STATUTORY INSTRUMENTS

1969 No. 1674

NURSES AND MIDWIVES

The Enrolled Nurses Rules, Approval Instrument 1969

Made - - -	26*th November* 1969
Laid before Parliament	9*th December* 1969
Coming into Operation	12*th December* 1969

The Secretary of State for Social Services, in exercise of his powers under section 32 of the Nurses Act 1957(**a**), and of all other powers enabling him in that behalf, hereby approves the rules made by the General Nursing Council for England and Wales as set out in the Schedule hereto.

This instrument may be cited as the Enrolled Nurses Rules, Approval Instrument 1969, and shall come into operation on 12th December 1969.

SCHEDULE

The General Nursing Council for England and Wales

The Nurses Acts 1957 to 1969

The General Nursing Council for England and Wales, in exercise of the powers conferred on them by the following sections of the Nurses Act 1957, namely, section 2(1) (as substituted by section 1(1) of the Nurses Act 1969(**b**)), section 3 (as amended by section 14 of, and paragraph 7 of Schedule 1 to, the Nurses (Amendment) Act 1961(**c**), and as extended by section 1 of the Nurses Act 1964(**d**), and section 7(1) of the Nurses Act 1969) and sections 7, 10, 30 and 32, and of all other powers enabling them in that behalf, hereby make the following rules:—

Part I

Citation and interpretation

1. These Rules may be cited as the Enrolled Nurses Rules 1969.

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

"the Act of 1957" means the Nurses Act 1957;

"the Act of 1969" means the Nurses Act 1969;

"approved training institution" means an institution approved by the Council for the purpose of these Rules as a training school or as part of a training school for admission to the roll;

(**a**) 1957 c. 15.
(**b**) 1969 c. 47.
(**c**) 1961 c. 14.
(**d**) 1964 c. 44.

"the Council" means the General Nursing Council for England and Wales;

"the Education Committee" means the Standing Education Committee of the Council;

"enrolled general nurse" means a nurse who is enrolled in the general part of the roll;

"enrolled mental nurse" means a nurse who is enrolled in the part of the roll containing the names of nurses trained in the nursing and care of persons suffering from mental disorder other than severe subnormality or subnormality;

"enrolled nurse" means a nurse whose name is on the roll;

"enrolled nurse for the mentally subnormal" means a nurse who is enrolled in the part of the roll containing the names of nurses trained in the nursing and care of persons suffering from severe subnormality or subnormality;

"experience under supervision" means practical experience in the nursing of the sick acquired under the supervision of registered nurses in an approved training institution;

"introductory training course" means a course of training carried out in an approved training institution for the purpose of introducing a pupil nurse to the subjects included in her training for a part of the roll prior to her training in wards or departments.

"person qualified in ophthalmic nursing" means a person who is qualified (except for the qualification of registration by the Council) to receive the diploma of ophthalmic nursing of the Ophthalmic Nursing Board by virtue of ophthalmic nursing training;

"person qualified in orthopaedic nursing" means a person who is qualified (except for the qualification of registration by the Council) to receive the orthopaedic nursing certificate of the British Orthopaedic Association and the Central Council for the Care of the Disabled; or the orthopaedic nursing diploma of the Joint Examination Board of those bodies based on orthopaedic training commenced on or after 1st September 1969;

"person qualified in thoracic nursing" means a person who holds the thoracic nursing certificate of the British Tuberculosis Association;

"pupil nurse" means a person who is for the time being undergoing training for admission to any part of the roll, prior to passing the examination prescribed by these Rules;

"the register" means the register of nurses maintained by the Council;

"registered mental nurse" means a nurse who is registered in the part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental disorder, other than severe subnormality or subnormality;

"registered nurse for the mentally subnormal" means a nurse who is registered in the part of the register containing the names of nurses trained in the nursing and care of persons suffering from severe subnormality or subnormality;

"the Registrar" means the person for the time being appointed to act as Registrar of the Council under paragraph 12 of Schedule 1 to the Act of 1957, and includes any person duly authorised to act and acting on her behalf;

"the Registration and Enrolment Committee" means the Standing Registration and Enrolment Committee of the Council;

"the roll" means the roll of nurses maintained by the Council;

"student nurse" means a person who is for the time being undergoing training for admission to any part of the register;

"training" means training in an approved training institution and in the case of training in a part of a training school in accordance with a scheme of training approved by the Council; and in accordance with a syllabus contained in Schedule 2 to these Rules;

"training for the register" means training for admission to the register in a training institution approved by the Council under rule 5 of the Nurses Rules 1969(a) and any reference to training for a particular part of the register is a reference to training in accordance with the syllabus of training prescribed in Schedules 3 and 4 to those rules for the examinations qualifying a person to be admitted to that part of the register.

(2) The Interpretation Act 1889(b), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, and in these Rules words importing the feminine gender include the masculine, unless the contrary intention appears.

3. The Enrolled Nurses Rules 1961(c), except Part V of those Rules, and The Enrolled Nurses (Amendment) Rules 1964(d) and The Enrolled Nurses (Amendment) Rules 1966(e), are hereby revoked and Part V of the Enrolled Nurses Rules 1961 shall be revoked on 22nd September 1970:

Provided that—

(*a*) such revocation shall not affect any right, privilege, obligation or liability acquired, accrued, or incurred, or anything duly done or suffered under those Rules; and

(*b*) such revocation shall not affect any application, appointment, certificate, decision, inquiry or notice made, prepared, issued or given under the rules so revoked, and every such application, appointment, certificate, decision, inquiry or notice shall, so far as it could have been made, prepared, issued or given under these Rules have effect as if it had been so made, prepared, issued or given;

(*c*) such revocation shall not affect proceedings for the removal of the name of a nurse from the roll where judgment has been postponed and such proceedings shall be resumed under the provisions of these Rules.

PART II

Formation and maintenance of the roll

4.—(1) The roll shall contain the particulars set forth in Schedule 1 to these Rules.

(2) Each person admitted to the roll shall be assigned an enrolment number in the part or parts of the roll in which her name is included.

(3) An enrolled nurse shall notify to the Registrar every permanent change of address, and for the purpose of these Rules the address last so notified shall be deemed to be her registered address.

(4) An enrolled nurse shall notify to the Registrar a change of her surname whether occasioned by marriage or otherwise.

(5) It shall be the duty of the Council to cause to be removed from the roll any entry which has been incorrectly made.

(a) Scheduled to S.I. 1969/1675. (b) 1889 c. 63.
(c) Scheduled to S.I. 1961/1519 (1961 II, p. 3105).
(d) Scheduled to S.I. 1964/1851 (1964 III, p. 4034).
(e) Scheduled to S.I. 1966/545 (1966 II, p. 1122).

PART III

Approval of training institutions

5.—(1) For the purposes of section 3(1)(*b*) of the Act of 1957, an institution shall be approved by the Council either—

(*a*) as a training school capable of providing a complete training qualifying for admission to the roll; or

(*b*) as a part of a training school comprising two or more parts capable of providing in association under a scheme of training such complete training as aforesaid; and in approving a training institution to take part in a scheme of training provided by a group of such institutions, the Council shall direct what proportion of the training period shall be spent in each of the participating institutions. The Council may, if they think fit, approve the same institution both as a training school and as a part of a training school for admission to the roll.

