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NURSES REGISTRATION REGULATIONS

This version is out of date

Subsidiary  
1964.05.26

Regulations made under the Nurses Registration Act (Act. 1964-04), saved and deemed to have been made under s.36.

**NURSES REGISTRATION REGULATIONS**

**(1964.05.26)**

**29.5.1964**

| Amending enactments          | Relevant current provisions | Commencement date |
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| LN. 1976/133<br>1988/003 r.3 |                             | 31.3.1988         |

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**Title.**

1. These Regulations may be cited as the Nurses Registration Regulations.

**Interpretation.**

2. In these Regulations, unless the context otherwise requires,—

“registered nurse” means a male or female nurse who is for the time being registered in the register;

“nurse” means a male or female nurse for the sick.

3. *Revoked*

**Forms.**

4. The forms set out in the Schedules and all instructions contained therein shall be deemed to be part of the regulations, and such forms, or forms substantially to the like effect, shall be used in all cases for which the forms are provided.

**PART I**

**CONDITIONS OF ADMISSION TO REGISTER.**

**Examinations.**

5. The Board shall hold examinations in the several subjects mentioned in the syllabus of subjects for examinations approved by the Board from time to time, at such times, at such places and subject to such provisions as the Board may from time to time determine.

**Entrance fee.**

6. The entrance fee shall be 35 pence. The fee shall be paid before the applicant's name is entered for the examination. No reduction will be allowed to candidates who appear a second or subsequent time for the same examination unless such candidates are appearing a second or subsequent time for the same subject in which they have been referred by the Board at a previous examination, in which case no fee shall be paid.

**Deposit of certificates.**

7. No person shall be entitled to enter for any examination until he has attained the age of twenty-one years and has deposited with the secretary the following certificates signed by the matron, or other person occupying a similar position in the institution or institutions in which his training or instruction was given and carried out:-

- (a) a certificate that he has undergone the training specified as being necessary to qualify him for admission to the part of the register to which the examination relates;
- (b) a certificate that he has undergone systematic instruction in each of the subjects prescribed in the syllabus of subjects for examination approved by the Board as being necessary for admission to the part of the register to which he applies to be, admitted;
- (c) a certificate of good conduct.

### **Training certificate.**

8. A candidate for the general or any other part of the register must furnish a certificate that he has completed a course of not less than three years' training approved by the Board.

### **Board may dispense with documents.**

9. The Board may in any particular case dispense with any certificate or other document required by this Part if it is satisfied by other evidence that the information furnished by the applicant is correct, and that as regards character and professional efficiency he is suitable for admission to the register.

## **PART II.**

### **REMOVAL FROM THE REGISTER.**

#### **Notice of misconduct.**

10.(1) When it is brought to the notice of the Board that a nurse who is included in the register (in this Part referred to as "the respondent") has been convicted of any offence punishable with imprisonment or has been guilty of any misconduct, the secretary after making such further inquiries relative thereto as the Board thinks necessary may lay the matter before the Board.

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(2) The Board may decline to proceed with the matter unless the evidence in support of the charge (other than evidence of a conviction) is verified by a statutory declaration.

(3) Before reporting on any case to the Board, the secretary shall invite the respondent to furnish any written statement or explanation which he may wish to offer.

(4) In any case in which it is proved to the Board by the certificate of the competent officer of the court in which the proceedings took place that the respondent has been convicted of an offence and has been sentenced to a term of imprisonment, and such conviction has not been subsequently quashed on appeal, the Board may forthwith and without further inquiry remove the name of the nurse from the register and require him to surrender his certificate to the Board.

(5) In any other case in which the Board is satisfied that a prima facie case is made out for the removal of the respondent from the register, the Board shall cause the necessary steps to be taken for verifying the evidence to be submitted and for obtaining the necessary documents and the attendance of witnesses.

(6) The secretary shall send to the respondent a notice in writing in the form set out in Schedule 2 specifying the nature and particulars of the charge against him and informing him of the time and place of the meeting at which the case will be heard, and requiring him to send or deliver to the secretary his certificate not later than the date on which the hearing takes place. Such notice shall be sent by registered post to the registered address of the respondent contained in the register, or if the secretary has reason to believe that that address is not his present address, then to any later address which may be known to the secretary, and shall be posted so as to allow at least twenty-one days to elapse between the day on which the notice is posted and the date fixed for the hearing.

