



TRINIDAD AND TOBAGO

No. 33—1960

[L.S.]

I ASSENT,

SOLOMON HOCHOY

Governor

29th December, 1960.

AN ORDINANCE to provide for the Registration of Nurses, Midwives and Hospital Aides, and for other matters connected therewith.

[On Proclamation]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment.

PART I

PRELIMINARY

1. (1) This Ordinance may be cited as the Nurses and Midwives Registration Ordinance, 1960,

Short title and
commence-
ment.

(2) This Ordinance shall come into operation on such day as the Governor may appoint by Proclamation published in the *Royal Gazette*.

Interpre-
tation

2. In this Ordinance—

“ nurse-midwife ” means a person who is registered both as a nurse and as a midwife under this Ordinance ;

“ the Medical Board ” means the Medical Board of Trinidad and Tobago ;

“ the Council ” means the Nursing Council established by the Nurses Registration Ordinance and continued under this Ordinance ;

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“ a recognised place of training ” means a place of training or affiliated place of training referred to in section 40 of this Ordinance ;

“ secretary ” means the secretary of the Council ;

“ the Minister ” means the member of the Cabinet for the time being charged with the administration of the subject of health.

Constitution
of the Nursing
Council of
Trinidad and
Tobago.

3. (1) The Nursing Council established by the Nurses Registration Ordinance shall continue to bear the name of “ The Nursing Council of Trinidad and Tobago ”, and by that name shall continue in existence as a body corporate with perpetual succession and a common seal.

(2) Subject to the provisions of this Ordinance, the Council shall have and exercise disciplinary control, whether by way of imposition of fines or otherwise, over persons registered or enrolled as nurses, midwives or hospital aides under this Ordinance.

(3) The Council shall be reconstituted in accordance with the provisions of section 4 of this Ordinance.

Composition
of Council.

4. (1) The Council shall comprise twenty persons, as follows:—

(a) the Director of Medical Services or his nominee appointed to represent him at any meeting, and the Chief Nursing Officer, who shall be the *ex officio* members ;

(b) four persons appointed by the Minister after considering the views and representations of persons and bodies having special interest and experience in matters pertaining to nursing, of whom one shall be either a person trained in the teaching of nurses or a nurse engaged in the administration of an institution designated by the Council under section 40 of this Ordinance as a recognised place of training

for nurses, one either a person trained in the teaching of public health nursing or a nurse engaged in the administration of the public health nursing services, one a nurse-midwife or a person trained in teaching midwifery, and one a person having experience in matters pertaining to general education ;

- (c) two persons appointed by the Medical Board ;
- (d) eleven persons, of whom not more than two may be medical practitioners, elected by the persons who are registered as nurses under this Ordinance at the date of the election ; and
- (e) one person elected from among their own number by the persons who are registered as midwives under this Ordinance at the date of the election.

(2) It shall be the duty of the Council from time to time to give due notice to the persons or bodies concerned and to take all such other steps as may lie in their power with regard to the making of appointments and the holding of elections.

5. (1) Members of the Council other than the *ex officio* members shall hold office for three years but shall be eligible for re-appointment or re-election.

Tenure of office.

(2) If the place of a member of the Council becomes vacant before the expiration of his term of office, whether by death, resignation or otherwise, the vacancy for the unexpired portion of his term shall be filled in accordance with the provisions of subsection (1) of section 4 of this Ordinance:

Provided that where the vacant place is that of a person elected under paragraph (d) or paragraph (e) of that subsection, the Council shall appoint to fill the vacancy the person who polled the highest number of votes among the unsuccessful candidates at the election held for the purpose of the said paragraph (d) or paragraph (e), as the case may be, who are available and willing and able to serve ; and if there be no such person, the Council shall appoint such person as the Council shall think fit from among the persons eligible for election under the said paragraph (d) or paragraph (e), as the case may be ; and no proceedings of the Council shall be challenged on the ground that an appointment purporting to be made under this subsection is invalid.