(2) The Council shall prepare and keep lists of institutions which are for the time being approved by the Council as training schools under the following headings:—

training schools for enrolled general nurses.

training schools for enrolled mental nurses.

training schools for enrolled nurses for the mentally subnormal.

(3) The Council shall also prepare and keep lists of the institutions for the time being approved by the Council as parts of training schools, and such lists shall be kept so far as necessary under headings corresponding to those relating to training schools.

(4) Subject to paragraph (5) of this rule, in respect of every institution, other than an institution vested in the Secretary of State for Social Services or the Secretary of State for Wales, for which application is made to the Council for approval under paragraph (1) of this rule, there shall be paid to the Council by the persons responsible for its management, the following fees:—

(*a*) in all cases on the making of the application, a fee of £5 5s. 0d. which shall be retained by the Council whether or not approval of the institution is granted;

(*b*) in the case of institutions at which pupil nurses may spend more than 26 weeks of their training, an additional fee of £5 5s. 0d. in respect of the first year, which fee shall be payable on receipt of notice of approval, and an annual fee of £10 10s. 0d. in respect of each subsequent year during which the approval of the Council is continued, which fee shall be payable at the commencement of such year;

(*c*) in the case of institutions at which pupil nurses may spend not more than 26 weeks of their training, an annual fee of £5 5s. 0d. in respect of each year after the first year during which the approval of the Council is continued, which fee shall be payable at the commencement of such year.

(5) Where an institution, other than an institution vested in the Secretary of State for Social Services or the Secretary of State for Wales was approved by the Council prior to 1st May 1950, there shall be paid to the Council by the persons responsible for its management on each anniversary of the date of such approval, in respect of the ensuing year, during the period in which approval is continued, a fee of:—

(*a*) £10 10s. 0d. where the institution is one at which pupil nurses may spend more than 26 weeks of their training, or

(*b*) £5 5s. 0d. where the institution is one at which pupil nurses may spend not more than 26 weeks of their training.

PART IV

Training and examination

6. The training for a person training for the roll shall be training in accordance with this part of these Rules.

7. A person shall enter an introductory training course at an approved training school provided that she has attained the age of 18 years or will have attained that age by the last day of a period of 30 days beginning with the day she entered the course.

8. Within 30 days of commencement of training for the roll a pupil nurse, other than a pupil nurse who has discontinued training as a student nurse or a pupil nurse who is already enrolled in a part of the roll, shall send to the Council such fee as is for the time being determined by the Council with the approval of the Secretary of State for Social Services under section 3(1) of the Act of 1957, as amended by section 7 of the Act of 1969.

9.—(1) Where an applicant has been admitted to an approved training institution as a pupil nurse, the institution shall submit to the Council within 30 days of the commencement of her training, or in the case of a person who is entitled under these Rules to enter for the examination for the roll by virtue of training for the register, before her name is entered for the examination, the following particulars: her full name, evidence of age, the date of commencement of training or other particulars of her training for the register as appropriate and any other particulars which the Council may reasonably require.

(2) If a pupil nurse for any reason discontinues her training, the approved training institution concerned shall report the fact to the Council; and if she has at the time of such discontinuance completed not less than 26 weeks training, the institution shall send the Council a statement showing the training undergone by her.

10. 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 rule 7 of these Rules and upon receipt of the fee required by rule 8 of these Rules, include her name in the index of pupil nurses.

11.—(1) Subject to rule 12 of these Rules, the training required for persons for the general part of the roll shall be that provided in paragraph (2) or paragraph (3) of this rule.

(2) A person—

(*a*) must have completed not less than 104 weeks training in accordance with the syllabus of training prescribed in Part 1 of Schedule 2 to these Rules in an approved training institution for enrolled general nurses; and

(*b*) except for a person who has completed not less than 104 weeks training for the register and passed the practical part of the appropriate examination for the register, must have passed the examination held by the

Council in accordance with rule 19 of these Rules for which she may enter, subject to the provisions of rules 17 and 18 of these Rules, at the following times:—

(i) in the case of a person who has completed not less than 104 weeks training for the register, at any time,

(ii) in the case of a person whose training has been reduced under these Rules, not earlier than 13 weeks before the end of her reduced period of training, and

(iii) in every other case, after the completion of not less than 78 weeks training.

(3) The person—

(*a*) must have served or must have been 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

(*b*) must have been admitted to an approved training institution within a period of 6 months following her discharge from the service of the Admiralty Board or the Army Board, as the case may be, of the Defence Council and must have acquired at least 3 months' experience of geriatric nursing in the institution.

12. The period of training for the general part of the roll shall be reduced by:—

(*a*) 78 weeks in the case of a person who has undergone not less than 104 weeks training for the parts of the register for registered mental nurses or registered nurses for the mentally subnormal; or

(*b*) 52 weeks in the case of a person who has undergone not less than 52 weeks training for any part of the register or who is qualified in ophthalmic nursing, orthopaedic nursing or thoracic nursing or who is an enrolled mental nurse or enrolled nurse for the mentally subnormal;

or

(*c*) 26 weeks in case of a person who is a certified midwife; or

(*d*) 104 weeks in the case of a person who has completed 104 weeks training for the general part of the register or for the part of the register for registered sick children's nurses.

13.—(1) Subject to rule 14 of these Rules, the training required for persons for the part of the roll for enrolled mental nurses shall be as provided in paragraph (2) of this rule.

(2) A person—

(*a*) must have completed not less than 104 weeks training in accordance with the syllabus of training prescribed in Part 2 of Schedule 2 to these Rules in an approved training institution for enrolled mental nurses; and

(*b*) must comply with the conditions relating to the passing of an examination which are prescribed for a person training for the general part of the roll in rule 11(2)(*b*) of these Rules.

14. The period of training for the part of the roll for mental nurses shall be reduced by:—

(*a*) 78 weeks in the case of a person who has undergone not less than 104 weeks training for any part of the register other than the part for registered mental nurses; or

(*b*) 52 weeks in the case of a person who has undergone not less than 52 weeks training for any part of the register, or who is an enrolled general nurse; or

(*c*) 104 weeks in the case of a person who has completed 104 weeks training for the part of the register for registered mental nurses; or

(*d*) 65 weeks in the case of a person who is an enrolled nurse for the mentally subnormal.

15.—(1) Subject to rule 16 of these Rules, the training required for persons for the part of the roll for enrolled nurses for the mentally subnormal shall be as provided in paragraph (2) of this rule.

(2) A person—

(*a*) must have completed not less than 104 weeks training in accordance with the syllabus of training prescribed in Part 3 of Schedule 2 to these Rules in an approved training institution for enrolled nurses for the mentally subnormal; and

(*b*) must comply with the conditions relating to the passing of an examination which are prescribed for a person training for the general part of the roll in rule 11(2)(*b*) of these Rules.

16. The period of training for the part of the roll for the mentally subnormal shall be reduced by:—

(*a*) 78 weeks in the case of a person who has undergone not less than 104 weeks training for any part of the register other than the part for registered nurses for the mentally subnormal; or

(*b*) 52 weeks in the case of a person who has undergone not less than 52 weeks training for any part of the register, or who is an enrolled general nurse; or

(*c*) 104 weeks in the case of a person who has completed 104 weeks training for the part of the register for registered nurses for the mentally subnormal; or

(*d*) 65 weeks in the case of a person who is an enrolled mental nurse.

