



Nurses (Scotland) Act 1951

1951 CHAPTER 55

PART IV

SUPPLEMENTARY PROVISIONS

33 Procedure as to rules, regulations and orders

- (1) The Council may make rules generally for making provision with respect to any matters with respect to which the Council think that provision should be made for the purpose of carrying this Act (apart from Part III thereof) into effect and for prescribing anything which by this Act (apart from Part III thereof) is required or authorised to be prescribed.

- (2) At least thirty days before any rules are made under this Act, notice of the proposal to make the rules, and of the place where copies of the draft rules may be obtained, shall be published by the Council in the Edinburgh Gazette and in such other manner as the Council think best adapted for ensuring publicity:

Provided that this subsection shall not apply to rules made by the Council under paragraph (d) of subsection (2) of section six, section seven, or subsection (1) of section twenty-five of, or under paragraph 4 of the First Schedule or paragraph 2 of the Third Schedule to, this Act.

- (3) Rules made by the Council under this Act shall not come into operation unless and until they are approved by the Secretary of State.
- (4) The Secretary of State may make regulations prescribing anything which is required to be prescribed under Part III of this Act.
- (5) The power to approve rules conferred on the Secretary of State by subsection (3) of this section and any power to make an order or regulations conferred on him by this Act shall be exercisable by statutory instrument.
- (6) A statutory instrument by which the power to approve rules conferred on the Secretary of State by subsection (3) of this section is exercised and a statutory instrument

Status: This is the original version (as it was originally enacted).

containing a regulation or an order made under the provisions of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (7) Any power to make an order conferred on the Secretary of State by this Act shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to revoke or vary the order.

34 Interpretation

In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively:—

" chief male nurse " means a male nurse in charge of the male nurses employed in a mental hospital;

" children's nurse " means a person whose avocation is that of caring for children ;

" the Council " has the meaning assigned to it by subsection (1) of section one of this Act;

" education authority " has the same meaning as in the Education (Scotland) Act, 1946;

" hospital " has the same meaning as in the National Health Service (Scotland) Act, 1947;

" hospital area " means an area for which a Regional Hospital Board is for the time being constituted under subsection (1) of section eleven of the National Health Service (Scotland) Act, 1947 ;

" mental hospital " means a mental hospital for the purposes of the Lunacy (Scotland) Acts, 1857 to 1913;

" nurse " means a nurse for the sick and " nursing " shall be construed accordingly;

" prescribed " means, except when it occurs in Part III of this Act, prescribed by rules made by the Council under this Act, and in the said Part III means prescribed by regulations made by the Secretary of State ;

" regional nurse-training committee " means a committee constituted by an order of the Secretary of State under subsection (1) of section nineteen of this Act;

" the register " means the register of nurses kept under section two of this Act, and " register ", " registered " and " registration " shall be construed accordingly ;

" registered fever nurse " means a nurse whose name is included in the supplementary part of the register containing the names of nurses trained in the nursing of persons suffering from fever ;

" registered nurse for mental defectives " means a nurse whose name is included in the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental defect;

" registered mental nurse " means a nurse whose name is included in the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases ;

" registered sick children's nurse " means a nurse whose name is included in the supplementary part of the register containing the names of nurses trained in the nursing of sick children ;

" the roll " means the roll of assistant nurses kept under section three of this Act, and " enrol, " enrolled " and " enrolment " shall be construed accordingly ;
" the training rules " means rules relating to training made by the Council under section six of this Act.

35 Repeals and savings

- (1) The enactments mentioned in the first and second columns of the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) Nothing in this Act shall affect any order, regulation, scheme, rule, specification or determination made, licence granted, resolution passed, direction, certificate or approval given, application made or granted, notice served or given, date fixed or any other thing done under an enactment repealed by this Act, but any such order, regulation, scheme, rule, specification, determination, licence, resolution, direction, certificate, approval, application, notice, date or thing shall, if in force at the passing of this Act, continue in force, and so far as it could have been made, granted, passed, given, served, fixed or done under the corresponding provision of this Act, it shall have effect as if it had been made, granted, passed, given, served, fixed or done under that corresponding provision and, in the case of an approval, had been given for the purposes of that provision.
- (3) Any document referring to an enactment repealed by this Act shall be construed as referring to the corresponding provision of this Act.
- (4) Any person holding office or acting or serving under or by virtue of an enactment repealed by this Act shall continue to hold his office or to act or serve as if he had been appointed or authorised under or by virtue of the corresponding provision of this Act.
- (5) The register of nurses kept under the Nurses Registration (Scotland) Act, 1919, and the roll of assistant nurses kept under the Nurses (Scotland) Act, 1943, shall be deemed the register of nurses and the roll of assistant nurses respectively to be kept under this Act.
- (6) The mention of particular matters in this section shall not be taken to affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

36 Short title, extent and commencement

- (1) This Act may be cited as the Nurses (Scotland) Act, 1951.
- (2) This Act shall apply to Scotland only. .
- (3) This Act shall come into force on the first day of September, nineteen hundred and fifty-one.