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**1980 No. 1695 (S. 146)**

**NURSES AND MIDWIVES**

**The Nurses (Scotland) Rules 1980**

**Approval Instrument 1980**

*Made* - - - - - 31st October 1980

*Laid before Parliament* 24th November 1980

*Coming into Operation* 1st January 1981

In exercise of the powers conferred upon me by section 33 of the Nurses (Scotland) Act 1951(a) and of all other powers enabling me in that behalf, I hereby approve the Nurses (Scotland) Rules 1980 made by the General Nursing Council for Scotland as set out in the Schedule hereto.

This instrument may be cited as the Nurses (Scotland) Rules 1980 Approval Instrument 1980 and shall come into operation on 1st January 1981.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.  
31st October 1980.

SCHEDULE

THE NURSES (SCOTLAND) RULES 1980, DATED 1ST AUGUST 1980, MADE BY THE GENERAL  
NURSING COUNCIL FOR SCOTLAND UNDER THE NURSES (SCOTLAND) ACT 1951

The General Nursing Council for Scotland, in exercise of the powers conferred upon them by section 6 of the Nurses (Scotland) Act 1951(a) as amended by section 14 of the Nurses (Amendment) Act 1961(b) and section 2 of the Teachers of Nursing Act 1967(c) and as amended and extended by the Nursing Qualifications (EEC Recognition) Order 1979(d) and also of the powers conferred upon them by section 33 of, and paragraph 9 of Schedule 1 to the Nurses (Scotland) Act 1951, hereby make the following Rules:—

(a) 1951 c. 55.  
(c) 1967 c. 16

(b) 1961 c. 14.  
(d) S.I. 1979/1604.

## PART I

*General*

1. These Rules may be cited as the Nurses (Scotland) Rules 1980.

*Interpretation*

2.—(1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“the Act” means the Nurses (Scotland) Act 1951, as amended by the Mental Health (Scotland) Act 1960(a), the Nurses (Amendment) Act 1961, the Teachers of Nursing Act 1967, the Nurses Act 1969(b), and as amended and extended by the Nursing Qualifications (EEC Recognition) Order 1979;

“badge” means a badge prescribed by Rule 65;

“Certificate of Registration” means the certificate prescribed in Rule 51 and the retention fee receipt;

“Certificate of Enrolment” means the certificate prescribed in Rule 52 and the retention fee receipt;

“the Council” means the General Nursing Council for Scotland constituted by section 1 of the Act and section 3 of the Nurses Act 1969;

“Education Committee” means the Education Committee of the Council appointed under Rule 13(1);

“Enrolled Nurse” means a nurse whose name is for the time being entered upon the Roll;

“Finance Committee” means the Finance Committee of the Council appointed under Rule 13(1);

“financial year” means the financial year of the Council as the same may be fixed from time to time by the Secretary of State;

“General Part” means the General Part of the Register;

“Health Board” means a Board constituted in terms of section 2 of the National Health Service (Scotland) Act, 1978(c);

“Index of Pupil Nurses” means the Index of Pupil Nurses prescribed by Rule 43 hereof;

“Index of Student Nurses” means the Index of Student Nurses prescribed by Rule 27 hereof;

“Integrated Nursing Course” means any course approved from time to time by the Council under which Student Nurses combine training for nursing with studying for a degree or diploma in a university or other establishment of higher education;

“Investigating Committee” means Investigating Committee of the Council appointed under Rule 13(1);

“Legal Assessor” means an advocate or solicitor, of not less than ten years’ standing, appointed by the Council in terms of section 10 of the Nurses (Amendment) Act 1961;

“Mental Nurses Committee” means the Mental Nurses Committee constituted under section 5(1) of the Nurses (Scotland) Act 1951 as substituted by section 4(3) of the Nurses Act 1969;

“Professional Conduct Committee” means Professional Conduct Committee established under Rule 13(1);

“Pupil Nurse” means a person who is undergoing training for admission to the Roll;

“the Register” means the Register of Nurses maintained by the Council under section 2 of the Act;

“Registered Clinical Teacher” means a nurse who is for the time being registered in any Part of the Register and who holds a Certificate of Registration as a Clinical Teacher granted by the Council;

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(a) 1960 c. 61.

(b) 1969 c. 47.

(c) 1978 c. 29.

“Registered Fever Nurse” means a nurse who is for the time being registered in the Supplementary Part which contains the names of nurses trained in the nursing of persons suffering from fever;

“Registered General Nurse” means a nurse who is for the time being registered in the General Part;

“Registered Mental Nurse” means a nurse who is for the time being registered in the Supplementary Part which contains the names of nurses trained in the nursing and care of persons suffering from mental illness;

“Registered Nurse” means a nurse who is for the time being registered in any Part of the Register;

“Registered Nurse for Mental Defectives” means a nurse who is for the time being registered in the Supplementary Part which contains the names of nurses trained in the nursing and care of persons suffering from mental deficiency;

“Registered Sick Children’s Nurse” means a nurse who is for the time being registered in the Supplementary Part which contains the names of nurses trained in the nursing of sick children;

“Registered Teacher of Nurses” means a nurse who is for the time being registered in any Part of the Register and who holds a Certificate of Registration as a Teacher of Nurses granted by the Council;

“the Registrar” means the person for the time being appointed by the Council as Registrar under section 14 of the Act, or (except for the purpose of Rule 15(2) of these Rules) any person authorised by the Council or by the Registrar to act on her behalf while such person is so acting;

“The 1972 Requirements” mean the revised requirements laid down by the Council and put into operation during 1972, for the training of student nurses for all Parts of the Register;

“the respondent” means a person against whom information has been laid for the purpose of Part IX of these Rules;

“Retention Fee” means the fee payable by a nurse annually for the retention of her name in the Register or Roll for the current year;

“the Roll” means the Roll of Nurses maintained by the Council under section 3 of the Act;

“the Solicitor” means the Solicitor nominated by the Council to act as their Solicitor for the time being in proceedings before the Investigating Committee and the Professional Conduct Committee;

“Student Nurse” means a person who is undergoing training for admission to any Part of the Register;

“Supplementary Part” means a supplementary part of the Register;

“Syllabus” means the syllabus prescribed by the Council from time to time for the instruction of Student Nurses or Pupil Nurses as the case may be;

“training establishment” means a centre approved by Council where nurses may receive an approved programme of training leading to Registration or Enrolment;

“Training Requirements for Graduates” means the requirements laid down by Council and put into operation with effect from 14th May, 1976, for the training of Student Nurses for the General and Supplementary Parts of the Register;

“Wider Basic Training Requirements” means the revised requirements laid down by the Council and put into operation with effect from 1st January, 1964, for the training of Student Nurses for the General Part of the Register.

(2) In these Rules words importing the feminine gender shall include the masculine unless the context otherwise requires.

3. The Rules specified in Schedule 1 hereof are hereby revoked.

## PART II

*Proceedings of the Council and Committees*

4.—(1) At the First Ordinary Meeting of the Council after the beginning of each financial year, the Council shall appoint from their members a Chairman and Vice-Chairman, who shall hold office until a Chairman and Vice-Chairman have been appointed at the First Ordinary Meeting of the Council after the beginning of the following financial year.

(2) If the office of Chairman or of Vice-Chairman becomes vacant during the year, it shall be filled at the next meeting of the Council, or at such later meeting as may be convenient, and the member appointed shall hold office for the remainder of the term of office of the person in whose place she is appointed.

(3) In the event of neither the Chairman nor the Vice-Chairman being present at any meeting of the Council, the Council shall appoint a Chairman to preside at that meeting.

5.—(1) Ordinary Meetings of the Council shall be held at such times and places as the Council may from time to time appoint.

(2) An Extraordinary Meeting of the Council may be convened by the Chairman at any time, and shall be convened by the Registrar and be held within 14 days after receiving a request so to do signed by any six members of the Council and stating the business which they desire to be considered. At an Extraordinary Meeting no business shall be dealt with except such as may be specified in the Notice of the Meeting.

(3) Not less than seven days' notice of any meeting shall be given to each member of the Council, directed to such address as she shall from time to time furnish to the Registrar. Such notice shall specify the Agenda, and shall be accompanied by a draft of the Minute of the previous meeting and by any necessary documents relative to the Agenda. Business not specified in the Notice of an Ordinary Meeting may be taken only by permission of the Chairman of the meeting.

(4) A Notice of Motion of business to be included in the Agenda may be given at a Council Meeting for inclusion in the Notice of Meeting for the next meeting of Council.

6. Seven members of the Council shall be a quorum, and, subject to the provisions of the next following Rule, no business shall be transacted until and unless a quorum is present.

7. If within 15 minutes from the time appointed for a meeting, or within such longer time as the Chairman may direct, a quorum is not present, the meeting shall stand adjourned to a date and a place to be fixed by the Chairman of the meeting and intimated to the Members of the Council in terms of Rule 5(3) hereof.

8. The Registrar shall act as Secretary of the Council and shall keep Minutes of the Proceedings.

9. Every question submitted to the meeting shall be decided by vote, when the Chairman shall have a deliberative vote, and in the case of an equality of votes the Chairman shall also have a casting vote.

10. The Chairman of the meeting may, with the consent of the meeting, adjourn the same from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

11. At a meeting of the Council the Chairman of the meeting shall decide upon any point of order or procedure, not expressly prescribed by these Rules and her decision shall be final.



*Mental Nurses Committee*

12.—(1) At the first Ordinary Meeting after the beginning of each financial year the Council shall appoint to the Mental Nurses Committee six members of the Council and shall also appoint to the Committee such persons other than members of the Council, not exceeding four in number, as may be nominated by the Secretary of State after consultation with the Council, for appointment to the Committee; provided that a majority of the Committee shall be nurses who are either registered mental nurses or registered nurses for mental defectives.