17. Subject to rule 18 of these Rules a person who is trained in accordance with rules 11, 13 and 15 of these Rules shall be entitled to enter for the appropriate examination for a part of the roll held under rule 19 of these Rules if she complies with the following conditions:—

(*a*) her name is in the index of pupil nurses; and

(*b*) she is of good character and her conduct has been satisfactory during the period of training under supervision; and

(*c*) she has or will have completed by the last day of the month in which the examination is held the period of training prescribed in her case in rule 11(2)(*b*) of these Rules and has received instruction in each of the subjects contained in the appropriate syllabus on which the examination is based; and

(*d*) she has deposited with the Registrar a certificate signed by the senior nurse or other officer acceptable to the Council of the institution or institutions in which she was trained verifying that the requirements specified in this paragraph have been satisfied:

Provided that if a candidate fails an examination for a second time she may be required to undergo further training for such period not exceeding 13 weeks, as the Education Committee may decide, before being permitted to enter again for that examination.

18. Should it come to the notice of the Council that a candidate for entry to any of the Council's examinations has been guilty of a criminal offence or has been guilty of conduct which, had she been an enrolled nurse, would in the opinion of the Council have rendered her liable to disciplinary action under these Rules, the Council may, after giving the candidate the opportunity of stating her case orally or in writing as she may wish, and making such other reasonable investigations as may be necessary, refuse to admit her to the examination in question.

19.—(1) The Council shall hold examinations for the parts of the roll at such times and subject to such conditions as they may from time to time determine.

(2) The examinations held under this rule shall be based on the subjects prescribed in the appropriate syllabus contained in Part 1, Part 2 or Part 3 of Schedule 2 to these rules:

(3) The examination shall consist of a simple written test together with a test of practical efficiency and shall be held in an approved training institution.

(4) Any fee payable to the Council under the provisions of section 3(3) of the Act of 1957 in respect of an application to be examined shall be paid to the Council by the applicant before the Council enters her name for the examination.

Breaks and transfers during training

20.—(1) In this rule a break in training means an absence from training of 12 weeks or more and in calculating the length of a break in training for the purposes of this rule no account shall be taken of an aggregate of 14 days' absence on sick leave, maternity leave or compassionate leave in the period of training or 4 weeks' annual leave in each 52 week period of training or of such appropriately reduced periods of absence on sick leave, maternity leave, compassionate leave or annual leave as the periods of training are reduced under rules 12, 14 or 16 of these Rules.

(2) Subject to paragraphs (3) and (5) of this rule, where a person has a break in training of not less than 12 consecutive weeks and not more than 5 years she shall be required to do an additional period of training of one week for every 4 weeks of the break; but in no case shall additional training required under this paragraph exceed 11 weeks.

(3) Where a break in training occurs by reason of sick leave, the Council may reduce the period of additional training required under paragraph (2) of this rule as they think fit.

(4) Without prejudice to paragraphs (2) and (5) of this rule, where a person at any time during her training transfers from one training institution to another she may be required to do such an additional period of training of not more than 13 weeks as the Council may determine.

(5) Where a person—

(*a*) has a break in training of more than 5 years, or

(*b*) following a break in training or a transfer from one training institution to another the Council are satisfied, as a result of a report in respect of her, that she has been convicted of a criminal offence or has been guilty of conduct which had she been an enrolled nurse might, in the opinion of the Council, have rendered her liable to disciplinary action under these Rules,

the Council may require that person—

(i) to begin her training again or

(ii) to do such period of additional training of not less than 11 weeks and, when added to the remainder of her period of training following the break, not more than 104 weeks, as the Council may determine.

(6) The Council, on receipt of a report under paragraph 5(*b*) of this rule may make such investigations as they think necessary and shall not require a pupil nurse to start her training again or do such additional period as may have been determined under that paragraph unless they have given her an opportunity of stating her case to them either orally or in writing as she may wish.

(7) Where additional periods of training are required of a person under paragraphs (2) and (4) of this rule they shall be cumulative.

(8) This rule shall apply *mutatis mutandis* to persons who have transferred from a training institution in Scotland or Northern Ireland to a training institution in England and Wales as if they were transferring between two training institutions in England and Wales.

PART V

Conditions of admission to the roll and certificate of admission to the roll

21.—(1) A person shall, subject to the provisions of the next following paragraphs, be entitled to be admitted to the appropriate part or parts of the roll and be issued with a certificate or certificates to that effect if she complies with the following conditions:—

(*a*) she is over the age of 20 years;

(*b*) she has completed the appropriate training and passed any appropriate examination in accordance with Part IV of these Rules or complies with the conditions of admission required by rules 25 and 28 of these Rules;

(*c*) she is of good character and her conduct has been satisfactory during the period of her training under supervision;

(*d*) she has deposited with the Registrar a certificate signed by the senior nurse or other officer acceptable to the Council of the institution or institutions in which she was trained verifying that the requirements specified in this paragraph have been satisfied.

(2) Should it come to the notice of the Council that an applicant for enrolment has either before or since the date on which she sat for the appropriate examination been convicted of a criminal offence or has been guilty of conduct which, had she been an enrolled nurse would, in the opinion of the Council, have rendered her liable to disciplinary action under these Rules, the Council may, after giving the applicant the opportunity of stating her case orally or in writing as she may wish and making such other reasonable investigations as may be necessary, refuse to admit her to the roll.

22.—(1) Where before 1st May 1950, the name of an enrolled nurse was removed from the roll in consequence of the failure of the said nurse to apply for the retention of her name on the roll in accordance with Rules then in force, or where between 1st May 1950 and 1st May 1952, the name of an enrolled nurse was removed for failure to pay the retention fee due under section 15(1) of the Nurses Act 1949(**a**), such person shall be entitled to apply to have her name restored to the roll.

(**a**) 1949 c. 73.

(2) An application for restoration shall be made on a form to be supplied by the Council and shall include an explanation of the applicant's failure to apply for retention of her name on the roll. The applicant shall send to the Council together with her application form the fee in respect of restoration to the roll which is prescribed in paragraph (4) of this rule.

(3) If the Council are satisfied with the explanation offered by the applicant and any references which they may reasonably require are satisfactory, they shall restore her name to the roll. If the Council are not so satisfied with the explanation offered, they shall, before reaching their decision, refer the matter to the Registration and Enrolment Committee who shall, before reporting thereon to the Council, afford to the applicant, if she wishes, an opportunity of being heard by them and of adducing further evidence.

(4) The fee payable by a person upon restoration to the roll under this rule in respect of the retention of her name on the roll without limit of time shall be a fixed sum of £4 4*s*. 0*d*. and an additional sum of an amount determined by the age of the person on the date on which her application form for restoration is received by the Council in accordance with the following scale:—

Age of person on date of receipt of application form	Additional sum
Over 55 years	... £1 1*s*. 0*d*.
Over 50 years and less than 55 years	... £2 2*s*. 0*d*.
Over 45 years and less than 50 years	... £3 3*s*. 0*d*.
Over 40 years and less than 45 years	... £4 4*s*. 0*d*.
Less than 40 years	... £5 5*s*. 0*d*.

23. Where subsequent to her enrolment, the name of an enrolled nurse has been or is included in the register, her name may be removed from the roll at her request.

24.—(1) Any person whose name is entered on the roll kept by the General Nursing Council for Scotland or by the Joint Nursing and Midwives Council for Northern Ireland who makes application to the Registrar on a form to be supplied by the Council, pays any fee in respect of such application for enrolment due under section 3(3) of the Act of 1957 and produces a certificate issued by the Registrar of the Council on whose roll her name is entered to that effect and a complete copy of such entry shall be admitted to the appropriate part of the roll.

