

NURSES

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Agencies

REGULATIONS, DATED 28TH JANUARY, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER PART II OF THE NURSES ACT (NORTHERN IRELAND), 1946.

1950. No. 18

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by section 12 (2) of the Nurses Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1.—(1) These Regulations may be cited as the Nurses Agencies Regulations (Northern Ireland), 1950.

(2) These Regulations, except Regulations 3, 5 and 6 and the Second Schedule, shall come into operation on the 1st day of March, 1950, and the said Regulations 3, 5 and 6 and the said Second Schedule shall come into operation on the 16th day of March, 1950.

2.—(1) In these Regulations :—

“ the Act ” means the Nurses Act (Northern Ireland), 1946.

“ the Ministry ” means the Ministry of Health and Local Government for Northern Ireland.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

3. A person carrying on an agency for the supply of nurses may, in carrying on the agency, supply persons of the following classes :—

- (a) persons on the list kept under section 18 of the Act ;
- (b) persons who hold the certificate of proficiency in mental nursing or the certificate of proficiency in the nursing of mental defectives granted by either the Royal Medico-Psychological Association, or the Joint Nursing and Midwives Council for Northern Ireland ;
- (c) persons who hold the tuberculosis nursing certificate granted by the Tuberculosis Association ;
- (d) persons who hold the orthopaedic nursing certificate granted by the Central Council for the Care of Cripples or the Joint Examination Board of the British Orthopaedic Association and the said Central Council ;

- (e) persons who are entitled, under the Nurses Regulations (Northern Ireland), 1950 (a) to use the name or title of "service-trained male nurse";
- (f) persons who are entitled by virtue of the Nurses Regulations (Northern Ireland), 1950, to use the name or title of "trained nurse" or any expression containing those words;
- (g) persons, being persons to whom none of the preceding paragraphs of this regulation applies, of any class prescribed for the purpose of paragraph (d) of sub-sections (1) of section 7 of the Nurses Act 1943, and paragraph (d) of sub-section 7 of the Nurses (Scotland) Act, 1943.

4.—(1) An application for a licence to carry on an agency for the supply of nurses on any premises in Northern Ireland shall be made in writing to the Ministry in the form set out in the First Schedule to these Regulations or in a form substantially to the like effect and shall be accompanied by the fee payable in accordance with these Regulations.

(2) An application for a licence in respect of an agency by the holder of a licence in respect of that agency shall be made not less than four weeks before the date on which the current licence is due to expire.

(3) An applicant for a licence shall furnish to the Ministry such further information as the Ministry may reasonably require with respect to him or to the agency carried on or proposed to be carried on by him.

(4) The fee payable upon making an application for a licence shall be two guineas in the case of a first application to the Ministry for a licence and one guinea in the case of a subsequent application by the same person in respect of the same agency :

Provided that where an application is made by reason only that it is proposed to carry on an agency in respect of which a licence is held on different premises the fee shall be two shillings and sixpence.

5.—(1) A statement in writing for the purposes of subsection (2) of section 7 of the Act shall be in the form set out in the Second Schedule to these Regulations or in a form substantially to the like effect approved for the time being by the Ministry.

(2) A statement for the said purposes shall be delivered in person by the nurse or other person supplied :

Provided that, if it is not reasonably practicable in the circumstances of a particular case for the nurse or other person supplied so to deliver the statement, the statement may be sent by post or other suitable means and in such case shall —

- (a) if sent by other means than post, be delivered, and
- (b) if sent by post be posted at such time as will, in the ordinary course of post, enable it to be delivered,

(a) S. R. & O. (N.I.) 1950, No. 17.

not later than the end of the day next after that on which the nurse or other person is to report for duty.

6. A person carrying on an agency for the supply of nurses shall keep records showing :—

- (a) the full name and address and the age of every nurse or other person who is, or is to be, supplied by the agency ;
- (b) in the case of a registered nurse and of a nurse on the list kept under section 18 of the Act :—
 - (i) on what part or parts of the register or of the said list the nurse's name is included ;
 - (ii) whether she is also a midwife, and
 - (iii) what additional nursing certificates (if any) are held by the nurse.
- (c) in the case of persons supplied or to be supplied other than registered nurses and nurses on the said list, the nursing or midwifery qualifications possessed by the person ;
- (d) the name and professional qualifications of the registered nurse or the registered medical practitioner by or under whose supervision the selection of the person to be supplied for a particular case is made ;
- (e) the names and addresses of all persons to whom nurses or other persons are supplied, the name of the nurse or other person supplied in each case, the date on which the nurse or other person was so supplied, and the duration of the period of supply ;
- (f) the weekly or monthly fee, charge or other consideration required in each case from the person to whom a nurse or other person is supplied, and the total fee, charge or other consideration required in each case ;
- (g) the total commission or fee and expenses, if any, charged in each case to the nurse or other person supplied, and (except in a case to which the next succeeding sub-paragraph applies) the net amount retained by, or, as the case may be, paid by the agency to, the nurse or other person supplied in each case ;
- (h) where nurses or other persons are directly employed by the agency, the annual salary and emoluments payable to, and conditions of employment of, each such nurse or other person ;
- (i) the terms of the standard agreement between the agency and nurses or other persons supplied or to be supplied by the agency, and particulars of any variation of those terms in any particular case ;
- (j) whether the nurse or other person is a member of any superannuation scheme, and if so of what scheme ;

- (k) particulars of the contents of all statements given for the purposes of subsection (2) of section 7 of the Act; and
 (l) particulars of any complaints made against the agency and of the action taken thereon.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this twenty-eighth day of January, One thousand nine hundred and fifty, in the presence of :—

(L.S.)