(3) If it appears to the Council that any member is, by reason of illness, absence from Trinidad and Tobago, or for any other cause, unlikely to be able for some time to perform his duties as a member of the Council, the Council may declare the seat of such person to be temporarily vacant, and such

(*) 1 - mentioned

temporary vacancy shall be filled, for the period of its duration, in accordance with the provisions contained in subsection (2) of this section with respect to the filling of vacancies.

(4) Subject to section 6 of this Ordinance seven members shall constitute a quorum for meetings of the Council.

(5) The powers of the Council shall be exercisable notwithstanding any vacancy in its number or any defect with regard to the appointment of any of its members.

(6) It shall be lawful for the Council to constitute committees and to delegate any of its duties or powers to such committees.

Transitional

6. Pending the re-constitution of the Council in accordance with the provisions of section 4 of this Ordinance the Council shall consist of those persons who immediately prior to the commencement of this Ordinance were members of the Council under the Nurses Registration Ordinance of whom six shall constitute a quorum.

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Officers of Council.

7. (1) The Council shall elect from among its members a President, a Vice-President, a Treasurer, and such other officers as it shall think fit.

(2) The President, or, in his absence, the Vice-President, shall preside over meetings of the Council ; and if at any meeting neither the President nor the Vice-President is present, the members present shall elect one of their number to preside over that meeting.

(3) The President or other person presiding at any meeting shall have an original vote, and, in the event of an equality of votes, a casting vote as well.

(4) The seal of the Council shall be authenticated by the signature of the President or the Vice-President and of the Secretary.

Remuneration of officers

8. The Council may employ, at such salaries or remuneration as the Council may from time to time determine, a Secretary and such other staff as it shall deem necessary for carrying out its duties and functions under this Ordinance.

Expenses of carrying Ordinance into effect to be paid out of moneys received by Council.

9. Any expenses incurred by the Council in carrying this Ordinance into effect, including expenses in connection with examinations under this Ordinance and the travelling expenses of and sums paid as subsistence allowance to members of the Council shall be defrayed out of the sums received by the Council under this Ordinance.

Audit of Accounts.

10. The accounts of the Council shall be audited to the 31st day of December of each year, not later than the 31st day of March in the ensuing year.

11. The Council shall make a report to the Minister not later than the 30th day of June each year with respect to the administration of this Ordinance for the preceding year ending the 31st day of December, together with an audited statement of its accounts, and shall furnish to him such information as he may from time to time require respecting the conduct of its affairs and any other matters arising out of the administration of this Ordinance.

Annual report and information as required to be furnished by Council to Minister.

12. It shall be the duty of the Council to assist and advise the Minister on matters pertaining to nursing care for the sick and midwifery services in Trinidad and Tobago, and in particular on the establishment of a recruitment and training programme for the provision and maintenance of such care and of such services.

Duty of Council to assist and advise Minister.

13. The Minister shall have power to make regulations for carrying the purposes and provisions of this Ordinance into effect.

Power of Minister to make regulations.

14. (1) The Registers and the Roll required to be kept under this Ordinance shall be open to inspection at the office of the Council during the prescribed business hours on payment of such fee as may be prescribed.

Registers and Roll kept under this Ordinance to be open to inspection.

(2) The Registers and the Roll, or a copy or extract from any of them duly certified by the Secretary shall be *prima facie* evidence in all Courts and before all persons that the persons whose names are entered thereon are entitled to be registered or enrolled and are in fact registered or enrolled, as the case may be, and that any person whose name does not appear thereon is not registered or enrolled, as the case may be.

PART II

NURSES

15. (1) The Council shall keep for the purposes of this Part of this Ordinance a register, to be known as the Register of Nurses, on which it shall cause to be entered the names of all persons who are entitled to be registered as nurses in accordance with the provisions of this Ordinance.

Register of Nurses

(2) The entry on the Register shall show the date of the registration and the qualification upon which the registration is based.

(3) The Register of Nurses may be divided or classified, according to the manner which the Council deems most appropriate, into male and female nurses, and into nurses qualified for general nursing or for such special classes or branches of nursing as the Council may from time to time specify.