(2) The quorum of the Mental Nurses Committee shall be four.

(3) The members of the Mental Nurses Committee shall hold office until their successors have been appointed under paragraph (1) hereof.

(4) Any casual vacancy which occurs on the Mental Nurses Committee shall be filled by the Council at such next meeting of the Council as may be convenient. The person appointed to fill the casual vacancy shall hold office for the remainder of the term of office of the person in whose place she is appointed.

(5) The Convener of the Mental Nurses Committee shall be a member of the Council.

*Standing Committees*

13.—(1) At the first Ordinary Meeting after the beginning of each financial year the Council shall appoint a Finance Committee, Education Committee, Investigating Committee and a Professional Conduct Committee and may appoint such further Committees as they think fit and may assign or delegate thereto any of their powers and duties, under these Rules or otherwise.

(2) The Chairman and Vice-Chairman of the Council shall be *ex officio* members of every Committee other than the Mental Nurses Committee.

14.—(1) Each Committee shall, subject to the provisions of Rule 12(5), elect its own Convener.

(2) Each Committee shall cause Minutes of its proceedings to be kept and shall report to the Council at such time and in such manner as the Council shall appoint.

(3) No expenditure shall be incurred by a Committee without the consent of the Council.

(4) Subject to the provisions of Rule 12(2) and Rule 77 the quorum of a Committee shall be three, unless the Council shall fix a larger number in the case of a particular Committee.

(5) The Registrar shall act as Secretary to each Committee. Meetings of a Committee shall be convened by the Registrar on the instructions of the Convener of that Committee or on the request in writing of two of its members.

(6) Subject to the foregoing provisions of this Rule, these Rules so far as relating to the procedure of the Council shall apply *mutatis mutandis* to the procedure of Committees.

*Finance*

15.—(1) All accounts and claims rendered or made to the Council shall be examined by the Registrar and laid by her before the Finance Committee who shall report thereon to the Council. Upon approval of the Finance Committee's report, with or without modification, such accounts and claims as are approved for payment shall be initialled by a member of the Finance Committee for payment; provided that the Council may delegate to one or more members of the Finance Committee authority to approve payment of accounts or claims within such limits as the Council may determine, such payments to be ratified by the Council at its next meeting.

(2) All cheques for payment of money shall be signed by the Registrar or other person authorised by the Council for the purpose and counter-signed by a member of the Finance Committee; provided that the Council may direct that cash for office expenses in any account to be approved by them, may be drawn up to a limit specified from time to time by the Council by cheque signed by the Registrar or other person authorised by them for the purpose, such withdrawals to be ratified by the Finance Committee at their next meeting.

16. At every Ordinary Meeting of the Council the Registrar shall present a statement of the Council's Cash Balance and Investments as at such date as the Council may direct.

17. All Minutes, Registers and Records of the Council and of each Committee thereof shall be open to the inspection of any Member of the Council during the Registrar's business hours at the office of the Registrar.

### PART III

#### *Maintenance of the Register*

18.—(1) The Register shall consist of the Parts specified in paragraphs (a), (b), (c), (d) and (e) of subsection (2) of section 2 of the Act.

(2) Each person on being admitted to the Register shall be assigned a registration number in each Part of the Register in which her name is included.

(3) The Register shall contain the particulars of each person admitted to it, as set forth in Schedule 2 to these Rules.

(4) Every Registered Nurse shall notify to the Registrar every change of permanent address, and for the purposes of these Rules the address last notified shall be her registered address.

19.—(1) A nurse whose name is included on any Part or Parts of the Register for any year and whose name has not been removed therefrom shall be entitled, subject to the next following subsection, to have her name included in the same Part or Parts of the Register for the next following year.

(2) In respect of the retention of the name of a nurse in any Part or Parts of the Register for any year, there shall be paid to the Council by such person on or before 31st December of the immediately preceding year, such retention fee as the Council may, with the approval of the Secretary of State, from time to time determine for each Part of the Register in which such nurse's name is included. The Registrar shall, not later than 30th September of each year, send to the registered address of each Registered Nurse a written notice informing her of the amount of the fee or fees due by her, in respect of the following year, and intimating that if she should fail to pay the fee or fees by 31st December her name shall be excluded from the Register. If by 31st December next after the sending of such notice to a nurse the Registrar shall not have received the fee or fees due by such nurse as aforesaid, the Registrar shall as soon as possible report that fact to the Council, who, except on special cause, shall direct that such nurse's name shall be excluded from the Register or from that Supplementary Part in respect of which the retention fee is unpaid.

(3) A nurse whose name has been excluded from any Part or Parts of the Register in terms of paragraph 2 of this Rule shall be entitled to make application to the Council for her name to be restored thereto. Her application shall be accompanied by a written explanation of the reasons for her failure to pay the appropriate retention fee or fees timeously. If the Council shall so direct, she shall also submit such written references as to her conduct, knowledge, experience or character as the Council may reasonably require in support of such explanation, and the Council shall be entitled to make further enquiries of such nurse or of her referees.

(4) If the Council are satisfied in the light of such explanation, and of such references and enquiries (if any) that it is reasonable that the name of such nurse should be restored to the Register, they shall grant her application and restore her name to the appropriate Part or Parts of the Register as from the date on which she shall pay:

- (a) all sums due or which would have become payable by the nurse as retention fees in respect of such Part or Parts of the Register, since the last payment by her of a retention fee in respect of each such Part, if her name had not been excluded from such Part or Parts; provided that the Council may, on special cause shown, restrict the sum so payable to an amount not less than the appropriate retention fee or fees payable for the year current at the date of payment; and
- (b) a re-inclusion fee of an amount to be determined by the Council, but not exceeding the amount payable in terms of sub-paragraph (a) hereof.

20. The Register shall be made up as at 31st December in each year.

#### PART IV

##### *Admission to the Register after examination*

21. Every person applying for admission to the Register, not being a person applying in terms of Rules 32 to 34 hereof, shall:

- (1) have her name on the Index of Student Nurses, and if her name has changed since indexing by reason of marriage or otherwise, furnish evidence of such change;
- (2) furnish evidence that she has completed the training hereinafter prescribed, and that she has passed the examinations hereinafter prescribed, and
- (3) furnish evidence that she is of good character and that her conduct has been satisfactory during the period of training.

22. The Council shall hold examinations in the several subjects specified in the syllabuses of training for examinations approved from time to time and at such times as the Council shall determine; provided always that this Rule does not apply to a person undertaking an Integrated Nursing Course.

23. Subject to Rule 28 a person shall be qualified for admission to the General Part, or to any Supplementary Part of the Register if she furnishes evidence on the form provided by the Council that:

- (1) she has completed a course of not less than three years in a training establishment approved by the Council for the General Part of the Register, or in a training establishment for the appropriate Supplementary Part of the Register, as the case may be, and
- (2) she has undergone systematic instruction in accordance with the appropriate Part of the Council's syllabus, and
- (3) she has passed such examinations (if any) as may be prescribed from time to time by the Council; provided however that a person who satisfies the Council that she has passed examinations prescribed by the General Nursing Council for England and Wales or by the Northern Ireland Council for Nurses and Midwives shall not be required to pass such examinations of the Council if the Council shall deem the examinations so passed to be reasonably equivalent to the examinations prescribed by the Council, and
- (4) in the case of a person who already holds a degree awarded by a university or other establishment of higher education which is acceptable to the Council the training period specified in paragraph (1) hereof shall be reduced to a period of not less than two years, and
- (5) in the case of a person undertaking an Integrated Nursing Course the foregoing provisions and Rules 26, 29 and 30 shall not apply but she shall furnish evidence that she has completed the course and passed the examinations set by a university or other establishment of higher education and accepted by the Council as being equivalent to the examinations prescribed by the Council.

24.—(1) A nurse who is registered on the General Part, or on one of the Supplementary Parts of the Register, and has completed the Wider Basic Training Requirements, or the 1972 Requirements, or the Training Requirements for Graduates, or an Integrated Nursing Course, shall be qualified for admission to any other Part, provided she furnishes evidence on the form provided by the Council that she has completed a course of not less than one year in an approved training establishment and passed the appropriate examinations prescribed by Council.

(2) A nurse who is registered on the General Part, or one of the Supplementary Parts of the Register, and has not completed the Wider Basic Training Requirements, or the 1972 Requirements, or the Training Requirements for Graduates, or an Integrated Nursing Course, shall be qualified for admission to any other Part, provided she furnishes evidence on the form provided by Council that she has completed a course of such duration as Council may from time to time determine in an approved training establishment and passed the appropriate examinations prescribed by Council.

(3) In the event of a nurse, who is registered in the General Part or any of the Supplementary Parts applying for admission to any other Part or Parts of the Register (not being an application for admission in terms of Rules 32 to 34 hereof), a fee of such amount as the Council with the consent of the Secretary of State may from time to time determine, shall be payable in respect of each Part of the Register to which she applies to be admitted.

#### *Approval of training establishments*

25. The Council shall prepare and maintain a list of centres which are for the time being approved by the Council as training establishments.

#### *Requirements for training*

26.—(1) Training for the Register shall include an introductory training course which, subject to the provisions of paragraph (2) of this Rule, a person may enter provided:

- (a) she has attained the age of 17 years and six months or will have attained that age by the last day of a period of 30 days beginning with the day she entered the introductory training course, and
- (b) she complies with a minimum educational entry requirement which the Council shall from time to time determine.