(2) The provisions of paragraph (1) of this rule shall not apply to a person whose name has been removed by the Disciplinary Committee from the roll under Part VI of these Rules.

Conditions of admission to the part of the roll for enrolled mental nurses or to the part of the roll for enrolled nurses for the mentally subnormal by practice, knowledge and experience of nursing of persons suffering from mental disorder

25. A person shall be entitled to be admitted to the part of the roll for enrolled mental nurses or to the part of the roll for enrolled nurses for the mentally subnormal as the case may be on proving to the satisfaction of the Council:—

(*a*) that she has before 1st December 1967 and after attaining the age of 18 years been bona fide engaged in practice as a nurse in attendance on persons suffering from mental disorder or on persons suffering from

severe subnormality or subnormality for the periods and under the conditions specified in the next following rule; and

(*b*) that she has such knowledge and experience of nursing as to justify her admission to the roll.

26.—(1) Subject to the next following rule, the periods of practice, and the conditions of practice for the purpose of rule 25(*a*) shall be:—

(*a*) not less than 2 years' whole-time practice under the supervision of a registered mental nurse or registered nurse for the mentally subnormal as the case may be carried out in a hospital, mental nursing home or other institution acceptable to the Council; or

(*b*) not less than 5 years' whole-time practice under the supervision of a registered mental nurse or registered nurse for the mentally subnormal as the case may be.

(2) For the purposes of this rule, a person shall be deemed to have carried out a period of whole-time practice required under paragraph (1) of this rule if she carried out periods of practice, whether whole-time or part-time, which in the aggregate amount to the required period of whole-time practice.

27. A person who on the date of making application for admission to the roll is engaged in nursing but who has failed by 1st December 1967 to complete a period of practice prescribed in rule 26(1) may nevertheless be enrolled if—

(*a*) she has carried out since 1st December 1962 a period of practice under the conditions specified in paragraph (*a*) of that rule; or since 1st December 1960 a period of practice under the conditions specified in paragraph (*b*) of that rule; and

(*b*) the length of time by which she has failed to complete a prescribed period of practice is so short as in the view of the Council not materially to affect her fitness for enrolment.

Conditions of admission to the general part of the roll by knowledge and experience acquired either before 17th March 1943 *or before 1st January* 1949

28. A person shall be entitled to be admitted to the general part of the roll on proving to the satisfaction of the Council that she is engaged in nursing and that she has since attaining the age of 17½ years acquired knowledge and experience of nursing in the manner specified in the next following rule.

29. The knowledge and experience of nursing entitling a person to be enrolled under rule 28 shall have been acquired in one of the following ways:—

(*a*) by not less than 2 years' whole-time training or experience in the nursing of the sick undergone or acquired, as the case may be, before 17th March 1943 under the supervision of trained nursing staff in a hospital or institution; or

(*b*) by not less than 3 years' whole-time bona fide practice in the nursing of the sick carried out before 17th March 1943, including not less than 6 months' whole-time training or experience under the supervision of trained nursing staff in a hospital or institution; or

(*c*) in the case of a person who before 17th March 1943, was a state certified midwife, by not less than 3 years' whole-time training or experience in the nursing of the sick or midwifery undergone or acquired, as the case may be, before that date, including not less than 6 months' whole-time

training or experience in the nursing of the sick under the supervision of trained nursing staff in a hospital or institution; or

(*d*) by 5 years' whole-time bona fide practice in the nursing of the sick carried out before 17th March 1943, including such nursing experience recently acquired before that date as would have been considered adequate by the Council; or

(*e*) by not less than 2 years' whole-time training or experience in the nursing of the sick undergone or acquired, as the case may be, before 1st January 1949, under the supervision of trained nursing staff in a hospital or institution of which not less than 1 year was spent in the employment of one hospital or institution or in one or more hospitals or institutions under one authority; or

(*f*) in the case of a person who before 1st January 1947, was a state certified midwife, by not less than 2 years and 6 months' whole-time training in the nursing of the sick or midwifery, undergone before that date, including not less than 6 months' whole-time training in the nursing of the sick under the supervision of trained nursing staff in a hospital or institution.

References

30.—(1) For the purposes of rules 25 and 28 the applicant shall furnish to the Registrar the name and address of a person willing and able to give evidence of her character. The person shall be a householder not being a relation of the applicant who has known the applicant for not less than 3 years.

(2) For the purposes of rules 25(*a*) and 28 evidence of the applicant's date of birth shall be sufficient if given to the Council by the applicant in the form of a birth certificate or a statutory declaration stating the date of birth.

(3) For the purposes of rules 25 and 28, an applicant shall furnish to the Registrar the names and addresses of the persons under whom the applicant has worked for not less than 3 months specified in sub-paragraph (*a*) or (*b*) of this paragraph as appropriate in her case who are willing to send to the Council a certificate relating to the professional efficiency of the applicant, that is to say—

(*a*) in the case of an applicant whose period of practice entitling her to enrolment has been carried out in a hospital or mental nursing home or other institution, any 2 persons, such persons being a senior nurse or other senior nursing officer of a hospital or mental nursing home or other institution in which she has been employed or a registered medical practitioner; and

(*b*) in the case of an applicant whose period of practice entitling her to enrolment has been carried out other than as in (*a*) above, a registered nurse and a registered medical practitioner under whose supervision she has worked.

31. Every nurse admitted to the roll shall be granted a certificate stating that her name has been enrolled, and the date of her enrolment, and such certificate shall be sealed with the seal of the Council.

32. In the event of a certificate becoming lost or accidentally destroyed, the holder may apply to the Council for a fresh certificate, and the Council may, if they think fit, grant such fresh certificate upon payment by the applicant of a fee of £1 1*s*. 0*d*. A certificate issued under this rule shall be marked "Duplicate".

33. Any person shall be entitled, upon payment to the Registrar of a fee of £1 1s. 0d. to be furnished with a certificate under the seal of the Council certifying that a person is, or was at any date, or is not, or was not at any date, duly enrolled.

PART VI

REMOVAL FROM AND RESTORATION TO THE ROLL

Interpretation

34. This part of the Rules shall not have effect until 22nd September 1970.

35. For the purpose of this part of these Rules, the following expressions have the meanings hereby respectively assigned to them except where the content otherwise requires:—

"Committee" means the Disciplinary Committee as constituted under the Nurses Rules 1969(**a**);

"complainant" means a body or person by whom a complaint has been made to the Council alleging that an enrolled nurse has been convicted of a crime or been guilty of misconduct or alleging that the entry of the name of an enrolled nurse in the roll has been procured by fraud and who, where the case has been referred by the Investigating Committee in their discretion under rule 36 of these Rules to the Committee, wishes to be a party to the proceedings;

"crime" means a criminal offence and includes an offence committed outside England and Wales which if committed in England and Wales would be a criminal offence;

"legal assessor" means a person appointed to be assessor under the provisions of section 10 of the Nurses (Amendment) Act 1961(**b**);

"respondent" means any enrolled nurse who is alleged to be liable to have her name removed from the roll or in respect of whom a question has arisen whether the entry of her name in the roll has been procured by fraud;

"solicitor" means the person who for the time being holds the office of solicitor to the Council or his deputy appointed by the Council.