Qualifications
for admission
to the Register
of Nurses

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16. (1) The names of all persons who are registered under the Nurses Registration Ordinance as nurses immediately prior to the commencement of this Ordinance shall be entered on the Register established under this Part of this Ordinance without need for application on the part of such persons ; and pending the entry of their names on the Register, all such persons shall be deemed to be duly registered under this Ordinance.

(2) Any person who has completed a course of training in a recognised place of training and has passed the examinations prescribed by the Council and who establishes to its satisfaction that he is a fit and proper person to be entered on the Register as a nurse shall, on making application to the Council and upon compliance with the requirements of this Ordinance, be entitled to be registered.

(3) Any person who establishes to the satisfaction of the Council that he is registered or is registrable on the Register of the General Nursing Council of England and Wales and that he is a fit and proper person to be entered on the Register as a nurse shall, on making application to the Council and upon compliance with the requirements of this Ordinance, be entitled to be registered.

(4) Where there is a reciprocal agreement concerning nurses between Trinidad and Tobago and any part of the British Commonwealth or any foreign country, any person who establishes to the satisfaction of the Council that he is registered and entitled to practise nursing in such place and that he is a fit and proper person to be entered on the Register shall, on making application to the Council and upon compliance with the requirements of this Ordinance, be entitled to be registered.

(5) Any person not entitled to be registered in accordance with subsections (1), (2), (3) and (4) of this section who establishes to the satisfaction of the Council that he is a graduate in nursing from a school that is recognised by the Council as providing a standard of training and examination not lower than that prescribed under this Ordinance, and is registered and in good standing in the country, territory, state or province in which he graduated as a nurse, or in which he last practised as a nurse, and that he is a fit and proper person to be entered on the Register shall, on making application to the Council, and upon compliance with the requirements of this Ordinance be entitled to be registered : Provided that the Council as a condition of registration may require that such person submit to and pass an examination prescribed by the Council.

(6) Where the Council is satisfied that a person, although not qualified to be registered as a nurse under the provisions of this Ordinance, has undergone such a degree of training as in the opinion of the Council renders such a course expedient, the Council may, upon the application of such person, direct that such person shall be exempted from such portion of the prescribed course of training or from such portion of the examination as to the Council shall seem fit, or that such person shall be registered upon compliance with such conditions as to training and to the passing of examinations as the Council shall think fit.

17. (1) The Council shall, on entering the name of any person on the Register, issue to such person a certificate of registration, and such certificate shall remain in force unless suspended or cancelled. Certificate of registration and annual registration fee

(2) If any such person fails to pay any annual registration fee which may be payable for three months after it becomes due, his certificate of registration shall be deemed to be suspended; but it shall be lawful for the Council to restore the validity of the certificate upon payment of the registration fee and such further sum by way of fine as may be prescribed.

18. (1) The Council may by a two-thirds majority of its members present at a duly convened general meeting suspend for such period as the Council shall think fit, or cancel the registration of any person whose name is registered under this Part of this Ordinance; and in such case the certificate of registration issued under subsection (1) of section 17 of this Ordinance shall be deemed to be suspended or cancelled as the case may be. Cancellation or suspension of registration

(2) Suspension or cancellation of registration may be made upon proof to the satisfaction of the Council of:—

- (a) professional dishonesty; or
 - (b) negligence or incompetence in the performance of duty; or
 - (c) a habit or illness rendering the nurse unfit to practise nursing; or
 - (d) conduct that does not conform to the generally recognised standards of the profession of nursing, or that is unbecoming to a nurse; or
 - (e) wilful refusal to obey a lawful order given in the course of his professional duty; or
 - (f) fraud or misrepresentation in obtaining a registration, whether for himself or some other person,
- on the part of the person registered.

(3) No proceedings shall be taken for the suspension or cancellation of a registration, unless at least one week's notice in writing has been given to the person concerned of the intention to take such proceedings, and of the grounds on which such proceedings are based ; and such person shall be entitled to be heard in his defence and to be represented by counsel or solicitor at every stage of the proceedings.