(2) A person shall not enter an introductory training course more than three times for any one part of the Register.

#### *Indexing/discontinuation of training*

27.—(1) The designated person in charge of an approved training establishment responsible for administering the training programme, or such other person as may be approved by the Council for the purpose, shall within 30 days of the admission of a student nurse to an introductory training course notify the Council in writing of the full name of the student nurse, her age, her educational qualifications and the date on which she commenced her training and such other particulars as the Council may reasonably require, and shall send to the Council with the notification any evidence of the name, age and educational qualifications of the student nurse that the Council may require.

(2) The Council shall keep an Index of Student Nurses and shall, on being satisfied that a student nurse has been admitted to an introductory training course in accordance with the provisions of paragraph (1) of this Rule and on receipt of the fee due under Section 6(1) of the Nurses (Scotland) Act 1951 as read with Section 7(1) of the Nurses Act 1969 which fee the Council may, with the approval of the Secretary of State, from time to time determine and which shall be paid within 30 days after admission to the introductory training course, include her name on the Index, provided that a registered nurse who subsequently enters training for admission to another Part of the Register shall not be required to pay any further fee.

(3) The designated person in charge of an approved training establishment responsible for administering the training programme, or such other person as may be approved by the Council for the purpose, shall, if a student nurse being trained in that establishment discontinues her training, notify the Council within fourteen days of the fact and of the reason for the discontinuation and shall at the same time send to the Council a statement giving particulars of the training completed.

#### *Remission of training*

**28.** A remission of six months of any period of training prescribed under Rule 23 hereof for admission to any one Part of the Register shall be granted to an Enrolled Nurse who has been admitted to the Roll of Nurses kept by the Council in accordance with section 3 of the Act, provided that:

- (1) she shall have commenced her training for admission to the Register within six months of ceasing to be employed as an Enrolled Nurse, and
- (2) she receives a report of satisfactory progress from the person administering the training programme for registration, on completion of six months' training for registration.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

#### *Examinations*

**29.—(1)** The prescribed examinations for each Part of the Register shall be set on the subjects contained in the Council's syllabus as applicable to training for that Part of the Register. A candidate for the examinations for any Part of the Register shall furnish evidence on the form provided by the Council that with such remission (if any) granted under Rule 28 hereof, she has completed the training as prescribed by Council and that her conduct has been satisfactory during training. The form must be signed by the person responsible for administering the training programme.

(2) The entrance fee for any examination shall be of such amount as the Council, with the consent of the Secretary of State, may from time to time determine.

(3) Every application for re-entry for the final or any other examinations shall be considered by the Council, who may in their discretion refuse or allow the same, or allow the same subject to such conditions as they deem proper but in no circumstances shall any candidate be entitled to enter for the final examination for any one Part of the Register on more than three occasions. For the purposes of this Rule the three occasions shall be inclusive of entries to the examinations conducted by the General Nursing Council for England & Wales and by the Northern Ireland Council for Nurses and Midwives.

#### *Break in training*

**30.—(1)** In this Rule a break in training means the period between the date on which a person discontinues training and the date on which she re-commences training.

(2) Where a person has a break in training of not less than three months and not more than five years she shall be required to do an additional period of training of one week for every one month of the break; but in no case shall additional training under this paragraph exceed four months.

(3) Without prejudice to paragraphs (2) and (4) of this Rule, where a person at any time during her training transfers from one training establishment to another she may be required to do such an additional period of training of not more than six months as the Council may determine; provided that the Council may require an additional period of training in excess of six months if this is necessary to comply with the syllabus of training, having regard to the person's previous training.

(4) Where a person has a break in training of more than five years the Council may require that person:

- (a) to begin her training again, or
- (b) to undertake such period of additional training of not less than four months and, when added to the remainder of her period of training following the break, not more than three years, as the Council may determine.

(5) Where additional periods of training are required of a person under paragraphs (2) and (3) of this Rule they should be cumulative.

(6) This Rule shall apply *mutatis mutandis* to persons who have transferred from a training establishment in England, Wales or Northern Ireland to a training establishment in Scotland as if they were transferring between two establishments in Scotland.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

#### *Period of training*

31. The number of hours in respect of a period of training shall be as the Council may from time to time determine.

#### *Admission to the Register of nurses trained furth of Scotland*

32.—(1) Any person whose name is included in a Part or Parts of the Register kept by the General Nursing Council for England and Wales, or by the Northern Ireland Council for Nurses and Midwives, and who makes application to the Registrar in the form provided by the Council to be admitted to the corresponding Part or Parts of the Register shall, on paying the appropriate fee in terms of the next following paragraph and on producing a Certificate issued by the Registrar of that Council in whose Register her name is included to the effect that her name is so entered, together with a complete copy of such entry, be admitted to the corresponding Part or Parts of the Register.

(2) Any person who makes application under paragraph (1) of this Rule shall, on making such application, pay to the Registrar such registration fee as the Council may, with the approval of the Secretary of State, from time to time determine in respect of each Part of the Register to which she applies to be admitted.

(3) A national of a Member State of the European Community who wishes to be registered on the General Part of the Register under the provisions of sections 6A and 6B of and schedule 3A to the Act and who satisfies the Council that she is so entitled shall before registration pay to the Council such fee as the Council may with the approval of the Secretary of State, from time to time determine.

33.—(1) Any person trained in a country or territory outside the United Kingdom, with the exception of those referred to in Rule 32(3) who desires to be registered on any Part or Parts of the Register under the provisions of section 7 of the Act, shall make application to the Registrar for such Registration in the form provided by the Council.

(2) Any person who makes application under paragraph (1) of this Rule shall, on making such application, pay to the Registrar a fee of such amount as the Council may from time to time determine with approval of the Secretary of State, in respect of such application for registration on the appropriate Part or Parts of the Register; and such fee shall not be returnable unless the Council otherwise direct. She shall also pay at the time of Registration a registration fee of such amount as the Council may from time to time determine in respect of each Part of the Register to which she applies to be admitted.

(3) If the Council are satisfied that the Part or Parts of the Register to which the application relates are appropriate to the case of such person, they may admit such person to the Register in terms of section 7 of the Act after such investigation (if any) as the Council shall think proper; provided that the Council may require such person to submit such written references as to her knowledge, experience or character as the Council may reasonably direct, and they shall be entitled to make further enquiries of such person or her referees.

*General*

34. The Council may in their discretion—

- (1) waive the requirement of passing any examinations of the Council in respect of student nurses commencing training for that Part of the Register after a specified date, where they have approved a revised syllabus and course of training for any Part of the Register, and
- (2) waive any of the requirements of Parts III and IV of these Rules relating to the training, examination and admission of nurses to the Register in an exceptional case.

PART V

*Maintenance of the Roll*

35.—(1) There shall be admitted to the Roll all persons who have paid the application fee determined from time to time by the Council with the approval of the Secretary of State, and who have satisfied the Council as to their general education, their training and their experience in the nursing of the sick, as prescribed in Part VI of these Rules.

(2) Each person admitted to the Roll shall be assigned the next consecutive enrolment number.

(3) The Roll shall contain the particulars of each person admitted to it, as set forth in Schedule 2 to these Rules.

(4) Every Enrolled Nurse shall notify to the Registrar every change of permanent address, and for the purposes of these Rules the address last notified shall be her registered address.

36.—(1) A nurse whose name is included on the Roll for any year and whose name has not been removed therefrom shall be entitled, subject to paragraph (2) of this Rule, to have her name included on the Roll for the next following year.

(2) In respect of the retention of the name of any person on the Roll for any year there shall be paid to the Council by such person, on or before 30th June in each year, such retention fee as the Council may, with the approval of the Secretary of State from time to time determine.

The Registrar shall, not later than 30th April of each year, send to the registered address of each Enrolled Nurse a written notice informing her of the amount of the fee due by her, in respect of the following year, and intimating that if she should fail to pay the fee by 30th June her name shall be excluded from the Roll.

If by 30th June next, after the sending of such notice to a nurse, the Registrar shall not have received the fee due by such nurse as aforesaid, the Registrar shall, as soon as possible, report that fact to the Council, who, except on special cause, shall direct that such nurse's name shall be excluded from the Roll.

(3) A nurse whose name has been excluded from the Roll in terms of paragraph (2) of this Rule shall be entitled to make application to the Council for her name to be restored thereto. Her application shall be accompanied by a written explanation of the reasons for her failure to pay the appropriate fee timeously. If the Council shall so direct, she shall also submit such written references as to her conduct, knowledge, experience or character as the Council may reasonably require in support of such explanation, and the Council shall be entitled to make further enquiries of such nurse or her referees.

(4) If the Council are satisfied in the light of such explanation, and of such references and enquiries (if any) that it is reasonable that the name of such nurse should be restored to the Roll, they shall grant her application and restore her name to the Roll as from the date on which she shall pay:

- (a) all sums due or which would have been payable by the nurse in respect of her inclusion in the Roll, since the last payment by her of a fee in respect of her entry in the Roll, if her name had not been excluded from the Roll; provided that the

Council may, on special cause shown, restrict the sum so payable to an amount not less than the appropriate fee payable for the year current at the date of payment, and

- (b) a re-inclusion fee of an amount to be determined by the Council, but not exceeding the amount payable in terms of (a) hereof.

37. The Roll shall be made up as at 30th June in each year.

## PART VI

### *Admission to the Roll after examination*

38. Every person applying for admission to the Roll, not being a person applying in terms of Rules 47–49 hereof, shall:

- (1) have her name on the Index of Pupil Nurses, and if her name has changed since indexing by reason of marriage or otherwise, furnish evidence of such change;
- (2) furnish evidence that she has completed the training hereinafter prescribed, and that she has passed the examinations hereinafter prescribed;
- (3) furnish evidence that she is of good character and that her conduct has been satisfactory during the period of training.