**Notice of hearing.**

11. The case shall be heard at a meeting of the Board of which at least seven days' notice be sent by the secretary to each member of the Board and the respondent shall be entitled to be represented by a friend or by a barrister or solicitor:

Provided that if he intends to be represented by a barrister or solicitor not less than seven days' notice of such intention shall be given to the secretary.

**Procedure at hearing.**

12. At the hearing of the case the secretary or other person appointed by the Board for the purpose shall first state to the Board the facts of the case and the charge alleged against the respondent and shall then submit to the Board the evidence received in support of the charge, and the respondent or his representative shall be entitled to cross-examine any witness appearing against him on matters relevant to the charge.

### **Rights of respondent.**

13. When the statement of the charge and the evidence in support thereof are concluded, the respondent or his representative shall be invited by the chairman to address the Board and to tender evidence in answer to the charge, and any solicitor or other person appointed by the Board for the purpose shall be entitled to cross-examine any witness tendered in answer to the charge, and to reply upon the whole case, after the respondent or his representative has replied.

### **Hearings in absentia.**

14. If the respondent does not attend, either personally or by representative, the Board may proceed to hear and determine the case in his absence.

### **Promulgation of decision.**

15. Upon the conclusion of the case the Board shall, after consideration of the relevant evidence whether oral or documentary, pronounce its decision forthwith or at a later date in writing or at a subsequent meeting.

### **Removal from register.**

16. (1) If the Board finds the charges against the respondent to be proved either in whole or in part, it may remove his name from the register altogether or for such period as it thinks fit.

(2) The secretary shall forthwith communicate with the respondent by registered letter informing him of the decision of the Board.

(3) In the case of the temporary removal of the respondent from the register the Board shall retain the certificate and shall delete his name from the part or parts of the register in which it is included, during the period of removal, and in the case of complete removal shall delete the respondent's name from the part or parts of the register in which it is included and cancel his certificate and retain the cancelled certificate.

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**Interpretation and appeal.**

17. If any question arises as to the meaning or effect of these regulations, or if any question or matter arises which is not provided for by these regulations, such question or matter shall be decided by the Board:

Provided that upon any question as to meaning or effect of these regulations, or upon any question of law, the respondent may apply in writing within seven clear days after such decision to the secretary to state and sign a case for the opinion thereon of the Supreme Court and the procedure shall in all respects mutatis mutandis be similar to that of any appeal to the Supreme Court by way of case stated under the Magistrates' Court Act<sup>1</sup>.

**PART III.****RESTORATION TO REGISTER.****Restoration to register.**

18. (1) When a nurse has been removed from the register under Part II, any application for restoration to the register shall be made by him in writing addressed to the secretary stating the grounds on which the application is made.

(2) The application shall contain the names and addresses of two or more persons of whom two shall be justices of the peace, ministers of religion, registered medical practitioners or registered nurses able and willing to identify the applicant and give evidence as to his character and the nature of his employment both before and since the date of his removal and such other evidence as the Board may require.

(3) The Board may require the applicant to verify by a statutory declaration any statement made in his application or any further statement that it may think necessary, and may, if it thinks fit, require the applicant to attend in person at a meeting of the Board, or of any committee of the Board, at which the matter is to be considered.

**Fee on restoration.**

19. If upon consideration of the application and of the evidence furnished in support of it the Board is satisfied that the name of the applicant should be restored to the register, it may direct this to be done and upon payment by

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<sup>1</sup> 1961-23



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the applicant of a fee of 25 pence his name shall be re-included in the appropriate part or parts of the register, and a new certificate shall be issued to him.

### **Notifications to and from England, etc.**

20. (1) In the event of removal or restoration after removal of the name of a nurse from any part of the register under regulations 10-17 inclusive, notification of the fact shall be forthwith sent by the secretary to the General Nursing Councils for England and Wales, or Scotland, or to the Joint Nursing and Midwives Council of Northern Ireland, if the Board is aware that such nurse is or was registered in England and Wales, Scotland or Northern Ireland under the Nurses Registration Act, or the Nurses Registration Act of Scotland, for the time being in force, or under the Council for Northern Ireland.