Falsely conveying impression of being registered as a nurse

19. Any person not being registered as a nurse under this Ordinance who takes or uses the name or title of "registered nurse" either alone or in combination with any other words or letters, or any name, title, addition, description, uniform or badge implying or calculated to convey the impression that he is registered under this Part of this Ordinance or is recognised by law as a registered nurse, shall be guilty of an offence.

PART III

MIDWIVES

Register of Midwives

20. (1) The Council shall keep for the purposes of this Part of this Ordinance a register, to be known as the Register of Midwives, on which shall be entered the names of all persons who are entitled to be registered in accordance with the provisions of this Part of this Ordinance.

(2) The entry on the Register shall show the date of the registration and the qualification upon which the registration is based.

Qualification for admission to the Register of Midwives
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21. (1) The names of all persons who are registered as midwives under the Medical Board Ordinance immediately prior to the commencement of this Ordinance shall be entered on the Register established under this Part of this Ordinance without need for application on the part of such persons ; and pending the entry of their names on the Register, all such persons shall be deemed to be duly registered under this Ordinance.

(2) Any person who has completed a course of training in a recognised place of training and has passed the examinations prescribed by the Council and who establishes to its satisfaction that she is a fit and proper person to be entered on the Register as a midwife shall, on making application to the Council, and upon compliance with the requirements of this Ordinance, be entitled to be registered.

Issue of licences to registered midwives

22. (1) The Council shall on entering the name of any person on the Register issue to every such person a licence to practise as a midwife bearing the signature of the President or the Vice-President and the Secretary ; and such licence shall remain in force unless suspended or cancelled.

(2) If any such person fails to pay any annual registration fee which may be payable for three months after it becomes due, her licence issued under subsection (1) of this section shall be deemed to be suspended; but it shall be lawful for the Council to restore the validity of the licence upon payment of the registration fee and such further sum by way of fine as may be prescribed.

23. (1) The Council may by a two-thirds majority of its members present at a duly convened general meeting, suspend for such period as the Council shall think fit, or cancel the registration of any person whose name is registered under this Part of this Ordinance; and in such case the licence issued under subsection (1) of section 22 of this Ordinance shall be deemed to be suspended or cancelled, as the case may be.

Cancellation
or suspension
of registration

(2) Suspension or cancellation of registration may be made upon proof to the satisfaction of the Council of:—

- (a) professional dishonesty; or
- (b) negligence or incompetence in the performance of duty; or
- (c) a habit or illness rendering the midwife unfit to practise midwifery; or
- (d) conduct that does not conform to the generally recognised standards of the profession of midwifery, or that is unbecoming to a midwife; or
- (e) wilful refusal to obey a lawful order given in the course of her professional duty; or
- (f) fraud or misrepresentation in obtaining a registration, whether for herself or any other person,

on the part of the person registered.

(3) No proceedings shall be taken for the suspension or cancellation of a registration unless at least one week's notice in writing has been given to the person concerned of the intention to take such proceedings, and of the grounds on which such proceedings are based; and such person shall be entitled to be heard in her defence and to be represented by counsel or solicitor at every stage of the proceedings.

24. Any midwife whose registration has been suspended or cancelled shall within fourteen days of being so notified in writing by the Secretary of the Council surrender her licence to the Secretary, and if she fails to do so shall be liable on summary conviction to a fine of twenty-five dollars or to imprisonment for a period of one month.

Licence to be
surrendered
on cancella-
tion or
suspension of
registration

25. (1) Every midwife shall before practising in any district give notice in writing of her intention so to do, and of her place of residence or intended place of residence, to the Medical Officer of Health of the County in which she intends to practise,

Midwife to
give
previous
notice of
intention to
practise in
district

and to the Council; and she shall within fourteen days of any change of residence give notice thereof to the Medical Officer of Health and to the Council.

(2) In the month of January of each year every midwife shall make a return to the Council in the prescribed form showing the districts in which she has resided and in which she has been engaged in practice during the preceding year.