39. The Council shall hold examinations in the several subjects specified in the syllabuses of training for examinations approved from time to time and at such times as the Council shall determine.

40. A person shall be qualified for admission to the Roll if she furnishes evidence on the form provided by the Council that:

- (1) she has completed a course, the period of which shall be determined by the Council, in an approved training establishment, and
- (2) she has undergone systematic instruction in accordance with the Council's syllabus, and
- (3) she has passed such examinations (if any) as may be prescribed from time to time by the Council; provided, however, that a person who satisfies the Council that she has passed examinations prescribed by the General Nursing Council for England and Wales and by the Northern Ireland Council for Nurses and Midwives shall not be required to pass such examinations of the Council if the Council shall deem the examinations so passed to be reasonably equivalent to the examinations prescribed by the Council.

### *Approval of training establishments*

41. The Council shall prepare and maintain a list of centres which are for the time being approved by the Council as training establishments.

### *Requirements for training*

42.—(1) Training for the Roll shall include an introductory training course which, subject to the provisions of paragraph (2) of this Rule, a person may enter if she fulfils the following conditions:

- (a) she has attained the age of 17 years and six months or will have attained that age by the last day of a period of 30 days beginning with the day she entered the introductory training course, and
- (b) she complies with a minimum educational entry requirement which the Council shall from time to time determine.

(2) A person shall not enter an introductory training course for the Roll on more than three occasions.



*Indexing/discontinuation of training*

43.—(1) The designated person in charge of an approved training establishment responsible for administering the training programme, or such other person as may be approved by the Council for the purpose, shall within 30 days of the admission of a pupil nurse to an introductory training course notify the Council in writing of the full name of the pupil nurse, her age, her educational qualifications and the date on which she commenced her training and such other particulars as the Council may reasonably require, and shall send to the Council with the notification any evidence of the name, age and educational qualifications of the pupil nurse that the Council may require.

(2) The Council shall keep an Index of Pupil Nurses and shall, on being satisfied that a pupil nurse has been admitted to an introductory training course in accordance with the provisions of paragraph (1) of this Rule and on receipt of the fee due under Section 6(1) of the Nurses (Scotland) Act 1951 as read with Section 7(1) of the Nurses Act 1969 which fee the Council may, with the approval of the Secretary of State, from time to time determine and which shall be paid within 30 days after admission to the introductory training course, include her name on the Index.

(3) The designated person in charge of an approved training establishment responsible for administering the training programme, or such other person as may be approved by the Council for the purpose, shall, if a pupil nurse being trained in that establishment discontinues her training, notify the Council within fourteen days of the fact and of the reason for the discontinuation and shall at the same time send to the Council a statement giving particulars of the training completed.

*Remission of training*

44. A person whose name is on the Index of Pupil Nurses, and who has had not less than one year's training for admission to any Part of the Register, shall be entitled to remission on the period of training prescribed in terms of Rule 40 which are specified in Schedule 3 hereto, provided that she deposits with the Registrar a Certificate signed by the designated person responsible for the administration of the training programme in the training establishment in which her period of training, in accordance with the syllabus, was undergone, certifying that she has undergone training for the requisite period and that her conduct has been satisfactory during that period.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

*Examinations*

45.—(1) The prescribed examination for the Roll shall be set on the subjects contained in Council's syllabus as applicable to training for the Roll.

A candidate for the examination shall furnish evidence on the form provided by the Council that with such remission (if any) granted under Rules 44 and 47 hereof she has completed the training as prescribed by Council and that her conduct has been satisfactory during training. The form must be signed by the person responsible for administering the programme.

(2) The entrance fee for any examination shall be of such amount as the Council with the consent of the Secretary of State may from time to time determine.

(3) Every application for re-entry for the final or any other examination shall be considered by the Council, who may in their discretion refuse or allow the same, or allow the same subject to such conditions as they deem proper; but in no circumstances shall any candidate be entitled to enter for the final examination for the Roll on more than three occasions.

For the purposes of this Rule the three occasions shall be inclusive of entries to the examination conducted by the General Nursing Council for England and Wales and by the Northern Ireland Council for Nurses and Midwives.

*Break in training*

46.—(1) In this Rule a break in training means the period between the date on which a person discontinues training and the date on which she recommences training.

(2) Where a person has a break in training of not less than three months and not more than five years she shall be required to do an additional period of training of one week for every one month of the break; but in no case shall additional training required under this paragraph exceed three months.

(3) Without prejudice to paragraphs (2) and (4) of this Rule, where a person at any time during her training transfers from one training establishment to another she may be required to do such an additional period of training of not more than three months as the Council may determine, except that the Council may require an additional period of training in excess of three months if this is necessary to comply with the syllabus of training, having regard to the person's previous training.

(4) Where a person has a break in training of more than five years the Council may require that person:

- (a) to begin her training again, or
- (b) to undertake such period of additional training of not less than three months and, when added to the remainder of her period of training following the break, not more than eighteen months, as the Council may determine.

(5) Where additional periods of training are required of a person under paragraphs (2) and (3) of this Rule they shall be cumulative.

(6) This Rule shall apply *mutatus mutandis* to persons who have transferred from a training establishment in England or Wales or Northern Ireland to a training establishment in Scotland as if they were transferring between two training establishments in Scotland.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

*Conditions of admission to the Roll of persons trained in the service of the Ministry of Defence*

47. A person shall be entitled to be admitted to the Roll on proving to the satisfaction of the Council:

- (1) that she served or was qualified to serve in the Royal Navy as a naval nursing leading rate or in the Army as an army nurse Class I (or army male nurse Class I), and
- (2) that she was admitted to an approved training establishment within a period of six months following her discharge from the service of the Ministry of Defence and has completed not less than two months' clinical experience in the establishment in accordance with the syllabus of training
- (3) that she entered for and passed an examination held under Rule 45 of these Rules, based on the syllabus, on the first occasion on which she was entitled to enter for that examination.

*Period of Training*

48. The number of hours in respect of a period of training shall be as Council shall from time to time determine.

*Conditions of admission to the Roll of Nurses enrolled in England and Wales or in Northern Ireland*

49. Any person whose name is included in the Roll kept by the General Nursing Council for England and Wales or by the Northern Ireland Council for Nurses and Midwives shall, on making application to the Registrar and paying a fee of such amount as the Council may from time to time determine, and on production of a Certificate

issued by the Registrar of the Council on whose Roll the said person is enrolled to the effect that her name has been entered and is included in such Roll, and of a complete copy of that entry, be entitled to be admitted to the Roll.

*General*

50. The Council may in any particular case dispense with any requirement of evidence under the provisions of this Part of the Rules other than the provisions of Rule 49, if they are satisfied on cause shown that the information furnished by the applicant is correct, and that as regards character and professional efficiency she is suitable for admission to the examination, or to the Roll.

PART VII

ISSUE OF CERTIFICATES

*Certificate of registration*

51. A person admitted to the Register shall be supplied with a Certificate, which shall remain the property of the Council, in the appropriate form set out in Schedule 4 to these Rules and such Certificate shall be sealed with the Seal of the Council; provided that where a nurse has been granted a Certificate in respect of her registration in one Part of the Register, a Certificate of her admission to another Part of the Register may, but need not, be endorsed on the former Certificate.

*Certificate of enrolment*

52. A person admitted to the Roll shall be supplied with a Certificate, which shall remain the property of the Council, in the appropriate form set out in Schedule 5 to these Rules, and such Certificate shall be sealed with the Seal of the Council.

*Certificate as Clinical Teacher*

53. The Council shall grant a Certificate of Registration as a Clinical Teacher in the form set out in Schedule 6 to these Rules to a Registered Nurse who makes application in writing to the Registrar for such Certificate and who satisfies the following requirements:

- (1) (a) she has undergone a course of training for the time being approved by the Council conducted under the auspices of a university or an institution, which includes training in teaching methods with particular application to the teaching of student and pupil nurses, and which will entitle her to the award of a diploma or a certificate, as the case may be, of that university or institution, and
- (b) she has completed not less than two years post-registration experience in a post of responsibility, of which
  - (i) not less than one year has been spent in an approved training establishment in which pupil or student nurses are regularly trained, and in addition
  - (ii) not less than one year's experience as approved by Council.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

54. A fee, which shall be determined by Council from time to time subject to approval by the Secretary of State, shall be payable on the granting of a Certificate of Registration as a Clinical Teacher. Such Certificate shall be sealed with the Seal of the Council.

55. The grant of a Certificate of Registration as a Clinical Teacher shall be indicated by means of a distinguishing mark placed against the entry relating to the holder in any Part of the Register. The Certificate shall be valid only so long as the holder is registered in any Part.

**56.** A Registered Nurse who holds a Certificate of Registration as a Clinical Teacher granted by the General Nursing Council for England and Wales or the Northern Ireland Council for Nurses and Midwives shall, on making application to the Registrar and on payment of a fee and upon production of the certificate granted by the General Nursing Council for England and Wales or the Northern Ireland Council for Nurses and Midwives, be granted a Certificate of Registration as a Clinical Teacher.

**57.** The Council shall prepare and maintain a list of universities and institutions whose certificates are for the time being approved by the Council for the purposes of requirement paragraph (1)(a) of Rule 53.