Investigating Committee

36.—(1) When it is brought to the notice of the Council that an enrolled nurse has been convicted of a crime, or where she is alleged to have been guilty of any misconduct, during the period in which her name is in the roll or during any period in which her name has for any reason been excluded from the roll, or where a question arises whether an entry in the roll was procured by fraud, the Registrar, after making such further inquiries relative thereto as she thinks necessary, shall invite the respondent to furnish any written statement or explanation which she may desire to offer and shall lay the matter before the Investigating Committee.

(2) The Investigating Committee shall consider the matter and may at any stage of the case take the advice of the solicitor, and may instruct him to obtain proofs of evidence in support of the allegations against the respondent, and may, in such cases as they think fit, decline to proceed with the matter.

(3) Where the Investigating Committee decide that the case is one in which the nurse shall be cited to appear before the Committee they shall refer the

(**a**) Scheduled to S.I. 1969/1675. (**b**) 1961 c. 14.

case to the Committee and may direct the solicitor to take all necessary steps for verifying the evidence to be submitted to the Committee and for obtaining the necessary documents and the attendance of witnesses.

Notice of inquiry before Committee

37.—(1) Where a case has been referred by the Investigating Committee to the Committee under the provisions of rule 36 of these Rules, the Registrar shall send to the respondent a notice of inquiry in writing in the form set out in Schedule 3 to these Rules, specifying the nature and particulars of the charge against her, and informing her of the time and place of the meeting of the Committee at which the case will be heard, and requiring her to send or deliver to the Registrar her certificate of enrolment and badge, if any, not later than the date on which the hearing takes place. Such notice shall be sent by registered post to the registered address of the respondent contained in the roll or, if the Registrar has reason to believe that that address is not her present address, then to any later address which may be known to the Registrar, and shall be posted so as to allow at least twenty-one days to elapse between the day on which the notice is posted and the date fixed for the hearing.

(2) In any case in which there is a complainant, the Registrar shall send him a copy of the notice of inquiry and a copy of the Rules.

(3) Upon application by any party to the inquiry, the Registrar shall send to that party copies of any statutory declaration, explanation, admission or other similar statement or communication sent to the Council by any party to the inquiry.

(4) Any party to the inquiry may appear in person or be represented at the hearing by a friend, or by counsel or solicitor, provided that a complainant may be represented only by counsel or solicitor or, in the case of a corporate body being a complainant, by a member or officer duly appointed by them for the purpose.

Postponement or cancellation of inquiry

38.—(1) The chairman of the Committee, of her own motion or upon the application of any party thereto, may postpone the hearing of an inquiry, or may refer the matter to the Investigating Committee for further consideration as to whether an inquiry should be held;

Provided that, where the complainant, if any, has intimated his intention of participating in the proceedings, the Investigating Committee shall not in a case referred back to them direct that an inquiry should not be held except with the agreement of the complainant.

(2) Where before the inquiry opens it appears to the chairman of the Committee, or at any stage of the proceedings it appears to the Committee, that a notice of inquiry is defective, she or they shall cause the notice to be amended unless it appears that the required amendment cannot be made without injustice, or, if she or they consider that the circumstances in which an amendment is made require it, she or they may direct that the inquiry shall be postponed or shall not be held.

(3) The Registrar shall, as soon as may be, give to all parties to whom a notice of inquiry has been sent notification of any decision to postpone or not hold an inquiry, informing them of the date fixed for the hearing of a postponed inquiry.

The reading of the charge

39.—(1) The charge shall be read in the presence of the parties:

Provided that if the respondent does not appear but the Committee nevertheless decide that the inquiry shall proceed the charge shall be read in her absence.

(2) 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, in 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

40.—(1) In cases arising out of a complaint or information from which it appears that an enrolled nurse has been convicted of a crime (referred to in these Rules as cases relating to conviction) the following order of proceedings shall be observed concerning proof of the convictions alleged in the charge:—

(*a*) the complainant, or, if no complainant appears, the solicitor shall adduce evidence of each conviction, and a certificate of a competent officer of the Court in which the proceedings took place that the respondent was convicted of a crime shall be sufficient for this purpose;

(*b*) if no evidence is adduced concerning any particular conviction, the chairman of the 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 Committee on that question:

Provided that only one address may be made under this sub-paragraph and, where the respondent adduces evidence, that address shall be made either before that evidence is begun or after it is concluded.

(3) Where evidence is adduced under the last foregoing sub-paragraph, the complainant, or, where no complainant appears, the solicitor may adduce evidence to rebut such evidence.

(4) On the conclusion of proceedings under the last foregoing paragraph, the Committee shall consider every conviction of which evidence has been adduced and shall determine whether or not it has been proved; and the chairman shall announce their determination in such terms as they may approve.

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

Proof of the facts in cases of alleged misconduct

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

(*a*) if the respondent appears the chairman 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 complainant (if any appears) or the solicitor shall open the case and adduce evidence of the facts alleged;

(*c*) if no evidence is adduced concerning any particular charge on which there has been no admission of the facts alleged, the Committee, subject to their right in such a case to order the adjournment of the inquiry, shall record and the chairman shall announce a finding that the respondent is not guilty of 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 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 no sufficient evidence has been adduced upon which the 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 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 Committee shall consider and determine whether it should be upheld; and if the Committee determine to uphold it they shall record and the chairman shall announce their finding that, in relation to the matters to which that charge relates, the respondent is not guilty of misconduct;

(*c*) the respondent may adduce evidence in answer to any charge concerning which evidence has been adduced and, whether she adduces evidence or not, may address the Committee. Except with the leave of the Committee only one address may be made under this sub-paragraph and, where the respondent adduces evidence, shall be made either before that evidence is begun or after it is concluded;

(*d*) at the close of the case for the respondent the complainant or the solicitor, as the case may be, may, with the leave of the Committee, adduce evidence to rebut any evidence adduced by the respondent; and if he does so, the respondent may make a further address limited to the rebutting evidence;

(*e*) the complainant or the solicitor, as the case may be, may address the Committee by way of reply to the respondent's case—

(i) if oral evidence (not being evidence as to character) other than that of the respondent herself has been given on the respondent's behalf; or

(ii) with the leave of the Committee, where no such evidence has been given;

(*f*) without prejudice to the last foregoing sub-paragraph if the respondent has made a submission to the Committee on a point of law any other party shall have a right of reply limited to that submission.

(3) On the conclusion of the aforesaid proceedings, the 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 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 misconduct the Committee shall record a finding that the respondent is not guilty of 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 misconduct

42.—(1) Where the Committee have found that a conviction has been proved the chairman shall invite the complainant or the solicitor, as the case may be, 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 to address the Committee by way of mitigation and the respondent may adduce evidence as aforesaid, and as to character.

(2) Where in a case of alleged misconduct the 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 Committee shall forthwith consider and determine whether in relation to the facts found proved as aforesaid the respondent is guilty of misconduct. If they determine that she is not guilty of misconduct in relation to some 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 misconduct in relation to all or any of such facts the chairman shall invite the complainant or the solicitor, as the case may be, to address the 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 to address the Committee by way of mitigation and the respondent may adduce evidence as aforesaid, and as to character.

(3) Except where (in a case of alleged misconduct) the respondent has been found not guilty on all charges the Committee shall next consider and determine whether they should postpone judgment.

