



Nurses (Scotland) Act 1951

1951 CHAPTER 55

PART I

GENERAL PROVISIONS AS TO THE GENERAL NURSING COUNCIL FOR SCOTLAND, ETC.

Supplementary Provisions as to Register and Roll

7 Registration of nurses trained abroad

- (1) A person who proves to the satisfaction of the Council that in a country or territory outside the United Kingdom he successfully completed his training either generally as a nurse or as a nurse of some special class in accordance with a scheme of training recognised by the Council as being satisfactory for the purposes of this subsection, that he underwent his training in an institution so recognised and that he is of good character shall, on making an application in the prescribed manner and on payment of such fee, if any, as may be prescribed, be entitled to be registered in the part of the register appearing to the Council to be appropriate to his case.
- (2) If, in the case of a person who proves to the satisfaction of the Council that he successfully completed his training either generally as a nurse or as a nurse of some special class in a country or territory outside the United Kingdom but who is unable to prove that his training was in accordance with a scheme of training recognised by the Council as being satisfactory for the purposes of the foregoing subsection and that he underwent his training in an institution so recognised, the Council are of opinion that he could properly be registered after undergoing to their satisfaction such further training in the United Kingdom as may be specified by them and passing such examinations, if any, as may be so specified, they may, if they are satisfied that he is of good character, register him if, after undergoing the specified training in the United Kingdom to their satisfaction and passing any specified examinations, he makes, in the prescribed manner, an application in that behalf and pays such fees as may be prescribed.

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8 Information with respect to nurses

- (1) Copies of the register and the roll shall be kept at the office of the Council and shall be open to the inspection of any person without charge during usual business hours.
- (2) If the Council determine in any year not to publish the register or the roll, it shall be their duty to publish, in such manner as the Secretary of State may direct, lists of persons who have been admitted to, removed from, or restored to, the register or the roll during that year.

9 Fees

- (1) There shall be paid to the Council in respect of every application to be examined or to be registered or enrolled under this Act, and in respect of the retention in any year of the name of any person on the register or the roll, such fees, respectively, as the Council may, with the approval of the Secretary of State, from time to time determine.
- (2) The Council may charge for any certificate or other document issued, or in respect of any services performed by them, such fees as may be prescribed.

10 Appeal against removal from register or roll

Any person aggrieved by the removal of his name from the register or the roll may, within three months after the date on which notice is given to him by the Council or by the Assistant Nurses Committee, as the case may be, that his name has been so removed, appeal against the removal to the Court of Session, and on any such appeal the Court of Session may give such directions in the matter as it thinks proper, including directions as to the expenses of the appeal, and the order of the Court of Session shall be final.

11 Closing of parts of register

- (1) If, with respect to any part of the register (other than the general part), the Council at any time make a request in that behalf to the Secretary of State, he may by order direct that, after such a date as may be specified in the order, no person shall be admitted to that part of the register.
- (2) No request under the last foregoing subsection shall be made by the Council with respect to—
 - (a) the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases;
 - (b) the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental defect; or
 - (c) the supplementary part of the register containing the names of nurses trained in the nursing of sick children,unless the Council are satisfied that means exist whereby members of the public can readily ascertain whether a registered nurse has been trained in the nursing and care of persons suffering from mental diseases or in the nursing and care of persons suffering from mental defect or in the nursing of sick children, as the case may be.
- (3) Where a direction is given under subsection (1) of this section with respect to the supplementary part of the register containing the names of registered mental nurses or with respect to the supplementary part of the register containing the names of

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registered nurses for mental defectives, the Secretary of State, after consulting the Council, may by the order containing the direction or a subsequent order amend the First and Third Schedules to this Act to such an extent as appears to him requisite or expedient in consequence of the giving of the direction, and where a direction is given under the last mentioned subsection with respect to the supplementary part of the register containing the names of registered sick children's nurses, or with respect to the supplementary part of the register containing the names of registered fever nurses, the Secretary of State, after consulting the Council, may by the order containing the direction or a subsequent order amend the said First Schedule to such an extent as appears to him requisite or expedient in consequence of the giving of the direction.

- (4) Nothing in this section shall affect the power of the Council to remove a person from, or restore a person to, the register.

12 Restriction on use of title of registered nurse, nurse and assistant nurse, and penalties for unlawful assumption thereof, for misuse of certificates, for false representation and for falsification

- (1) Any person who, not being a person duly registered under this Act, takes or uses the name or title of registered nurse, either alone or in combination with any other words or letters, shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and, in the case of a second or any subsequent offence, fifty pounds.
- (2) Any person who, not being a duly registered nurse or a duly enrolled assistant nurse, takes or uses the name or title of nurse, either alone or in combination with any other words or letters, shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and, in the case of a second or any subsequent offence, fifty pounds:

Provided that (without prejudice to the provisions of the last foregoing subsection)—

- (a) nothing in this subsection shall prevent a children's nurse from taking or using the name or title of nurse, unless the circumstances in which, or the words or letters in combination with which, the name or title is taken or used are such as to suggest that he is something other than a children's nurse ;
 - (b) the Secretary of State may by regulations authorise the use, either generally or by specified classes of persons or in specified circumstances, of specified names or titles containing the word nurse or of the word nurse otherwise qualified in accordance with the regulations ;
 - (c) a person shall not be guilty of an offence under this subsection by reason only that, without objection by him, other persons use the word nurse in addressing or referring to him.
- (3) Any person who—
- (a) not being a person duly registered or enrolled, takes or uses any name, title, addition, description, uniform or badge, implying that he is registered or enrolled or is recognised by law as registered or enrolled; or
 - (b) being a person whose name is included in any part of the register, takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his name is included in some other part of the register ; or
 - (c) at any time with intent to deceive makes use of any certificate of registration or enrolment issued to him or any other person,

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shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and, in the case of a second or any subsequent offence, fifty pounds.

- (4) Any person who, knowing that some other person is not registered or enrolled, makes any statement or does any act calculated to suggest that that other person is registered or enrolled shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and, in the case of a second or any subsequent offence, fifty pounds.
- (5) If any person wilfully makes, or causes to be made, any falsification in any matter relating to the register or the roll, he shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding one hundred pounds.