*Certificate as Teacher of Nurses*

**58.** The Council shall grant a Certificate of Registration as a Teacher of Nurses in the form set out in Schedule 7 to these Rules to a Registered Nurse who makes application in writing to the Registrar for such Certificate and who satisfies the following requirements:

- (1) (a) she has undergone a course of training, for the time being approved by the Council, conducted under the auspices of a university or an institution, which includes training in teaching methods with particular application to the teaching of student and pupil nurses, and which will entitle her to the award of a diploma or a certificate, as the case may be, of that university or institution, and  
(b) she has completed not less than three years' post-registration experience in a post of responsibility, of which
  - (i) not less than one year has been spent in an approved training establishment in which pupil or student nurses are regularly trained, and
  - (ii) not less than one year has been spent in other clinical nursing acceptable to the Council for the purposes of this paragraph, or one year's experience as a Health Visitor or District Nurse or Midwife, and
  - (iii) not less than one year's experience as approved by Council.
- (2) The applicant must have successfully completed a course of training which is for the time being recognised by the Secretary of State as entitling her to be a qualified teacher for the purposes of regulations made, or having effect as if made, under the Teaching Council (Scotland) Act 1965(a) and the Education (Scotland) Acts 1962(b) and 1969(c), and has had since registration not less than three years' experience in nursing, of which:
  - (i) not less than one year has been spent in an approved training establishment in which pupil or student nurses are regularly trained, and
  - (ii) not less than one year has been spent in other clinical nursing acceptable to the Council for the purposes of this paragraph, and
  - (iii) not less than one year has been spent in the teaching of nursing at an approved training establishment under the supervision of a person holding the Council's certificate, or
- (3) in any particular case where the applicant appears to the Council to be qualified in the teaching of nursing otherwise than as mentioned in the preceding provisions of this Rule.

Notwithstanding the foregoing provisions of this Rule, the Council may in their discretion waive compliance with any of the requirements specified in this Rule to such extent as they think fit in any particular case.

**59.** A fee, which the Council may, with the approval of the Secretary of State, from time to time determine, shall be payable on the granting of a Certificate of Registration as a Teacher of Nurses. Such Certificate shall be sealed with the Seal of the Council.

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(a) 1965 c. 19.

(b) 1962 c. 47.

(c) 1969 c. 49.

**60.** The grant of a Certificate of Registration as a Teacher of Nurses shall be indicated by means of a distinguishing mark placed against the entry relating to the holder in any Part of the Register.

The Council's Certificate shall be valid only so long as the holder is registered in any Part.

**61.** A Registered Nurse who holds a Certificate of Registration as a Teacher of Nurses granted by the General Nursing Council for England and Wales or the Northern Ireland Council for Nurses and Midwives shall, on making application to the Registrar and on payment of the fee which the Council may, with the approval of the Secretary of State, from time to time determine, and upon production of the certificate granted by the General Nursing Council for England and Wales or the Northern Ireland Council for Nurses and Midwives be granted a Certificate of Registration as a Teacher of Nurses.

**62.** The Council shall prepare and maintain a list of institutions which are for the time being approved by the Council for the purposes of requirement paragraph (1)(a) of Rule 58.

#### *General*

**63.** In the event of any Certificate referred to in this Part of these Rules being lost or destroyed, the holder may apply to the Council for a new Certificate and the Council may, if they think fit, grant a duplicate Certificate upon payment of a fee which the Council may, with the approval of the Secretary of State, from time to time determine. A Certificate issued under this Rule shall be marked "Duplicate".

**64.** A person desiring a Certificate under the Seal of the Council stating that any person is or was at any date, or is not or was not at any date, duly registered on any Part of the Register or duly enrolled or duly registered as a Clinical Teacher or as a Teacher of Nurses, shall apply in writing for such Certificate to the Registrar and shall make payment thereof of a fee which the Council may, with the approval of the Secretary of State, from time to time determine. Such Certificate shall be authenticated by the signature of the Registrar.

### PART VIII

#### BADGES

**65.—(1)** The badge of a Registered Nurse shall be made of metal and blue and white enamel. The design of the badge shall be a St. Andrew's Cross in white on a blue ground encircled by a garter bearing the words "Registered General Nurse", "Registered Mental Nurse", "Registered Nurse for Mental Defectives", "Registered Sick Children's Nurse", or "Registered Fever Nurse", as the case may be.

(2) The badge of an Enrolled Nurse shall be made of metal and blue enamel, with the words "Enrolled Nurse" inscribed on the inner part of the face of the badge and the words "General Nursing Council for Scotland" inscribed round the top of the face of the badge.

(3) The badges referred to in this Rule shall be obtainable only on production of a permit from the Council.

### PART IX

#### DISCIPLINARY PROCEDURES

##### *Case arising from a conviction*

**66.** If the Registrar has reason to believe that a Registered or Enrolled Nurse (hereinafter referred to in this Part of the Rules as "the respondent"), during any period in which her name is on the Register or Roll or during any period in which her name has been excluded from the Register or Roll, has pled or been found guilty of any offence or

crime by any Court and such finding has not been subsequently quashed on appeal, the Registrar shall lay before the Investigating Committee such information relevant to the case as is in her possession.

67. The Investigating Committee may hold such finding of guilt to be sufficiently proved by the production of an extract or other certificate by a competent officer of the Court in which proceedings took place, or by such other evidence as appears to them satisfactory. It shall, for the purpose of these Rules, be regarded as a finding of guilt if the Court has made a probation order in respect of the respondent.

68. The Investigating Committee may, after considering the matter, together with such further information as they deem it proper to obtain, decide to take no action, in which event no further proceedings will be taken. In any other case, before taking any further steps, they shall instruct the Registrar to write to the respondent inviting her to furnish within 21 days or such longer period as the Council may determine any statement or explanation relative to such finding of guilt as she may desire to offer and enquiring whether she wishes to appear before the Professional Conduct Committee. On the expiry of said period they shall report the case to the Professional Conduct Committee with any recommendation they consider appropriate.

69. The Professional Conduct Committee shall consider the whole circumstances, including any statement or explanation in writing furnished by the respondent. The Professional Conduct Committee may decide that the case is one in which the nurse shall be cited to appear before the Professional Conduct Committee. In that event, or if the respondent wishes to appear before the Professional Conduct Committee, the case shall be heard in accordance with the procedure set out in Rules 76–92 below. Alternatively, the Professional Conduct Committee may proceed forthwith either to reprimand the respondent or to remove the respondent's name from the Register or Roll. In that event the decision of the Professional Conduct Committee shall be notified immediately to the respondent and in the event of removal she shall be required to surrender forthwith to the Registrar her Certificate of Registration or Enrolment and her badge. In the event of the respondent receiving a reprimand, such reprimand may be taken into account by the Investigating Committee when considering any subsequent offence of misconduct which may be committed by the respondent.

*Case arising from alleged professional misconduct*

70. In any case in which the Registrar has reason to believe that a Registered or Enrolled Nurse, during any period in which her name is in the Register or Roll or during any period in which her name has been excluded from the Register or Roll, may have been guilty of professional misconduct, she shall in the first instance lay the whole information in her possession before the Investigating Committee.

71. The Investigating Committee may at any stage consult with the Solicitor appointed by the Council and instruct him to obtain precognitions of witnesses and any other evidence relating to the allegations against the respondent they consider appropriate.

72. If, after consideration of the whole evidence laid before them, the Investigating Committee do not consider that it is sufficient to support charges of professional misconduct they shall so report to the Professional Conduct Committee who shall note the position and take no further action. In the event of additional evidence subsequently coming to the knowledge of the Registrar, however, it shall be competent for the Investigating Committee to re-open and reconsider the case.

73. If, after consideration of the whole evidence laid before them, including any statement or explanation in writing furnished by the respondent, the Investigating Committee are of the opinion that the evidence may be sufficient to support charges of professional misconduct they shall, with the advice of the Solicitor, frame such charges. The Investigating Committee shall thereupon instruct the Registrar to send copies of such charges to the respondent and invite her to furnish within 21 days or such longer period as the Investigating Committee may determine any statement or explanation in writing relative to them she may desire to offer. The Registrar shall, however, inform the

respondent that she is not obliged to make any statement if she does not so desire, and that any statement made may be used in evidence. In the event of the Investigating Committee subsequently deciding to make any amendment of the charges, the respondent shall be informed of such amendments and be allowed 21 days to furnish any further statement or explanation she may desire to offer.

74. On the expiry of the period stated in Rule 73, the Investigating Committee shall consider the case further in the light of any statement or explanation in writing furnished by the respondent and may decide at this stage that the charges shall be dropped, in which event the respondent shall be so advised and no further action taken. If the Investigating Committee do not so decide, they shall report the case to the Professional Conduct Committee.

75. Where any case is so reported, the Professional Conduct Committee shall consider the whole circumstances, including any statement or explanation furnished by the respondent and any recommendation made by the Investigating Committee.

*Notice of hearing before Professional Conduct Committee*

76. The Professional Conduct Committee shall appoint a date upon which they shall meet to hear the charges and instruct the Registrar to send to the respondent a notice in writing in the form prescribed in Schedule 8 to these Rules informing her of the day, time and place of the meeting of the Professional Conduct Committee at which the case will be heard, and requiring her to send or deliver to the Registrar her Certificate of Registration or Enrolment and badge, not later than the date on which the hearing takes place. Such notice shall be sent by recorded delivery post to the address of the respondent contained in the Register or Roll, or if the Registrar has reason to believe that that address is not the respondent's present address, then also to any later address which may be known to the Registrar, and shall be posted so as to allow at least 21 days to elapse between the date on which the notice is posted and the date fixed for the hearing.