(3) If any midwife fails to comply with the provisions of subsection (1) or of subsection (2) of this section she shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty-five dollars or to imprisonment for a period of one month.

(4) It shall not be an offence under this section for a midwife to render professional services in a case of emergency outside the district in which she has given notice of her intention to practise if within three days of rendering such services she notifies the Medical Officer of Health and the Supervisor of the district in which the services were rendered, in such form as may be prescribed, of the circumstances and particulars of the case.

Duty of
midwife to
report deaths
and births

26. If any person who has been attended by a midwife shall within fourteen days of being so attended, die or give birth, it shall be the duty of the midwife, within thirty-six hours of the death or birth, as the case may be, to make a report thereof to the Medical Officer of Health; and any midwife who fails to comply with the provisions of this section shall be guilty of an offence.

Appointment
and duties of
Supervisors

27. The Council may with the approval of the Minister appoint one or more persons who shall be either a medical practitioner or a nurse-midwife to be Supervisor for a county or district; and it shall be the duty of the Supervisor—

- (a) to exercise and maintain general supervision over midwives practising within his district in accordance with the rules and regulations of the Council;
- (b) to investigate charges of malpractice, negligence or misconduct on the part of midwives practising within his district and to report the results of such investigation to the Council;
- (c) to report forthwith to the Medical Officer of Health of the County and to the Council any matter affecting the efficiency and the standard of the midwifery services in his district.

Suspension
of midwife
from
practice in
urgent cases

28. If on investigation it appears on reasonable grounds to a Supervisor that any midwife practising within his district has been guilty of improper conduct of such a nature or in such circumstances as to render it dangerous or inexpedient

in the public interest that such midwife should continue to practise pending a full inquiry, the Supervisor shall report the matter and the circumstances to the Medical Officer of Health of the district ; and if the Medical Officer of Health concurs, the Supervisor shall serve upon the midwife a notice in writing signed by himself and by the Medical Officer of Health suspending such midwife from further practice pending directions from the Council ; and in every such case the Supervisor shall within thirty-six hours cause to be delivered to the Secretary of the Council a copy of such notice together with a written report of the alleged improper conduct and of the circumstances on which the suspension is based.

29. Any person not being licensed as a midwife under this Ordinance who takes or uses the name or title of " midwife " either alone or in conjunction with any other words or letters or any name, title, addition, description, uniform or badge, implying or calculated to convey the impression that she is registered under this Part of this Ordinance, or is a person specially qualified to practise midwifery, or is recognised by law as a midwife, shall be guilty of an offence.

Falsely conveying impression of being recognised midwife

30. The Minister may from time to time by Order published in the *Royal Gazette* declare that section 31 of this Ordinance shall come into effect within an area defined and delimited by such Order at a date stated in such Order, which shall be not less than thirty days after the publication of such Order ; and upon the date so stated the said section shall come into effect and have effect accordingly.

Power of Minister to bring certain provisions into force

31. From and after the date stated in any Order published under section 30 of this Ordinance, and within the area in such Order defined and delimited, any person who does not hold a valid and subsisting licence as a midwife who assists a woman in childbirth otherwise than under the direction and personal supervision of a member of the Medical Board or of a registered midwife shall be guilty of an offence and liable on summary conviction to a fine of fifty dollars or to imprisonment for a period of two months or to both such fine and such imprisonment:

Restriction on activities of unqualified persons at childbirth

Provided that it shall not be an offence for a person to render assistance without fee or reward in a case of sudden or urgent necessity where no medical practitioner or midwife is available.

32. (1) In any emergency, as may be defined in rules or regulations made by the Council, a midwife shall call to her assistance a District Medical Officer or if a District Medical Officer is not available a member of the Medical Board, and the fee therefor in the case of a person proven and duly certified to be unable to pay, shall be payable out of public funds on a scale to be settled by the Minister.

