

THE NORTHERN TERRITORY OF AUSTRALIA

No. 36 of 1980

AN ACT

To amend the Nursing Act

[Assented to 19 March 1980]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Nursing Act 1980.

2. PRINCIPAL ACT

The Nursing Act is in this Act referred to as the Principal Act.

3. DEFINITIONS

Section 4(1) of the Principal Act is amended by omitting the definition of "Medical Superintendent".

4. CONSTITUTION OF NURSES BOARD

Section 5 of the Principal Act is amended by omitting paragraphs (b) and (c) and substituting:

"(b) the person appointed under section 15(2) of the Hospitals and Medical Services Act to be, for the time being, in charge of the Casuarina Hospital;

(c) the registered nurse responsible for nursing to the Chief Medical Officer; and"

5. MEETINGS OF BOARD

Section 6(2) of the Principal Act is amended by omitting "the Medical Superintendent shall preside" and substituting "the Board shall elect a member to preside".

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6. APPOINTMENT OF REGISTRAR

Section 7(2) of the Principal Act is amended by omitting "the Minister" and substituting "the Board".

7. GENERAL QUALIFICATIONS FOR REGISTRATION AS A NURSE

Section 15 of the Principal Act is amended -

(a) by omitting from sub-section (1) "sub-section (2)" and substituting "this section"; and

(b) by adding at the end thereof the following sub-sections:

"(3) Where a person -

(a) is otherwise qualified for registration as a general nurse, midwife, child welfare nurse, mental deficiency nurse or psychiatric nurse but has not, within the period of 5 years immediately preceding the date on which the Board is considering that person's registration, practised or been registered as a nurse of the particular classification in the Territory or elsewhere;

(b) has completed a nursing education programme within Australia, where the Board does not consider that programme adequate for the purposes of this Act; or

(c) has completed a nursing education programme outside Australia and the Board considers it desirable for the purposes of avoiding danger to a patient that the person be subject to a period of assessment,

the Board may, subject to such conditions as it thinks fit, grant registration to that person as a nurse of that qualification for a period not exceeding 12 months.

"(4) At the expiration of the period of registration granted under sub-section (3) the Board may -

(a) register that person without condition as a nurse of the appropriate classification;

(b) cancel the registration granted under sub-section (3); or

(c) extend the period of registration granted under sub-section (3) for a period not exceeding 12 months.

"(5) If the Board extends, under sub-section (4)(c), a period of registration granted under sub-section (3) the Board shall, at the expiration of that period -

(a) register that person without condition as a nurse of the appropriate classification; or

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(b) cancel the registration granted under sub-section (3).

"(6) The Board -

(a) may cancel the registration of a person granted under sub-section (3) if the person contravenes or fails to comply with a condition imposed on the registration; and

(b) shall record in the Nurses Register the conditions to which a registration granted under sub-section (3) is subject."

8. NEW SECTION

The Principal Act is amended by inserting in Part V before section 16 the following section:

"16A. PRACTISING CERTIFICATES

"(1) A person registered or enrolled on a date determined by the Board by notice in the Gazette shall, within 3 months after that date, apply to the Board for an annual practising certificate.

"(2) A person registered or enrolled after the date referred to in sub-section (1) shall, within 3 months after being registered or enrolled, apply to the Board for an annual practising certificate.

"(3) The Board shall issue a practising certificate in the form determined by the Board to an applicant under sub-section (1) or (2) who is registered or enrolled under this Act.

"(4) A practising certificate takes effect on the date on which the certificate is expressed to take effect and expires on 31 December next following the date on which it takes effect.

"(5) A person to whom a practising certificate has been issued shall, before 31 March in each year succeeding the expiry of the practising certificate, apply for renewal of the practising certificate and the Board shall issue a renewal of the practising certificate, in the form determined by the Board, to the person.

"(6) No fee is payable for the issue or renewal of a practising certificate.

"(7) If a person -

(a) referred to in sub-section (1) or (2) does not apply for the issue of a practising certificate within the time specified for that application; or

(b) referred to in sub-section (5) does not apply for renewal of her practising certificate before the date specified for that application,

the Board shall cancel the registration or enrolment of that person.

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"(8) A person whose registration or enrolment has been cancelled under sub-section (7) may apply in writing to the Board to be re-registered or re-enrolled and the Board may grant the application and reregister or re-enroll that person."