77. At the hearing of the case five members shall be a quorum and it shall be competent for the Chairman of the Professional Conduct Committee to co-opt *ad hoc* to the Professional Conduct Committee for the purposes of such a hearing such other member or members of the Council as may be necessary in order to obtain a quorum. No member of the Investigating Committee which initially considered the case and framed the charges shall attend the hearing before the Professional Conduct Committee.

*Cases relating to entries in Register or Roll alleged to have been procured by fraud*

78.—(1) In any case where a question arises whether an entry in the Register or Roll has been procured by fraud, the Registrar, after making such enquiries as she considers relevant, shall invite the respondent to furnish within twenty-one days, or such longer period as the Council may determine, any statement or explanation in writing relative to the matter as she may desire to offer.

(2) On the expiry of the period, the Registrar shall lay the whole information in her possession before the Investigating Committee.

(3) The Investigating Committee shall consider the whole evidence laid before them, including any statement or explanation in writing furnished by the respondent, and may consult with the Solicitor. If the Investigating Committee consider that the entry has not been procured by fraud, they may decide to take no further action in the matter, except that they may, if they are satisfied that the entry has been incorrectly made, cause the entry to be amended. If the Investigating Committee are of opinion that the entry may have been procured by fraud, they shall so report to the Professional Conduct Committee who shall meet to enquire into the question, and instruct the Registrar to send to the respondent a notice in writing specifying the nature of the fraud alleged, stating the day, time and place at which the Professional Conduct Committee will hold an inquiry into the question, inviting her attendance at such inquiry and containing such further information as the nature of the case may require. The provisions of Rule 76 of these Rules shall apply as though such notice were a notice of a hearing by the Professional Conduct Committee such as is mentioned in that Rule.

(4) A copy of the notice shall be sent to any person who is alleged to have been a party to the fraud alleged and to such other persons (if any) as the Chairman of the Professional Conduct Committee may direct. Any such person may, with the leave of the chairman, appear at the inquiry as an additional party thereto.

*Procedure at the hearing of the case*

79. The hearing of the Professional Conduct Committee shall be open to the public, provided that where in the interest of justice the Professional Conduct Committee consider that the public should be excluded from proceedings or any part thereof, they may direct that the public be so excluded; but a direction under this Rule shall not apply to the announcement in pursuance of any of these Rules of a determination of the Committee.

80. At the hearing the respondent shall be entitled to be represented by a friend or adviser or by Counsel or a solicitor, but the Professional Conduct Committee shall be entitled to require the respondent to notify the Registrar, not less than seven days before the hearing, if she intends to be represented by Counsel or a solicitor or an official of a professional association or a trade union.

81. The Council shall appoint a legal assessor to advise the Professional Conduct Committee on questions of law arising at the hearing.

82. The charges shall be read in the presence of the parties, provided that, if the respondent does not appear but the Professional Conduct Committee nevertheless decide to proceed with the case, the charge shall be read in her absence. As soon as the charge has been read the respondent may, if she so desires, object to the charge, or to any part of it, on point of law, and any other party may reply to any such objection; and if any such objection is upheld no further proceedings shall be taken on that charge or on that part of the charge.

*Proof of conviction*

83.—(1) In cases arising out of information from which it appears that a Registered or Enrolled Nurse has been convicted of any offence or crime (referred to in these Rules as cases relating to conviction), the following order of proceedings shall be observed concerning proof of the conviction alleged in the charge:

- (a) the Solicitor or the Council's representative shall adduce evidence of each conviction and an extract or other certificate by a competent officer of the Court in which the proceedings took place that the respondent was convicted of an offence or crime shall be sufficient for this purpose.
- (b) if no evidence is adduced concerning any particular conviction, the chairman of the Professional Conduct Committee shall thereupon announce that that conviction has not been proved;
- (c) if the respondent appears, then the chairman shall ask her concerning each conviction of which evidence is so adduced whether she admits the conviction; and if she admits it the chairman shall thereupon announce that the conviction has been proved.

(2) If, where the respondent appears, she does not admit all the convictions she may then adduce evidence, concerning any conviction which she has not admitted, on the question whether she was convicted as alleged, and may address the Professional Conduct Committee on that question.

(3) Where evidence is adduced under the last foregoing paragraph, the Solicitor or the Council's representative may adduce evidence to rebut such evidence.

(4) On the conclusion of proceedings under the last foregoing paragraph, the Professional Conduct Committee shall consider every conviction of which evidence has been adduced and shall determine whether or not it has been proved. In the absence of the respondent the Professional Conduct Committee shall make their determination on the basis of the evidence submitted. The chairman shall then announce their determination in such terms as they may approve.



(5) After the Professional Conduct Committee have determined that any conviction has been proved the validity of that conviction shall not be questioned either by the Professional Conduct Committee or by any party to the hearing.

*Proof of the facts in cases of alleged professional misconduct*

84.—(1) In cases arising out of information from which it appears that a question arises whether a registered or enrolled nurse has been guilty of professional misconduct the following order of proceedings shall be observed as respects proof of the charge or charges:

- (a) if the respondent appears the chairman of the Professional Conduct Committee shall ask her whether she admits the facts alleged in the charge or charges;
- (b) if the respondent does not appear and has not admitted by letter the facts alleged in the charge or charges, or if she appears and does not admit all the facts alleged, the Solicitor or the Council's representative shall open the case and adduce evidence of the facts alleged; the respondent or her representative shall be entitled to cross-examine any witnesses;
- (c) if no evidence is adduced concerning any particular charge on which there has been no admission of the facts alleged, the Professional Conduct Committee, subject to their right in such a case to order the adjournment of the hearing, shall record and the chairman shall announce a finding that the respondent is not guilty of professional misconduct in respect of the matters to which that charge relates.

(2) Where the respondent appears the following further order of proceedings shall be observed:

- (a) at the close of the case against her the respondent or her friend or adviser may, if she so desires, make either or both of the following submissions relating to any charge concerning which evidence has been adduced, namely:
  - (i) that insufficient evidence has been adduced upon which the Professional Conduct Committee could find that the facts alleged in that charge have been proved;
  - (ii) that the facts alleged in the charge are not such as to constitute professional misconduct;

and where such a submission is made, any other party may reply thereto;

- (b) if a submission is made under the last foregoing sub-paragraph, the Professional Conduct Committee shall consider and determine whether it should be upheld, and if the Professional Conduct Committee determine to uphold it they shall record and the chairman shall announce their finding that, in relation to the matters to which the charge relates, the respondent is not guilty of professional misconduct;
- (c) the respondent, or her representative may adduce evidence in answer to any charge concerning which evidence has been adduced and, whether such evidence is adduced or not, she or her representative may address the Professional Conduct Committee;
- (d) the Solicitor or the Council's representative shall be entitled to cross-examine any witnesses called for the respondent;
- (e) at the close of the case for the respondent, the Solicitor or the Council's representative may, with the leave of the Professional Conduct Committee, adduce evidence to rebut any evidence adduced by the respondent; and if he does so the respondent or her representative may make a further address to the Professional Conduct Committee limited to the rebutting evidence;
- (f) if there is adduced on behalf of the respondent evidence other than that of the respondent herself, and other than evidence as to the character of the respondent, the Solicitor, or the Council's representative may address the Professional Conduct Committee by way of reply to the respondent's case.

(3) On the conclusion of the aforesaid proceedings, the Professional Conduct Committee shall consider and determine as respects each charge which remains outstanding which, if any, of the facts alleged in the charge have been proved to their satisfaction.

(4) If under the last foregoing paragraph the Professional Conduct Committee determine as respects any charge, either that none of the facts alleged in the charge has been proved to their satisfaction, or that such facts as have been so proved would be insufficient to support a finding of professional misconduct, the Professional Conduct Committee shall record a finding that the respondent is not guilty of professional misconduct in respect of the matters to which that charge relates and the chairman shall announce the finding of the Committee.

*Procedure upon proof of conviction or of the facts in cases of alleged professional misconduct*

**85.—(1)** Where in a case relating to conviction the Professional Conduct Committee have found that a conviction has been proved the chairman shall invite the Solicitor, or the Council's representative, to address the Committee, and to adduce evidence as to the circumstances leading up to the conviction, and as to the previous history of the respondent. The chairman shall then invite the respondent or her representative to address the Professional Conduct Committee by way of mitigation and the respondent may adduce evidence as aforesaid, and as to character.

(2) Where in a case of alleged professional misconduct the Professional Conduct Committee have found that the facts or any of them alleged in any charge have been proved to their satisfaction (and have not on those facts recorded a finding of not guilty) the Professional Conduct Committee shall forthwith consider and determine whether in relation to the facts found proved as aforesaid the respondent is guilty of professional misconduct. If they determine that she is not guilty of professional misconduct in relation to all or any of such facts they shall record a finding to that effect and the chairman shall announce it. If they determine that she is guilty of professional misconduct in relation to all or any of such facts, the chairman shall invite the Solicitor or the Council's representative to address the Professional Conduct Committee and to adduce evidence as to circumstances leading up to the facts in question and as to the previous history of the respondent. The chairman shall then invite the respondent or her representative to address the Professional Conduct Committee by way of mitigation and the respondent may adduce evidence as aforesaid, and as to character.

**86.** In any case in which the respondent has not admitted the charges and does not attend the hearing, either personally or by a representative, the Professional Conduct Committee may proceed to investigate and determine the charges in her absence. The Committee may take into consideration any written statement, explanation or plea in mitigation which may have been furnished by the respondent.

**87.** On the conclusion of proceedings the Professional Conduct Committee shall consider and decide whether they should postpone judgement. If the Professional Conduct Committee decide to postpone judgement, the judgement of the Professional Conduct Committee shall stand postponed for such period as the Professional Conduct Committee may decide:

- (1) until the respondent has completed to the satisfaction of the Professional Conduct Committee such further period of training in an approved training establishment, or of supervised practice in such establishment or both, as the Professional Conduct Committee may determine.
- (2) until the respondent produces evidence of full rehabilitation following medical treatment.