(2) In the event of the Board receiving a notification from the General Nursing Councils for England and Wales or Scotland or the Joint Nursing and Midwives Council of Northern Ireland that the name of any nurse registered by any or all of those Councils has been removed from the register in England and Wales, Scotland or Northern Ireland by reason of a finding of such Council that such nurse has been guilty of any misconduct, if the secretary finds that such nurse is also registered in any part of the register he shall inform the nurse in writing by registered letter that the Board has received such notification, and shall inquire of him whether he desires to show cause why his name should not also be removed from the register, and if no answer is received by the secretary within a reasonable time, having regard to the registered address of the nurse, or if such nurse replies that he does not desire to show cause then the Board shall at its next convenient meeting direct such nurse's name to be removed from the register. If such nurse replies that he does desire to show cause, it shall be the duty of the secretary to lay the matter before the Board and the Board shall thereupon proceed to deal with the matter by way of a rehearing under regulations 11 to 18 inclusive, as if the complaint had been originally made to the Board. The result of the Board's finding shall in due course be notified to the General Nursing Councils for England and Wales, or Scotland, or to the Joint Nursing and Midwives Council of Northern Ireland, as the case may be.

(3) In the event of the Board removing the name of a nurse from the register under this regulation, the secretary shall, as soon as possible, notify the fact of removal to the General Nursing Councils for England and Wales and Scotland and the Joint Nursing and Midwives Council of Northern Ireland.

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**Restoration in England, etc.**

21. (1) In the event of notice being received by the Board from the General Nursing Councils for England and Wales, or Scotland, or from the Joint Nursing and Midwives Council of Northern Ireland that they have restored a nurse to their register, if the secretary finds that the name of such nurse was removed from the register it shall be his duty to lay the matter before the Board which shall then consider the matter and, if it thinks fit, having regard to all the circumstances and its discretion, likewise restore the name of such nurse to the register, if he applies under, and conforms to such of the provisions of regulations 18 and 19 as the Board may require.

(2) In the event of the Board restoring the name of a nurse to the register under this regulation, it shall be the duty of the secretary as soon as possible to notify the fact of such restoration to the General Nursing Councils for England and Wales or Scotland or to the Joint Nursing and Midwives Council for Northern Ireland, as the case may be.

**Application to nurses registered in England, etc.**

22. Regulations 10 to 17 inclusive shall also apply as far as the circumstances in the opinion of the Board require, to all nurses whose names are registered in pursuance of section 14 of the Act.

**PART IV.**

**PROCEDURE OF BOARD AND COMMITTEES.**

**Convening of meetings.**

23. (1) The chairman of the Board may at any time convene a meeting of the Board.

(2) In the event of the chairman of the Board not being present at any meeting of the Board, the Board shall appoint a chairman to preside at that meeting.

**Notice of meetings.**

24. Not less than seven days' notice of any meeting shall be given to each member of the Board, directed to such address as he shall from time to time furnish to the secretary.

**Quorum.**

25. The quorum of the Board shall be four.

### **Minutes.**

26. Minutes of the proceedings of the Board shall be kept and shall be signed at the next ensuing meeting by the person presiding thereat.

### **Voting.**

27. Every question, the manner of voting on which is not otherwise specified in these regulations, shall be decided on a show of hands by a majority of members present and voting. In the case of an equality of votes the presiding chairman shall have a second or casting vote.

### **Motions.**

28. Every motion or amendment shall be moved and seconded, and shall be reduced to writing and handed to the chairman, and shall be read before it is further discussed or put to the meeting.

### **Notices of motion.**

29. (1) Every notice of motion shall be in writing, signed by the member giving the notice, and shall be given or sent to the secretary.

(2) The secretary shall insert in the agenda paper of the next ordinary meeting of the Board all notices of motion which he may have received not less than one clear day prior to the day on which the agenda paper is sent out to members, in the order in which they have been received by him.

SCHEDULE 1.

Regulation 4.

FORMS

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FORM 1.

FORM OF TESTIMONIAL AS TO CHARACTER.

Confidential.

To the Nurses and Midwives Registration Board.

I certify that I have known \_\_\_\_\_ personally for \_\_\_\_\_ years,  
and that he/she is of good moral character.

*Remarks.*

Signature  
Address  
Occupation  
Date

NOTE. –*This testimonial is to be sent to the secretary.*

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FORM 2.