J. E. Pittaway,

Assistant Secretary.

FIRST SCHEDULE

FORM OF APPLICATION FOR LICENCE

I (or We) hereby apply to the Ministry of Health and Local Government for Northern Ireland in pursuance of section 8 of the Nurses Act (Northern Ireland), 1946, for a licence to carry on an agency for the supply of Nurses (as defined in subsection (1) of section 12 of that Act) and furnish below particulars in regard to the agency :—

- | | |
|---|-----|
| 1. (a) Full name of the applicant(s) (Surname(s) in block capitals). | (a) |
| (b) Private address of the applicant(s) | (b) |
| (c) (in the case of a woman) whether married or single. | (c) |
| (d) Age of applicant(s) | (d) |
| (e) Professional status (if any) of applicant(s). | (e) |
| (f) Nationality of applicant(s). | (f) |
| 2. If the application is made by a company, society, association or other body — | |
| (a) Registered or principal office of company, society, association or body. | (a) |
| (b) Full name and address of each director, trustee or other person concerned in the management of the company, society, association or other body. | (b) |
| 3. Full name and private address of every person (if any) other than the applicant(s) who is, or is to be responsible for the management of the agency. | |
| 4. (a) Name, style or title under which the agency is carried on. | (a) |
| (b) Address of agency | (b) |
| (c) Brief description of premises including, if any nurses or midwives are accommodated on the premises or on associated premises, particulars of the accommodation provided for them, whether for sleeping or for recreational purposes or for taking meals. | (c) |
| 5. Name, address and qualifications of registered nurse (including particulars of the registration) or name and address of registered medical practitioner who supervises selection of the person to be supplied in each case. | |

6. Approximate number of persons available or proposed to be available for supply by the agency in each of the following categories :—
 - (a) Nurses on the part of the register containing the names of general trained female nurses.
 - (b) Nurses on the part of the register containing the names of general trained male nurses.
 - (c) Nurses on each other part of the register (female), excluding any included in (a).
 - (d) Nurses on each other part of the register (male), excluding any included in (b).
 - (e) Enrolled assistant nurses (female).
 - (f) Enrolled assistant nurses (male).
 - (g) Certified midwives.
 - (h) Other persons in each of the classes specified in Regulation 3 of these Regulations (female).
 - (i) Other persons in each of those classes (male).

7. Number, if any, of persons referred to in each of the categories in paragraph 6 who will be resident on the premises or on associated premises.

8. Fees, charges and any other consideration charged, or proposed to be charged for supply of nurses in each of the categories referred to in paragraph 6 to —
 - (a) private patients ;
 - (b) hospitals ;
 - (c) nursing homes ;
 - (d) other institutions

9. Fees or commission charged to, and the other terms of engagement, if any, of each of the categories referred to in paragraph 6.

10. Name and address of any other agency for the supply of nurses in which the applicant, or applicant company, society, association or body, or any director or trustee thereof, is interested, and the nature and extent of the interest therein.

11. Name and address of any agency for the supply of nurses with which applicant, or any director or other person directly or indirectly responsible for the management of the applicant company, society, association, or body, has previously been connected.

12. Full particulars of any previous application by the applicant, or by a person whose name is given in paragraph 2, for a licence which has been refused by any licensing authority.

(a)

(b)

(c)

(d)

(e)

(f)

(g)

(h)

(i)

(a)

(b)

(c)

(d)

I (or We) declare that the above particulars are true in every respect.

Date.....

.....
 Signature or Signatures.

SECOND SCHEDULE

FORM OF STATEMENT IN WRITING FOR THE PURPOSES OF SECTION 7 (2) OF THE ACT.

Name of Agency

Address of Agency

To Name (Address)

This is to inform you that (Miss) (Mrs.) (Mr.)

(name of person supplied), who has been instructed to report to you on

to act as a nurse*/midwife*, is :—

(a) A state registered nurse on the following part(s) of the register*
.....

(b) an enrolled assistant nurse*

(c) a state certified midwife*

(d) on the following part(s) of the list kept under section 18 of the Act *
.....

(e) qualified as a*

.....(Signature)

.....(Qualifications and
position held)

.....(Date)

* Delete as appropriate. If a person supplied falls in category (a) or (d) the part or parts of the register or list which he or she is on must be stated. If the person falls in category (e) his or her nursing or midwifery qualifications must be indicated.

Nurses Act (Northern Ireland), 1946

Commencement

ORDER, DATED 28TH JANUARY, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 6 AND 12 OF THE NURSES ACT (NORTHERN IRELAND), 1946.

1950. No. 16

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by Sections six and twelve of the Nurses Act (Northern Ireland), 1946, in this Order referred to as "the Act", and of all other powers enabling it in that behalf, hereby orders as follows :—

1.—(1) This Order may be cited as the Nurses Act (Northern Ireland), 1946 (Commencement) Order, 1950.