The chairman shall announce the decision of the Professional Conduct Committee, which shall be conveyed by the Registrar in writing, by recorded post, to the respondent.

**88.** If the Professional Conduct Committee decide not to postpone judgement, they shall determine what penalty to impose in relation to any conviction which has been proved or to any charge on which the respondent has been found guilty of misconduct.

*Range of penalties*

**89.** In determining the penalty to be imposed, the following options or combinations of options, as appropriate, shall be available to the Professional Conduct Committee:

- (1) note the respondent's offence in the Council's records;
- (2) admonish the respondent;
- (3) reprimand the respondent;
- (4) direct that the respondent's name be removed from the Register or Roll and her certificate cancelled;
- (5) in an exceptional case, take such other action as the Professional Conduct Committee may in the circumstances consider to be appropriate.

**90.** The chairman shall announce the decision of the Professional Conduct Committee which shall be conveyed by the Registrar in writing, by recorded delivery post, to the respondent. In the case of the removal of the respondent's name from the Register or Roll, the Registrar shall retain the respondent's certificate of registration or enrolment and badge, if any, and shall delete her name from the Register or Roll of Nurses. Where the respondent's name has been removed from the Register or Roll and the respondent has failed to deliver her certificate and badge, if any, to the Registrar prior to or during the proceedings for removal, the Registrar shall, on notifying her of the Professional Conduct Committee's decision, request her to deliver the said certificate and badge, and warn her of her liability to proceedings if she fails to comply with that request.

*Entry in Register or Roll procured by fraud*

**91.** In a case where the Professional Conduct Committee determine that an entry in the Register or Roll has been proved to their satisfaction to have been procured by fraud, they shall make an order in writing, under the hand of the chairman, that the entry, having been proved to the satisfaction of the Professional Conduct Committee to have been procured by fraud, shall be removed from the Register or Roll; and the chairman shall announce the determination in such terms as the Professional Conduct Committee may approve.

*Procedure upon postponement of final decision*

**92.—(1)** If the Professional Conduct Committee decide to postpone decision, the following shall be the procedure:

- (a) the Registrar shall, not later than six weeks before the day fixed for the resumption of the proceedings, send to the respondent a notice which shall:
  - (i) specify the day, time and place of the resumed hearing and invite her to attend;
  - (ii) invite the respondent to furnish the Registrar, not less than 21 days before the day fixed for resumption of the proceedings, the names and addresses of at least two suitable persons with knowledge of the facts found against her from whom the Professional Conduct Committee would be able to seek information in confidence as to the conduct of the respondent since the adjourned hearing; and
  - (iii) invite the respondent to send to the Registrar any statement, whether made by the respondent or some other person, concerning the conduct of the respondent since the adjourned hearing or concerning any material facts which have arisen since the adjournment.
- (b) at the meeting at which the proceedings are resumed the chairman of the Professional Conduct Committee shall recall for the information of the Professional Conduct Committee, the position in which the case stands; and
  - (i) the Professional Conduct Committee may hear representations by or on behalf of the respondent;
  - (ii) the Professional Conduct Committee may receive further oral or documentary evidence in relation to the case, or to the conduct of the respondent since the previous hearing; and

- (iii) the chairman shall invite the respondent or her representative to address the Professional Conduct Committee by way of mitigation.
  - (c) the Professional Conduct Committee shall then consider and determine whether they should further postpone their judgement on the charge on which their judgement was previously postponed; and if the Professional Conduct Committee determine further to postpone judgement, the judgement of the Professional Conduct Committee shall stand postponed for such period as the Professional Conduct Committee may decide; and the chairman shall announce the decision of the Professional Conduct Committee. The provisions of this Rule shall apply to any case in which judgement is further postponed.
  - (d) if the Professional Conduct Committee determine that judgement shall not be further postponed Rule 88 of these Rules shall apply.
- (2) At any resumed proceedings any new charge alleged against the respondent shall first be dealt with in accordance with the foregoing Rules and if the Professional Conduct Committee determine not to postpone judgement in respect of any such new charge the Professional Conduct Committee may apply Rule 88 of these Rules simultaneously to the new charge and the charge in respect of which they had postponed judgement.
- (3) Nothing in the last foregoing paragraph shall prevent the Professional Conduct Committee from receiving evidence at any resumed proceedings of any conviction recorded against the respondent which has not been made the subject of a charge under these Rules.
- (4) The validity of any resumed proceedings shall not be called into question by reason only, that members of the Professional Conduct Committee who were present at any former meeting were not present at the resumed meeting, or that members present at the resumed meeting were not present at any former meeting.

#### *Misconduct of student/pupil nurses*

93.—(1) If the Registrar has reason to believe that a student nurse has pled or been found guilty of any offence or crime by any court or has been guilty of conduct which had she been a registered nurse would in the opinion of the Council have rendered her liable to disciplinary action under the Rules, the Council may after applying to her Part IX of these Rules *mutatis mutandis*, refuse to admit her or defer her admission to the examination or refuse to place her name on the Register of Nurses or defer registration for such a period as the Council may determine.

(2) If the Registrar has reason to believe that a pupil nurse has pled or been found guilty of any offence or crime by any court or has been guilty of conduct which had she been an enrolled nurse would be in the opinion of the Council have rendered her liable to disciplinary action under the Rules, the Council may after applying to her Part IX of these Rules *mutatis mutandis*, refuse to admit her or defer her admission to the examination or refuse to place her name on the Roll of Nurses or defer enrolment for such a period as the Council may determine.

#### *Misconduct of nurses trained furth of Scotland*

94.—(1) Where any registered or enrolled nurse is also registered or enrolled by the General Nursing Council for England and Wales or by the Northern Ireland Council for Nurses and Midwives and has been found guilty by either or both of these Councils of any charge inferring professional misconduct the Council shall treat such finding of guilt in the same manner as a finding of guilt of an offence by any court and the provisions of Rules 66-93 hereof, shall, *mutatis mutandis* apply thereto. The findings of these Councils shall be sufficiently proved by the production of a certificate from their Registrar specifying the charges and the findings thereon.

(2) Where the Council have taken action against a respondent under Rules 66-93 the Registrar shall, as soon as possible, inform the General Nursing Council for England and Wales and the Northern Ireland Council for Nurses and Midwives of the nature of the charges against the respondent, the findings of the Professional Conduct Committee thereon, and the action taken by the Council.

(3) If allegations are brought to the notice of the Council that a national of a member State of the European Community who has been authorised to render services in the United Kingdom under Article 6 of the Nursing Qualifications (EEC Recognition) Order 1979 has, while visiting the United Kingdom, been guilty of conduct which, in the case of a person registered in the General Part of the Register, could lead to the removal of her name therefrom; or she has rendered services other than those specified in the declaration given by her under paragraph (2) of Article 6, such allegations shall be dealt with in accordance with the procedure provided for in this part of these Rules (so far as applicable) for a case where allegations of professional misconduct on the part of a registered nurse have come to the notice of the Council.

## PART X

### RESTORATION TO THE REGISTER OR ROLL OF NURSES

**95.—**(1) Where the name of a Registered Nurse or an Enrolled Nurse has been removed from the Register or from the Roll under Part IX of these Rules, any application for its restoration to the Register or to the Roll shall be made in writing addressed to the Registrar and signed by the applicant stating the grounds on which the application is made.

(2) The application shall contain the names and addresses of two or more persons personally acquainted with the applicant, able and willing to identify the applicant and give evidence as to her character and the nature of her employment since the date of the removal of her name, and where practicable before, and such other evidence on matters within their knowledge as the Council may require. At least two of such persons shall be Registered Nurses, Registered Medical Practitioners or other persons having qualifications acceptable to the Council, such acceptance having been notified in writing by the Registrar at the request of the applicant.

(3) The Professional Conduct Committee if they think fit may make enquiries of the persons named in the application, may require the applicant to submit the names and addresses of further persons able and willing to give evidence on such matters as the Professional Conduct Committee may desire, may require the applicant to verify by an affidavit any statement made in her application or any further statement which they may think necessary and may require the applicant to attend in person, with or without any person or persons named by her as aforesaid at a meeting of the Professional Conduct Committee.

**96.** If upon consideration of the application and of the evidence furnished in support of it the Council are satisfied that the name of the applicant should be restored to the Register or to the Roll, they may direct the Registrar accordingly, and upon payment by the applicant of a fee, which shall be determined by Council from time to time and subject to approval by the Secretary of State, and the current year's retention fee, her name shall be restored to the appropriate Part or Parts of the Register or to the Roll and a new certificate shall be issued to her.

#### *Notification of restoration to other statutory bodies*

**97.** In the event of the restoration of the name of a nurse to any Part of the Register or to the Roll under this Part of these Rules, notification of the fact shall forthwith be sent by the Registrar to the General Nursing Council for England and Wales and to the Northern Ireland Council for Nurses and Midwives.

**98.—**(1) In the event of notice being received by the Council from the General Nursing Council for England and Wales or from the Northern Ireland Council for Nurses and Midwives that they have restored to their Register or to their Roll the name of a nurse whose name they had removed from their Register or Roll, then if the Registrar shall find that the name of such nurse was removed from the Register or Roll, the Registrar shall lay the matter before the Professional Conduct Committee. The Professional Conduct Committee shall then consider the matter, and if necessary make enquiries if they think fit, having regard to all the circumstances and at their discretion

likewise restore the name of such nurse to the Register or to the Roll if she applies under and conforms to such of the provisions of this Part of these Rules as the Professional Conduct Committee or the Council shall require.