Summoning of medical aid in emergency and payment therefor

(2) The midwife shall forthwith make a report to the Medical Officer of Health of the district of each such case of emergency, furnishing such information as he may require.

(3) The Medical Officer of Health shall notify the Council monthly of such cases of emergency as are referred to in subsection (1) of this section.

(4) The Minister or some person authorised by him may recover any fee paid under subsection (1) of this section as a debt due to the Crown from the patient or from the husband or other person liable to maintain the patient.

PART IV

HOSPITAL AIDES

Roll of
Hospital
Aides

33. The Council shall keep for the purposes of this Part of this Ordinance a roll, to be known as the Roll of Hospital Aides, on which shall be entered the names of all persons (in this Ordinance referred to as hospital aides) whose applications for enrolment have been approved by the Council.

Discretionary
power of
Council to
enter names
on Roll

34. The Council may in its discretion authorise the entry on the Roll of Hospital Aides of the name of any person who has completed a course of training approved by the Council and who has passed the examinations prescribed by the Council and who has otherwise complied with the requirements of this Ordinance.

Issue of
certificates
to persons
enrolled

35. The Council shall on entering the name of any person on the Roll issue to every such person a certificate under the hand of the President or vice-President and of the Secretary to that effect.

Removal of
names from
Roll by
Council

36. The Council may, after due inquiry and on such grounds as it shall think proper, either for a fixed time or permanently, remove the name of any hospital aide from the Roll of Hospital Aides.

Falsely
conveying the
impression
of being
enrolled

37. Any person not being enrolled as a hospital aide under this Ordinance, who takes or uses the name or title of "hospital aide" either alone or in combination with any words or letters, or who uses any name, title, addition or description, uniform or badge implying or calculated to convey the impression that he is enrolled as a hospital aide under this Ordinance, shall be guilty of an offence.

PART V

GENERAL

38. (1) Any person aggrieved by the refusal of the Council to enter his name on the Register of Nurses or on the Register of Midwives, as the case may be, or by the suspension or cancellation of his registration as a nurse or midwife, may, within one month from the date on which notice thereof is given to him by the Secretary, appeal against the Council's decision to a Judge in Chambers, and the Judge in giving his decision may make such order as to costs as he shall think fit.

Appeal against refusal to register or against removal of name from Register of Nurses or Register of Midwives

(2) Any person whose application to be enrolled as a hospital aide has been refused, or whose name has been removed from the Roll of Hospital Aides, whether for a fixed time or permanently, may within one month of being notified to that effect by the Secretary of the Council appeal in writing to the Minister for a review of the matter and the Minister's decision thereon shall be final.

39. If it appears to the Council on reasonable grounds to be inexpedient or dangerous in the public interest or in the interest of the health of his patients that any nurse, midwife or hospital aide should continue to practise pending a full inquiry, it shall be lawful for the Council to suspend such nurse, midwife, or hospital aide from practice pending the results of a full inquiry by the Council which shall be instituted into the matter forthwith.

Power of Council to suspend from practice pending inquiry

40. The Council may with the approval of the Minister designate such schools, hospitals or institutions as it shall think fit to be recognised as places of training or as affiliated places of training for nurses or midwives or hospital aides as the case may be.

Designation and approval of places of training

41. (1) The Council may with the approval of the Minister make regulations—

Regulations

- (a) respecting the establishment, maintenance and management of schools for hospital aides and for the inspection thereof ;
- (b) respecting the accommodation and equipment required for schools for hospital aides, and the means of instruction to be used ;
- (c) prescribing the minimum number of hours of instruction constituting a course of training for hospital aides ;
- (d) providing for the enrolment as hospital aides of persons trained or partly trained as hospital aides outside Trinidad and Tobago.

