothercraft nurses roll.

(3) The registration or enrolment of any person may be cancelled or suspended after the passing of this Act on the ground that he has not paid his renewal fees for two years in the same way as if this Act had not been passed.

15. (1) Where, before the commencement of this Act, the board has granted any renewal of registration or enrolment in advance on payment of a renewal fee in advance, the renewal shall not be invalid solely on the ground that the board had no authority to grant a renewal in advance or to accept a renewal fee in advance.

Payments of
fees in
advance
before
commence-
ment of Act.

(2) Notwithstanding anything contained in this Act, where any such renewal has been granted in advance for any year after nineteen hundred and fifty-seven, a retention fee shall not be payable in the December of the previous year.

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

J. M. NAPIER, Governor's Deputy.