(4) If the Committee determine to postpone judgment, the judgment of the Committee shall stand postponed until such future meeting of the Committee as they may determine; and the chairman of the Committee shall announce their determination in such terms as the Committee shall have approved.

(5) If the Committee determine not to postpone judgment, they shall determine whether by reason of the conviction or convictions proved against the respondent or of her misconduct the Registrar should be directed to remove her name from the roll, and the chairman shall announce their determination in such terms as they shall have approved.

Procedure in cases relating both to conviction und to misconduct

43. Where in any case it is alleged against the respondent both that she has been convicted and that she has been guilty of misconduct, the Committee shall proceed upon the charge or charges of each kind separately under rule 40 or rule 41 of these Rules according as the charge relates to a conviction or to alleged misconduct and shall then proceed under so much of rule 42 of these

Rules as may be applicable either upon the charge or charges of each kind separately or upon the charges of both kinds concurrently, according as the circumstances of the case may require.

Procedure upon postponement of judgment

44.—(1) Where under any of the foregoing provisions of these Rules the judgment of the Committee in any case stands postponed, the following shall be the procedure:—

(*a*) the Registrar shall, not later than six weeks before the date fixed for the resumption of the proceedings, send to the respondent a notice which shall—

(i) specify the day, time and place at which the proceedings are to be resumed and invite her to appear thereat;

(ii) invite the respondent to furnish to the Registrar, not less than three weeks before the day fixed for the resumption of the proceedings, the names and addresses of at least two suitable persons with knowledge of the facts found against her who are able and willing to identify the respondent and give evidence as to her character and the nature of her employment since the adjourned hearing, and such other evidence as the Committee may reasonably require;

(*b*) a copy of the notice shall be sent to the complainant, if any, and he may in turn, if he so desires, send to the Registrar a statement or statutory declaration, whether made by himself or not concerning any matter relating to the conduct of the respondent since the previous hearing;

(*c*) at the meeting at which the proceedings are resumed the chairman shall first invite the solicitor to recall, for the information of the Committee, the position in which the case stands and the Committee may then receive further oral or documentary evidence in relation to the case, or to the conduct of the respondent since the previous hearing, and shall hear any other party to the proceedings who desires to be heard;

(*d*) the Committee shall then consider and determine whether they should further postpone their judgment on the charges on which their judgment was previously postponed; and if the Committee determine further to postpone judgment, the judgment of the Committee shall stand postponed until such future meeting of the Committee as they may determine; and the chairman of the Committee shall announce their determination in such terms as the Committee may approve. The provisions of this rule shall apply to any case in which judgment is further postponed;

(*e*) if the Committee determine that judgment shall not be further postponed paragraph (5) of rule 42 of these Rules shall apply.

(2) At any resumed proceedings any new charge alleged against the respondent in accordance with these Rules shall first be dealt with in accordance with such of rules 39 to 41 of these Rules and so much of rule 42 of these Rules as may be applicable and if the Committee determine not to postpone judgment in respect of any such new charge, the Committee may apply paragraph (5) of rule 42 of these Rules simultaneously to the new charge and the charge in respect of which they had postponed judgment.

(3) Nothing in the last foregoing paragraph shall prevent the 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 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.

Cases relating to entries in roll alleged to have been procured by fraud

45.—(1) Where any question whether an entry in the roll has been procured by fraud is referred to the Committee the Registrar shall send to the respondent a notice of inquiry specifying the nature of the fraud alleged, stating the day, time and place at which the 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 37 of these Rules shall apply as though such a notice were a notice of inquiry such as is mentioned in that rule.

(2) 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 may direct. Any such person may with the leave of the chairman appear at the inquiry as an additional party thereto.

(3) The inquiry shall proceed as though the question were a charge contained in a notice of inquiry in a case relating to misconduct and the provisions of rule 41 of these Rules shall accordingly apply thereto so far as may be.

(4) If the Committee determine that the entry 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 Committee to have been procured by fraud, shall be removed from the roll; and the chairman shall announce the determination in such terms as the Committee may approve.

(5) Whether or not the Committee proceed to determine that an entry has been proved to their satisfaction to have been procured by fraud, they may, if they are satisfied that the entry has been incorrectly made, cause the entry to be amended.

(6) Where an inquiry relates to two or more entries, the Committee may proceed under the foregoing provisions of this rule in respect of those entries either separately or taken together, as the Committee may think fit; and where an inquiry relates to an entry specifying two or more particulars, the Committee may proceed thereunder in respect of so much of the entry as specifies each of those particulars as if it were a separate entry.

Procedure where there is more than one respondent

46. Nothing in this part of these Rules shall prevent one inquiry being held into charges against two or more respondents; and where such an inquiry is held the foregoing rules shall apply with the necessary adaptions and subject to any directions given by the Committee as to the order in which proceedings shall be taken under any of those rules by or in relation to the several respondents, so however that any of the rights ensured to a respondent under those rules shall be exercised separately by each of the respondents who desires to invoke that right.

Restoration of name to the roll

47.—(1) Where the name of an enrolled nurse has been removed from the roll for disciplinary reasons, any application for its restoration 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, with knowledge of the facts found against her, of whom two shall be justices of the peace, ministers of religion, registered medical practitioners, registered nurses, or such other persons as the Council may approve, 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 that date.

(3) The Committee may invite the applicant to amplify her application by making a statement in writing in relation to any facts which the Committee consider to be material in making their decision.

(4) The Committee may require the applicant to verify by statutory declaration any statement made in her application or on the invitation of the Committee.

(5) Unless the Committee decide to restore the name of an applicant without a hearing, they shall afford to her if she wishes an opportunity of being heard by them and of adducing evidence.

(6) Subject to the foregoing provisions of this rule and to those of rules 51 to 53 of these Rules, the procedure of the Committee shall be such as they may determine.

48. Upon consideration of the application and of the evidence furnished in support of it, the Committee shall reach their decision and the Registrar shall forthwith communicate it to the applicant by registered post. Where the Committee have decided that the name of the applicant shall be restored to the roll then, upon payment by the applicant of the undermentioned fee or fees, her name shall be restored to the part or parts of the roll from which it was removed and a new certificate or certificates of enrolment shall be issued to her:—

(*a*) in all cases a fee of £4 4s. 0d. shall be payable;

(*b*) where the name of the applicant was removed for disciplinary reasons from the roll prior to 1st May 1950 or where in the case of an applicant whose name was removed for disciplinary reasons between 1st May 1950 and 1st May 1952, the applicant had not paid the retention fee due under section 15(1) of the Nurses Act 1949, there shall be payable an additional fee calculated in accordance with the scale contained in rule 22(4) of these Rules in respect of her age on the date her application for restoration under this rule was received by the Council.

49. In the event of the restoration of the name of a person 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 Scotland and/or the Joint Nursing and Midwives Council for Northern Ireland, if the Council are aware that the name of such person is or was also enrolled in Scotland and/or Northern Ireland.

50. In the event of notice being received by the Council from the General Nursing Council for Scotland and/or the Joint Nursing and Midwives Council for Northern Ireland that they have restored to their roll the name of a person whose name they had removed from their roll for disciplinary reasons, if the Registrar shall find that the name of such person was removed from the roll, it shall be the duty of the Registrar to lay the matter before the Committee. The Committee shall then consider the matter, and if necessary make inquiries

and may, if they think fit, having regard to all the circumstances and at their discretion, restore the name of such person to the roll, if she applies under and conforms to such of the provisions of this part of these Rules as the Committee shall require. Unless the Committee decide to restore the name of the applicant without a hearing they shall afford to her, if she wishes, an opportunity of being heard by them and of adducing evidence: in the event of the Committee restoring the name of a nurse to the roll under this rule, the Registrar shall as soon as possible notify the fact of such restoration to the General Nursing Council for Scotland and/or the Joint Nursing and Midwives Council for Northern Ireland.