(2) Subject to the provisions of subsection (3) of this section, the Council may, with the approval of the Minister, make rules and regulations for carrying the purposes and provisions of this Ordinance into effect ; and, without limiting the generality thereof,—

- (a) prescribing the conditions and qualifications on which persons may be admitted for training as nurses or as midwives or as hospital aides ;
- (b) prescribing curricula of study and programmes of training to be followed at places of training or affiliated places of training in respect of nurses, midwives, and hospital aides, respectively ;
- (c) prescribing and regulating the conduct of examinations to be undergone as a condition of admission to be registered as a nurse or a midwife, as the case may be ;
- (d) regulating and defining the nature of the services which may be performed by nurses, midwives and hospital aides respectively, and directing the procedure to be followed in cases of emergency ;
- (e) providing for charges to be made or fees to be paid, and the amounts thereof, for any of the purposes of this Ordinance ;
- (f) prescribing anything that is authorised or required to be prescribed under this Ordinance.

(3) Where there is any conflict between any rule or regulation made by the Council and any regulation made by the Minister under this Ordinance, the provisions of the regulation made by the Minister in that behalf shall prevail.

Fees

42. There shall be paid to the Council in respect of every application to be examined or to be registered or enrolled, or as an annual registration or enrolment fee, such amount as may be prescribed.

Power of Council to arrange examinations and appoint examiners

43. The Council may from time to time decide upon the times and places at which examinations under this Ordinance shall be held, and may appoint examiners and fix their remuneration.

Restoration of names removed from Registers or Roll

44. It shall be lawful for the Council at any time to restore to the Register of Nurses, or to the Register of Midwives, or to the Roll of Hospital Aides, as the case may be, any name which has been removed therefrom, whether permanently or for a fixed time.

45. Any person who, for the purpose of obtaining registration or enrolment under this Ordinance, either for himself or for any other person, makes any false representation, whether by words, in writing, or by conduct, shall be guilty of an offence.

Making of false representation for purpose of registration

46. Any person who falsely makes or issues a certificate or licence purporting to be a certificate or licence under this Ordinance, or any person who knowingly has in his possession any certificate or licence so falsely made or issued shall be guilty of an offence.

False certificates or licences

47. Any person who wilfully makes or causes to be made any falsification of the Register of Nurses or of the Register of Midwives or of the Roll of Hospital Aides shall be guilty of an offence.

Falsification of Registers or of Roll

48. The Council may approve the design or description of any badge or uniform to be worn by nurses, or by midwives, or by hospital aides.

Approved badges or uniform.

49. Where the application of any person for registration as a nurse or as a midwife has been refused by the Council, or where any order has been made for the removal or suspension of the name of any person from the Register of Nurses or the Register of Midwives, it shall be the duty of the Secretary of the Council to give notice forthwith of such fact to the person concerned.

Secretary to give notice of refusal of application for registration or of order of removal or suspension from Register

50. (1) Any person guilty of an offence under this Ordinance shall, except in cases where some other penalty is specifically provided, be liable on summary conviction to a fine of one hundred dollars or to imprisonment for a period of four months for a first offence, and for a second or subsequent offence to a fine of two hundred and fifty dollars or to imprisonment for a period of twelve months.

Penalties

(2) Any regulation made under this Ordinance may prescribe in respect of any contravention thereof or failure to comply therewith a penalty not exceeding a fine of one hundred dollars or imprisonment for three months on summary conviction.

51. In any prosecution under this Ordinance it shall be sufficient to prove that the accused has done or committed a single act of unauthorised practice, or has committed on a single occasion any of the acts prohibited under this Ordinance, and the word "practice" as used in this Ordinance shall be construed in accordance with this section.

What constitutes "unauthorised practice"

Collection and disposal of fines and other payments made under the Ordinance

52. (1) Any moneys payable upon a summary conviction under this Ordinance shall be paid to the Court, which shall cause the sums to be paid to the Secretary on behalf of the Council.

(2) All other moneys payable under this Ordinance, whether by way of fees, fines or otherwise, shall be paid to the Council to be used for carrying the purposes of this Ordinance into effect.

Repeal of Ordinance Ch. 12, No. 19

53. The Nurses Registration Ordinance is hereby repealed.

Passed in Council this twenty-seventh day of October in the year of Our Lord one thousand nine hundred and sixty.

G. R. LATOUR

Clerk of the Council