(2) In the event of the Professional Conduct Committee restoring the name of a nurse to the Register or Roll under this Rule, the Registrar shall, as soon as possible, notify the fact of such restoration to the General Nursing Council for England and Wales and to the Northern Ireland Council for Nurses and Midwives.

#### PART XI

##### *Miscellaneous*

**99.** The forms set out in Schedules 4 to 8 to these Rules, and all instructions contained therein, shall be deemed to be part of the Rules; and such forms, or forms as nearly as possible to the like effect, shall be used in all cases for which the forms are prescribed.

**100.** If any question shall arise as to the meaning or effect of these Rules, or in connection therewith in any way, the ruling of the Council thereon shall be final.

Made by the General Nursing Council for Scotland on this first day of August, 1980.

(L.S.)

*Margaret W. Thomson,*  
Registrar,  
General Nursing Council for Scotland.

5 Darnaway Street,  
Edinburgh.

##### *Rule 3*

##### SCHEDULE 1

| Column 1<br>Rules revoked  | Column 2<br>References |
|--|------------------------|
| The General Nursing Council for Scotland (Election Scheme) Rules 1969, scheduled to the General Nursing Council for Scotland (Election Scheme) Rules 1969.<br>Approval Instrument 1970 | S.I. 1970/142          |
| The Nurses (Scotland) Rules 1970, scheduled to the Nurses (Scotland) Rules 1970.<br>Approval Instrument 1970   | S.I. 1970/1737         |
| The Nurses (Scotland) (Amendment) Rules 1973, scheduled to the Nurses (Scotland) (Amendment) Rules 1973.<br>Approval Instrument 1973   | S.I. 1973/1443         |
| The Nurses (Scotland) (Amendment) Rules 1976, scheduled to the Nurses (Scotland) (Amendment) Rules 1976.<br>Approval Instrument 1976   | S.I. 1976/587          |
| The Nurses (Scotland) (Amendment) Rules 1980, scheduled to the Nurses (Scotland) (Amendment) Rules 1980.<br>Approval Instrument 1980   | S.I. 1980/508          |

## SCHEDULE 2

## Rules 18 and 35

## PARTICULARS TO BE ENTERED IN THE REGISTER AND IN THE ROLL

1. The Register shall show in respect of each nurse admitted the following particulars:

- (a) Registration number;
- (b) Full name and, if a woman who is or has been married, her maiden name;
- (c) Date of Birth;
- (d) Sex;
- (e) Nationality;
- (f) Permanent address;
- (g) Date of registration, and if the registration is temporary the date on which the registration will expire.
- (h) Qualifications. Under this heading shall appear the qualifications in each case for admission to the Register, or to each part of the Register, the date of obtaining such qualifications, and with the exception of those cases admitted to the Register under Section 6A of the Act the training establishment in which qualifying training was received.

2. The Roll shall show in respect of each Enrolled Nurse admitted, the following particulars:—

- (a) Enrolment number;
- (b) Full name and, if a woman who is or has been married, her maiden name;
- (c) Date of Birth;
- (d) Sex;
- (e) Nationality;
- (f) Permanent address;
- (g) Date and place of enrolment;
- (h) Qualifications. Under this heading shall appear the qualifications in each case for admission to the Roll (including certificate of training, if any), the dates of obtaining such qualifications, and the training establishment in which any qualifying training or experience has been received.

## SCHEDULE 3

## Rule 44

## EXTENT OF REMISSION OF TRAINING OF A CANDIDATE FOR ENROLMENT WHO HAS HAD NOT LESS THAN ONE YEAR'S TRAINING FOR ADMISSION TO ANY PART OF THE REGISTER

| Period (in years) for which the candidate has trained for admission to any Part of the Register | Remission of training to the effect that the candidate shall spend not less than the following periods in training in accordance with the Syllabus |
|---|--|
| 3 or more   | 2 months   |
| 2½ to 3   | 6 months   |
| 2 to 2½   | 9 months   |
| 1½ to 2   | 12 months  |
| 1 to 1½   | 15 months  |

## Rule 51

## SCHEDULE 4

CERTIFICATES OF REGISTRATION  
*For Nurses on the General Part of the Register*

Reg. No. ....

*General Nursing Council for Scotland*

This is to certify that (insert if necessary "after examination") .....  
 .....(name) was admitted on the undermentioned date to the  
 GENERAL PART of the Register, maintained by the General Nursing Council for  
 Scotland in terms of the Nurses (Scotland) Act, 1951, and that she is entitled in  
 pursuance thereof to use the title of "REGISTERED GENERAL NURSE".

Dated this .....

day of .....  
19.....

.....

Registrar.

This Certificate is valid until 31st December, 19.....

Seal

*For Nurses on other Parts of the Register*

Reg. No. ....

*General Nursing Council for Scotland*

This is to certify that (insert if necessary "after examination") .....  
 .....(name) was admitted on the undermentioned date to the  
 .....Part of the Register maintained by the General  
 Nursing Council for Scotland in terms of the Nurses (Scotland) Act, 1951, containing  
 the names of nurses trained in the nursing of .....  
 and that she is entitled in pursuance thereof to use the title of "REGISTERED  
 .....NURSE".

Dated this .....

day of .....  
19.....

.....

Registrar.

This Certificate is valid until 31st December, 19.....

Seal



*For Nurses on the General Part of the Register*

Reg. No. ....

*General Nursing Council for Scotland*

This is to certify that .....(name)  
 was admitted on the undermentioned date for a period of six months ending .....  
 .....to the GENERAL PART of the REGISTER  
 maintained by the General Nursing Council for Scotland in terms of the Nurses (Scotland) Act, 1951, and that she is entitled during the said period in pursuance thereof to use the title of "REGISTERED GENERAL NURSE".

Dated this .....

 day of .....  
 19.....

 .....  
 Registrar.

This Certificate is valid until .....

## SCHEDULE 5

*Rule 52*
 FORM OF CERTIFICATE TO BE GRANTED ON ADMISSION TO THE ROLL OF NURSES IN TERMS OF  
 RULE 55
*General Nursing Council for Scotland*

Enrolment No. ....

This is to certify that (insert if necessary "after examination") .....  
 .....(name) was admitted on the undermentioned date to  
 the Roll of Nurses maintained by the General Nursing Council for Scotland in terms of  
 the Nurses (Scotland) Acts, 1951 and 1961, and that she is entitled in pursuance thereof  
 to use the title of "Enrolled Nurse".

Dated this .....

 day of .....  
 19.....

 .....  
 Registrar.

This Certificate is valid until 30th June, 19.....

*Rule 53*

## SCHEDULE 6

## CERTIFICATE OF REGISTRATION AS A CLINICAL TEACHER

*General Nursing Council for Scotland*

This Certificate of Registration as a Clinical Teacher is granted to.....  
.....  
.....  
who has in all respects conformed to the requirements of the Rules drawn up in  
accordance with section 6(1)(f) of the Nurses (Scotland) Act, 1951.

Dated this .....

day of .....

19.....

A circular seal with the word "Seal" inside.

.....  
Registrar.

The granting of the Certificate is denoted in the entry relating to the holder in the  
appropriate Part of the Register, and is only valid so long as the name of the holder  
appears on that Part of the Register.

*Rule 58*

## SCHEDULE 7

## CERTIFICATION OF REGISTRATION AS A TEACHER OF NURSES

*General Nursing Council for Scotland*

This Certificate of Registration as a Teacher of Nurses is granted to .....  
.....who has in all respects conformed to the  
requirements of the Rules drawn up in accordance with section 6(1)(f) of the Nurses  
(Scotland) Act, 1951.

Dated this .....

day of .....

19.....

A circular seal with the word "Seal" inside.

.....  
Registrar

The granting of the Certificate is denoted in the entry relating to the holder in the  
appropriate Part of the Register, and is only valid so long as the name of the holder  
appears on that Part of the Register.

## SCHEDULE 8

## Rule 76

*General Nursing Council for Scotland*

To .....

Take notice that the charge (or charges) against you, particulars of which are set forth below, has/have been brought to the notice of the Professional Conduct Committee of the Council, and that the Committee proposes to investigate such charge(s) at a hearing of the case to be held at the Offices of the Council, .....  
Edinburgh, at.....on.....

*Particulars of Charge(s)*

If you wish to admit the charge(s) you are requested to do so in writing not later than....., in which event the Committee will determine that the charge(s) has/have been established without further evidence being adduced and you need not in that event attend on.....unless you so desire. In the event of your admitting the charge(s), you may send a written statement in mitigation for consideration by the Committee.

In any other case you are required to attend said meeting of the Professional Conduct Committee and to answer such charge(s), bringing with you all papers and documents relevant to the matter, and any persons whose evidence you wish to lay before the Committee. If you wish you may be represented by a friend or by Counsel or Solicitor, but if you propose to engage Counsel or Solicitor you are required to notify the Registrar at least seven days before the hearing.

You are also hereby required to send your certificate (and badge) and last retention fee receipt to the Registrar before the date fixed for the hearing, or bring these with you to the hearing.

If the Committee determines that the charge(s) has/have been established they will then determine whether you should be reprimanded or whether your name should be removed from the Register/Roll of Nurses.

The proceedings against you are taken under Part IX of the Nurses (Scotland) Rules 1980.

## EXPLANATORY NOTE

*(This Note is not part of the Instrument.)*

The Rules approved by this Instrument consolidate all the Rules for both registered and enrolled nurses made by the General Nursing Council for Scotland.

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