Hearing and adjournment

51.—(1) The Committee may deliberate in camera (with or without the legal assessor) at any time and for any purpose during or after the hearing of any proceedings.

(2) Save as aforesaid all proceedings before the Committee shall take place in the presence of all parties thereto who appear therein and shall be held in public except as provided by the following paragraph hereof.

(3) Where in the interests of justice it appears to the Committee that the public should be excluded from any proceedings or part thereof, the Committee may direct that the public shall be so excluded; but a direction under this paragraph shall not apply to the announcement in pursuance of any of these Rules of a determination of the Committee.

(4) The Committee may adjourn their proceedings from time to time as they think fit.

Evidence

52.—(1) Where any respondent or applicant has supplied to the Committee or to the Registrar on their behalf the name of any person to whom reference may be made confidentially as to her character or conduct the Committee may consider any information received from such person in consequence of such reference without disclosing the same to the respondent or applicant.

(2) The Committee may receive oral, documentary or other evidence of any fact which appears to them relevant to the inquiry into the case before them:

Provided that, where a fact which it is sought to prove or the form in which any evidence is tendered is such that it would not be admissible in criminal proceedings in an English court, the Committee shall not receive evidence of that fact or in that form, unless after consultation with the legal assessor they are satisfied that it is desirable in the interests of justice to receive it having regard to the difficulty and expense of obtaining evidence which would be so admissible.

(3) A witness including the respondent (if she gives evidence) shall first be examined by the person calling him and may then be cross-examined and re-examined. Questions may be put to any witness by the Committee through the chairman or by the legal assessor with the leave of the chairman.

(4) The Committee may cause any person to be called as a witness in any proceedings before them whether or not the parties consent thereto.

Voting

53.—(1) Any question put to the vote shall be put in the form of a motion. The chairman shall call upon the members present to vote for or against the

motion by raising their hands and shall declare that the motion appears to her to have been carried or not carried as the case may be.

(2) Where the result so declared is challenged by any member, the chairman shall call upon the Registrar to read the roll and as her name is read every member present including the chairman (who shall be called last) shall say "For" or "Against" according as her vote is given for or against the motion. The chairman shall thereupon declare the number of members who have voted for and the number who have voted against the motion and whether the motion has been carried or not carried.

(3) Where on any of the questions the votes are equal, the question shall be deemed to have been resolved in favour of the respondent or applicant, as the case may be, and for the purpose of this paragraph a decision to postpone judgment shall be taken to be in favour of the respondent or applicant unless she indicates to the Committee that she is opposed to postponement.

Communication of decision of Committee in disciplinary cases

54.—(1) The Registrar shall forthwith communicate with the respondent by registered post informing her of the decision of the Committee.

(2) The Registrar shall in the case of the removal of the respondent's name from the roll retain the respondent's certificate of enrolment and badge, if any, and shall remove her name from the part or parts of the roll in which it is included.

(3) Where the respondent's name has been removed from the 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 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 the request.

55. In the event of the removal of the name of a nurse from any part of the roll under this part of these Rules, notification of the facts shall forthwith be sent by the Registrar to the General Nursing Council for Scotland and/or to the Joint Nursing and Midwives Council for Northern Ireland, if the Council are aware that the name of such nurse is or was also enrolled in Scotland and/or in Northern Ireland.

56. In the event of the Council receiving a notification from the General Nursing Council for Scotland and/or the Joint Nursing and Midwives Council for Northern Ireland, that the name of any nurse enrolled by either or both of these Councils has been removed from the roll in Scotland or Northern Ireland by reason of a finding by such Council that such nurse has been guilty of a crime, or any misconduct, if the Registrar shall find that the name of the nurse is also entered on any part of the roll, she shall inform her by registered post that the Council have received such notification, and shall inquire of her whether she desires to show cause why her name should not also be removed from the roll. If no answer is received by the Registrar within twenty-eight days after the despatch of such letter, or such longer period as the Committee may allow if they are satisfied that there is sufficient reason for an extension of time, or if the nurse replies that she does not desire to show cause as aforesaid, then the Committee shall at their next convenient meeting direct the Registrar to remove the nurse's name from the roll. If the nurse replies that she does desire to show cause as aforesaid, the Registrar shall lay the matter before the

Committee who shall thereupon proceed to deal with the matter by way of a fresh hearing under this part of these Rules, as if the complaint had been originally made to the Council. The action of the Committee shall in due course be notified to the General Nursing Council for Scotland and/or the Joint Nursing and Midwives Council for Northern Ireland, as the case may be.

57. If any question arises as to the meaning or effect of this part of these Rules, or if any question or matter shall arise which is not provided for by this part of these Rules, such question or matter shall be decided by the Committee.

PART VII

Rules with respect to the uniform and badge which may be worn by enrolled nurses

58. The uniform and badge of an enrolled nurse shall be that described in Schedule 4 to these Rules.

59. The uniform in all its detail shall be strictly adhered to, and no alteration or embellishment of any kind shall be permitted. No unauthorised letters or devices, and no trimmings, lace or jewellery shall be worn on any part of the uniform, provided that this prohibition shall not apply to the wearing of the badge or of the ribbon or other insignia of any order, decoration or medal conferred by the Sovereign, or of any foreign order, decoration or medal accepted by permission of the Sovereign.

60. The wearing of the uniform by enrolled nurses shall not be compulsory:

Provided that an enrolled nurse who wears the uniform shall wear the whole uniform and not a portion thereof only.

61. No enrolled nurse shall wear the uniform without a permit from the Registrar, which shall be issued free by the Council to every enrolled nurse, at the time of her enrolment.

62. In the event of loss of, or damage to, the original permit, an enrolled nurse desirous of obtaining a duplicate permit shall make application to the Registrar on a form to be supplied by the Council and shall pay a fee of 2s. 6d. or on or after 15th February 1971 13p. with her application. The fee payable for any further permit shall be 5s. 0d.

63. A uniform shall be obtained only from a firm authorised by the Council to supply uniforms, and the permit from the Registrar shall be produced at the time of the order.

64. The material for a uniform shall be obtained only from a firm authorised by the Council to supply material which shall be of the kind, weight and colour laid down by the Council, and the uniform shall be made in accordance with the designs approved by the Council.

65. An enrolled nurse shall not dispose of her uniform unless all distinguishing features have been previously removed therefrom.

66. The badge shall be issued by the Council to every enrolled nurse at the time of her enrolment and shall remain the property of the Council. In the event of loss of, or damage to, a badge, application for a duplicate badge on payment of a sum of 10s. 6d. or on or after 15th February 1971 53p. may be made to the Registrar on a form to be supplied by the Council.

67. The badge may be worn with or without uniform, and shall, when worn by female enrolled nurses, be affixed to the right side of the person.