FORM OF TESTIMONIAL AS TO CHARACTER AND  
PROFESSIONAL EFFICIENCY.

*(To be given by a matron of a hospital, registered medical practitioner or  
other responsible person under whom the applicant has worked during the  
three years prior to the date of the application.)*

Confidential.

To the Nurses and Midwives Registration Board.

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I hereby certify that I have known \_\_\_\_\_ personally for \_\_\_\_\_ years, and that he/she has discharged his/her professional duties at all times in such a manner as to enable me to recommend him/her for registration by the Board, and that he/she is of good moral character.

Remarks.

Signature  
Address  
Professional position

Date

NOTE.— *This testimonial is to be sent to the secretary.*

FORM 3A.

MEDICAL AND HEALTH ACT.

Nurses and Midwives Registration Board.

Application for Registration on Part \_\_\_\_\_ of the Register for

\_\_\_\_\_  
*(To be used by Nurses Registered by the General Nursing Council for England and Wales, or for Scotland, or by the Joint Nursing and Midwives Council of Northern Ireland, to which section 14 of the Medical and Health Act applies.)*

To the Nursing Board.

1. I .....  
*(Full name)*

2. ....  
*(Place and date of birth.)*

3. ....  
*(State whether married, single, widower or widow. If married or widow, give maiden name.)*

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4. ....  
*(Full permanent postal address.)*

hereby request the Nurses and Midwives Registration Board to enter my name upon the Part of the Register for \_\_\_\_\_ Nurses maintained by the Board.

I forward herewith the fee of 50 pence and I promise in the event of my being registered, and in consideration thereof, to be bound by and to conform to the rules and regulations for the time being in force.

I forward herewith my Certificate of Registration by the General Nursing Council for \_\_\_\_\_ under the Seal of the said Council.

I am further prepared to produce such evidence as the Board may require to establish my identity and good character.

Date ..... Signature .....

FORM 3B.

MEDICAL AND HEALTH ACT.

Nurses and Midwives Registration Board.

(Application for Registration on Part \_\_\_\_\_ of the Register for Nurses to be used by Nurses who have been trained in any place outside Gibraltar or the United Kingdom to which section 15 of the Medical and Health Act applies. )

To the Nursing Board.

1. I.....  
*(Full name)*

2. ....  
*(Place and date of birth.)*

3. ....  
*(State whether married, single, widower or widow. If married or widow, give maiden name.)*

4. ....

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*(Full permanent postal address.)*

hereby request the Nurses and Midwives Registration Board to enter my name upon the Part of the Register for \_\_\_\_\_ Nurses maintained by the Board.

I forward herewith the fee of 50 pence and I promise, in the event of my being so registered, and in consideration thereof, to be bound by and to conform in all respects to the rules and regulations for the time being in force.

I forward herewith particulars of my training and certificate which I have received.

I am further prepared to produce such evidence as the Board may require to establish my identity and good character and to undergo any examination upon any subject or subjects which the Board may consider necessary in accordance with the provisions of section 15 of the Act.

Date ..... Signature .....

Medical and Health

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SCHEDULE 2.

Regulation 10(6).

MEDICAL AND HEALTH ACT.

NOTICE OF MISCONDUCT.

Nurses and Midwives Registration Board.

To

of

Take notice that the charge (or charges) against you, particulars of which are set forth below, has/have been brought to the notice of the Board, and that the Board proposes to investigate such charge(s) at a meeting to be held at the office of the Board, at            a.m./p.m. on the            20            , and to determine whether you should be removed from the register.

*Particulars of Charge(s).*

You are hereby required to attend before the Board at the time and place mentioned above, and to answer such charges, bringing with you all papers and documents in your possession relevant to the matter, and any persons whose evidence you wish to lay before the Board.

The following points should be carefully noted:–

- (a) you are entitled to be represented at the hearing before the Board by a friend, or by a barrister or solicitor, but if you propose to employ a barrister or solicitor you must give written notice to the secretary at the address mentioned above at least seven days before the hearing.
- (b) it is imperative that you should either send to the secretary before the date fixed for the hearing, or bring with you to the hearing, your certificate.

A copy of the Nurses Registration Regulations is enclosed.

Secretary

Date