Rule 4

SCHEDULE 1

FORM OF ROLL

Each part of the roll shall show in respect of each enrolled nurse admitted the following particulars:—

(1) enrolment number,

(2) full names and, if married, maiden name,

(3) permanent address,

(4) date of enrolment,

(5) qualifications. Under this heading shall appear the qualification in each case for admission to the roll (including certificate of training, if any), the dates of obtaining such qualification, and the hospital or hospitals in which the qualifying training or experience has been received.

Rules, 11, 13 and 15

SCHEDULE 2

TRAINING FOR ADMISSION TO THE ROLL

Part 1. Syllabus of training for the general part of the roll

Part A

Principles and practice of nursing

Introduction: development of nursing.
An outline of the National Health Service, and the nurse's place within it.
Principles and practice of nursing.
First aid.

Part B

The human individual and his care

An elementary knowledge of:—
Personal development of the individual.
Promotion of individual and communal health.
The structure and function of the human body, including nutrition.

Part C

Outline of the causes, course and treatment of disease

An elementary knowledge of the causes of disease and principles of treatment as a background to understanding the nursing care given to patients.

Part 2. Syllabus of training for the part of the roll for enrolled mental nurses

Part A

Mental nursing

Introduction: development of nursing.
Outline of Mental Health Services.
An elementary knowledge of the legal and administrative aspects of mental disorder.
A general outline of mental illness.
A general understanding of the nursing care and management of mentally ill patients, including short stay and long stay patients and disturbed and physically sick patients.
General principles of occupational therapy, social therapy, and after care.
First aid.

Part B

The human individual and his care

An elementary knowledge of:—

Personal development of the individual.
The promotion of individual and communal health.
The structure and function of the human body, including nutrition.

Part C

Care of patients who are ambulant and patients confined to bed

Part 3. Syllabus of training for the part of the roll for enrolled nurses for the mentally subnormal

Part A

Mental subnormality nursing

Introduction: development of nursing.
Outline of Mental Health Services.
An elementary knowledge of the legal and administrative aspects of mental disorder.
A general outline of mental subnormality.
A general understanding of the nursing care and management of mentally subnormal patients, including children, adolescents, and adults and those who are physically handicapped and in the education and training of these patients.
General principles of occupational therapy, social therapy, and after-care.
First aid.

Part B

The human individual and his care

An elementary knowledge of:—

Personal development of the individual.
The promotion of individual and communal health.
The structure and function of the human body, including nutrition.

Part C

Care of patients who are ambulant and patients confined to bed

SCHEDULE 3 Rule 37

FORM OF NOTICE

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES
DISCIPLINARY COMMITTEE
Nurses Acts 1957 to 1969

To.....

of .....

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 Council, and that the Disciplinary Committee of the Council propose to investigate such charge(s) at a meeting to be held at the offices of the Council, 23 Portland Place, London, W1A 1BA at ..... a.m. / p.m. —— on ..... the ..... 19....., and to determine whether your name should be removed from the roll.

PARTICULARS OF CHARGE(S)

You are hereby required to attend before the Disciplinary Committee of the Council at the time and place mentioned above and to answer such charge(s), bringing with you all papers and documents in your possession relevant to the matter and any persons whose evidence you wish to lay before the Disciplinary Committee.

The following points should be carefully noted:—

(*a*) You are entitled to be represented at the hearing before the Disciplinary Committee by a friend, or by counsel or a solicitor, but if you propose to employ counsel or a solicitor, you should give written notice to the Registrar at the address mentioned above at least seven days before the hearing.

(*b*) It is imperative that you should either send to the Registrar before the date fixed for the hearing, or bring with you to the hearing your certificate of enrolment (and badge).

A copy of the Enrolled Nurses Rules 1969, is enclosed, and your attention is directed to Part VI of those Rules.

.....

Date..... Registrar of the Council.

Rule 58

SCHEDULE 4

Part 1

DESCRIPTION OF UNIFORM, BADGE AND LETTERING FOR FEMALE ENROLLED NURSES

1. The basic colours shall be dark green, apple green, and bronze.

2. The outdoor uniform shall consist of:—

(*a*) An overcoat (lightweight or heavyweight); or approved raincoat; and/or costume worn with approved blouse; and

(*b*) A peaked cap with embroidered device in front; or beret with cockade and embroidered device; or double-crowned felt hat with cockade and embroidered device; or tricorn shape felt hat with cockade and embroidered device; or a white peaked crash helmet made in accordance with the specification of the British Standards Institution for protective helmets for motor cyclists.

With any of the above uniforms there shall be worn brown shoes, brown stockings and brown gloves; a handbag, if carried, shall be of brown leather.

3. The indoor uniform shall consist of:—

(*a*) A washing frock to be worn with or without an approved apron, or

(*b*) a mess frock.

With either of the above uniforms there shall be worn brown shoes and brown stockings.

4. The badge shall be made of bronze and apple green enamel, and its size and design shall be as follows:—

Diameter: 3.6 centimetres.
Outer edge: 5 petals of Tudor Rose. Between each petal a small Tudor Rose.
Centre: Figure of Hygeia with rose and daffodil design on either side, encircled by garter bearing the words, "The General Nursing Council for England and Wales".

5. The embroidered device shall consist of the appropriate letters of designation worked in gold wire on a dark green background.

6. The metal letters on epaulettes shall consist of bronze plated metal letters of designation indicating the part or parts of the roll in which the nurse is enrolled:—

Enrolled general nurse—S.E.N.
Enrolled mental nurse—S.E.N.(M)
Enrolled nurse for the mentally subnormal—S.E.N.(M.S.)

Part 2

DESCRIPTION OF UNIFORM, BADGE AND LETTERING FOR MALE ENROLLED NURSES

1. The basic colours shall be dark brown, apple green, and bronze.

2. The outdoor uniform shall consist of:—

(*a*) An overcoat (lightweight or heavyweight); or approved raincoat; and

(*b*) A dark brown lounge suit worn with white shirt, and dark green tie; and

(*c*) A dark brown peaked cap with embroidered device in front; or dark brown beret with embroidered device in front; or dark brown forage cap with two small regulation buttons in front and embroidered device or a white peaked crash helmet made in accordance with the specification of the British Standards Institution for protective helmets for motor cyclists.

3. The indoor uniform shall consist of:—

A washing duty coat.

With any of the above uniforms there shall be worn:—

Dark brown socks, brown boots or shoes and, with the outdoor uniform, dark brown or chamois gloves.

4. The badge, embroidered device and metal letters shall be identical with those prescribed for female enrolled nurses.

(L.S.) *G. E. Watts,*
Chairman of the Council.

The seal of the General Nursing Council for England and Wales was hereunto affixed on 25th November 1969.

M. Henry,
Registrar.

Signed by authority of the Secretary of State for Social Services.

Serota,
Minister of State,
Department of Health and Social Security.

26th November 1969.

EXPLANATORY NOTE

(This Note is not part of the Instrument.)

The Rules approved by this Instrument consolidate with amendments the Enrolled Nurses Rules 1961, the Enrolled Nurses (Amendment) Rules 1964 and the Enrolled Nurses (Amendment) Rules 1966. The amendments include in particular:-

(*a*) provision for enrolment in, and a separate training for the three parts of the roll established under the Nurses Act 1969;

(*b*) the hearing of disciplinary cases by the Disciplinary Committee of the General Nursing Council instead of the Enrolled Nurses Committee after 22nd September 1970;

(*c*) provision for fees to be paid by pupil nurses on entering training;

(*d*) additional periods of training in certain circumstances where a break in training or a transfer from one training institution to another occurs.